

Governance Arrangements: Recruitment to the Position of Chief Executive on an Interim Basis

Date: 2 September 2024

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

Brief summary

In line with its Terms of Reference, the Council's Employment Committee has authority '*to make recommendations to Council to appoint the Head of Paid Service*'. In accordance with the Constitution, the Chief Executive is appointed as the Head of Paid Service.

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 making a recommendation to Full Council in respect of the recruitment to the post of Chief Executive 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 information.

What is this report about?

- 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 4, with Members being appointed in line with the overall political composition of the Council.
- 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 Confidential Information - The Council's Access to Information Procedure Rules require that the public must be excluded from meetings whenever it is likely that in view of the nature of the business to be transacted, or the nature of the proceedings that confidential information would be disclosed. As such, the personal information contained within an appendix to agenda item 7 which identifies individuals in the form of application details, is designated as being confidential under the provisions of Access to Information Procedure Rule 9. Therefore, when the committee considers this information, the public must be excluded from the meeting.
- 4 Process following interviews - The Committee is invited to note that before an offer of employment can be made, the Executive must be notified of the name (and any other details deemed relevant) of the individual that Employment Committee recommends that the post be offered to. Executive Members would then have a designated period of time to raise any objections to this recommendation. The recommendation would then be considered by Full Council for determination, taking into consideration any objections received during the Executive notification process outlined above. (Procedure Rule 3, within the appendix provide further detail).

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

- 5 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 and to support good governance.

What consultation and engagement has taken place?

Wards affected: N/A

Have ward members been consulted? Yes No

- 6 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?

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

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.

What are the legal implications?

- 9 The aim of this report is to inform Members of the Constitutional and legal requirements relating to the Employment Committee decision making process in respect of appointing the Head of Paid Service (who is also the Chief Executive) on an interim basis.
- 10 The Council's Access to Information Procedure Rules require that the public must be excluded from meetings whenever it is likely that in view of the nature of the business to be transacted, or the nature of the proceedings that confidential information would be disclosed. As such, the personal information contained within an appendix to agenda item 7 which identifies individuals in the form of application details, is designated as being confidential under the provisions of Access to Information Procedure Rule 9. Therefore, when the committee considers this information, the public must be excluded from the meeting.
- 11 The appointment of officers is a non-Executive function and therefore the recommendations in this report are not subject to Call In.

Appendices

- Appendix 1: Constitution – Part 4(j) - The Council's 'Officer Employment Procedure Rules'

Background papers

- None