

Governance Arrangements: Recruitment to the Position of Director of Adults & Health (Interim)

Date: 15 December 2022

Report of: City Solicitor

Report to: Employment Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- The Employment Committee has been established by full council to 'appoint or dismiss or take disciplinary action against' those senior officers, as defined within the Officer Employment Procedure Rules and the Committee's Terms of Reference.
- The purpose of this report is to provide Members with an overview of the governance arrangements and format for this specific Employment Committee which will have responsibility for the recruitment to the post of **Director of Adults & Health on an interim basis**.

Recommendations: The Committee is recommended to note:-

- a) The governance arrangements and format relating to the Employment Committee; and
- b) The Council's requirements regarding the consideration and disclosure of confidential and 'exempt' information.

Why is the proposal being put forward? / Main Issues

- 1 Quorum and Membership – The Constitution requires that the membership of an Employment Committee be a minimum of 3 and must include one member of the Executive. Agreement has been reached for the membership of this Employment Committee to be 6, with Members being appointed in the following proportions, in line with the overall political composition of the Council: Labour 4 Conservative 1 Liberal Democrat 1.
- 2 Quorum - Members are asked to also note that the quorum for an Employment Committee is 2 Members, including 1 Member of the Executive Board.
- 3 Exempt Information - The Council's Access to Information Procedure Rules allow for a Committee to resolve to exclude the public and press from those parts of the meeting where it is likely that in view of the nature of the business to be transacted, confidential or 'exempt' information will be disclosed and that the Committee deems that maintaining the exemption outweighs the public interest in disclosing the information. Given the nature of the information being considered as part of this recruitment exercise, it will be necessary for the committee to consider making such a resolution prior to considering the information contained within agenda item 7.
- 4 Process following interviews – The Committee is invited to note that before an offer of employment can be made, the Executive will be notified of the name (and any other details deemed relevant) of the individual that the Committee wishes to offer the post to. Executive Members would then have a designated period of time to raise any objections they may have to the making of an offer to that individual. Should any objections be raised, it would then be up to the Employment Committee to determine whether they are material and/or well founded. (Procedure Rule 4, within the Appendix provides further detail).

What impact will this proposal have?

Wards affected: N/A

Have ward members been consulted?

Yes

No

What consultation and engagement has taken place?

- 5 At the commencement of each Employment Committee cycle, the relevant Group Whips are consulted upon the membership arrangements for that Committee.

What are the resource implications?

- 6 There are no resource implications arising from this report.

What are the legal implications?

- 7 The aim of this report is to inform Members of the Constitutional and legal requirements are met as part of the Employment Committee decision making process.

The Council's Access to Information Procedure Rules allow for a Committee to resolve to exclude the public and press from those parts of the meeting where it is likely that in view of the nature of the business to be transacted, confidential or 'exempt' information will be disclosed and that the Committee deems that maintaining the exemption outweighs the public interest in disclosing the information. Given the nature of the matters considered by Employment

Committee, this report provides Members with background and guidance on the consideration and disclosure of exempt and confidential information.

The report is not subject to Call In.

What are the key risks and how are they being managed?

- 8 The purpose of this report is to minimise any risks around the Committee’s decision making processes and to ensure that the Committee’s decisions are taken in line with all Constitutional and legal requirements.

Does this proposal support the council’s three Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 9 The aim of this report, which is to ensure consistency and transparency of decision making throughout each Employment Committee recruitment process is in line with the Council’s priorities and ambitions.

Appendices

- 10 Appendix 1: The Council’s ‘*Officer Employment Procedure Rules*’

Background papers

- 11 None