

Report of:	The Monitoring Officer - Samantha Dorchell
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AGENDA ITEM 13

Submitted to:	Council – 23 December 2019
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Subject	Interim Terms of Reference for Chief Officer Appointments Committee/ Council Committees – Outside Bodies - Allocation of Places and Memberships 2019
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Summary

Proposed decision(s)
To seek Members’ approval for interim changes to the Chief Officer Appointments Committee Terms of Reference and to agree appointments, arising from vacancies and resignations from Committees and Outside Bodies.

Report for:	Key decision:	Confidential:	Can be called-in:
Decision	No	No	No

Contribution to delivery of the 2018-22 Strategic Plan		
Business Imperatives	Physical Regeneration	Social Regeneration
Not applicable	Not applicable	Not applicable

Ward(s) affected
Not applicable

What is the purpose of this report?

1. To seek approval from Council to the Interim Terms of Reference for Chief Officer Appointments Committee and for Council to consider nominations for appointment to the vacancies on Committees and Outside Bodies.

Why does this report require a Member decision?

2. Changes to Terms of Reference for Committees and the appointment to committees and outside bodies require the approval of Council.

What decision(s) are being asked for?

3. That Council approve the interim changes to the Chief Officer Appointments Committee Terms of Reference and agree appointments, arising from vacancies and resignations from Committees and Outside Bodies.

Interim Terms of Reference for Chief Officer Appointments Committee

4. The Head of Human Resources presented a report to Chief Officer Appointments Committee on 1 October 2019, the purpose of which was to advise that the current Director of Public Health had resigned to take up a post with an NHS Mental Health Trust and to advise Members with regard to the recruitment process for a new Director of Public Health.
5. The Committee was advised that the recruitment process for this post was complex. The Director of Public Health was a joint post, shared and funded by Middlesbrough Council and Redcar and Cleveland Council, and members and officers of Middlesbrough and Redcar and Cleveland Council, in addition to Public Health England and the Faculty of Public Health would need to be involved in the recruitment process. As a consequence, it was proposed to make interim changes to the Chief Officer Appointments Committee, prior to the full review of Committees and Terms of Reference which was currently in progress. The proposed interim changes to the Terms of Reference were as follows:

CHIEF OFFICER APPOINTMENTS COMMITTEE (7) 3 Lab: 2 MICA 1 MIG 1 Spare

Plus Mayor, Deputy Mayor and Thematic Lead for Drugs and relevant portfolio holder

Membership/Restrictions: The Committee to consist of at least one member of the Executive.

Chair: Councillor Rathmell

The Mayor: A Preston

Deputy Mayor: A High

Members: Councillor Hubbard, Mawston, Rooney, Rostron, Saunders, M Storey

Terms of Reference:

The Committee will have delegated powers to:

1. Shortlist, interview and make permanent appointments to the posts of Directors.
2. Shortlist, interview and make recommendations for the interim and permanent appointment of the Head of Paid Service; Chief Finance Officer and the Council's Monitoring Officer role, subject to Full Council approval.
3. Establish a Joint Appointment Panel to consider Joint Authority / Partner Organisation vacant posts at Director level and above. Comprising of up to 4 members of the Chief Officer Appointments Committee selected by Democratic Services on a post by post basis. The selection will be politically balanced where reasonably practicable. The Chair to be appointed at the joint meeting.
4. Interim appointments of Directors, for 6 months or less are delegated to the Head of Paid Service. Longer and permanent appointments to be reserved to the Chief Officer Appointments Committee.

5. Undertake disciplinary procedures in relation to statutory officer appointments: Head of Paid Service, Monitoring Officer and Chief Finance Officer.
6. Undertake disciplinary and/or dismissal procedures in relation to Chief Officers, other than the Head of Paid Service, Monitoring Officer, and Chief Finance Officer. Dismissal of the statutory officers is reserved to Full Council.
7. Consider grievances, submitted by Chief Officers, at stage 2 of the Council's grievance policy in circumstances where, in the opinion of the Monitoring Officer/Director of Legal and Governance, following consultation with the Head of Democratic Services and Head of Human Resources, it would be prejudicial to the fair consideration of the grievance for it to be considered by an Executive Director or the Chief Executive.

Recommended: that Council approves the Interim Terms of Reference for Chief Officer Appointments Committee.

6. **Recommended:** that, subject to receipt of nominations to the following Committee vacancies, nominations be approved:

Corporate Parenting Board

2 vacancies – 1 MICA and 1 open to all Councillors

South Tees Joint Health Scrutiny Committee

1 vacancy –1 MICA (No Executive Members)

Teesside Pension Fund Committee

1 vacancy – open to all Members

7. **Recommended:** that, subject to receipt of nominations to the following Outside Body vacancies, nominations be approved:

Tennis World

1 vacancy – open to all Members

Durham Tees Valley Airport Limited

1 vacancy for substitute – open to all Members

Durham Darlington Teesside Hambleton Richmondshire and Whitby STP Joint Committee

1 vacancy – open to all Members (No Executive Members)

Other potential decisions and why these have not been recommended

8. Not applicable

Impact(s) of recommended decision(s)

Legal

9. No impact.

Financial

11. No impact.

Policy Framework

12. Not applicable. The report does not propose an amendment to the policy framework.

Equality and Diversity

13. Not applicable.

Risk

14. If the Council does not have adequate governance processes in place to ensure that it complies with all relevant legislation. This could result in a breach in governance requirements leading to (depending on the seriousness of the breach) fines, reputational damage, government intervention alongside failure to deliver organisational priorities

Actions to be taken to implement the decision(s)

15. Appoint Members to Committees/Outside Bodies in accordance with their preference and revise Chief Officer Appointments Committee Terms of Reference.