

**Meeting of the Employment Committee**

Meeting to be held on 9 December 2013

**Part A**

Electoral Division affected:  
None

**Employment Committee**

(Appendix 'A' refers)

Contact for further information:

Chris Mather, (01772) 533559, Office of the Chief Executive,  
chris.mather@lancashire.gov.uk

**Executive Summary**

This report proposes changes to the Terms of Reference of the Employment Committee.

**Recommendation**

The Committee is asked to recommend Full Council to agree the revised terms of reference of the Employment Committee as set out at Appendix 'A'.

**Background and Advice**

The Employment Committee at its meeting on 19 February 2013 considered proposals for the delegation of decisions to the Director of Human Resource and Payroll in relation to employment policies, procedures and practices, including recruitment and selection; collective agreements relating to the same; and decisions relating to the trade union facilities agreement. The Committee also considered proposed changes to its terms of reference in so far as they related to the appointment, dismissal and disciplinary process for the Chief Executive, Monitoring Officer, Chief Financial Officer and Executive Directors. The Committee agreed that the Full Council should be asked to approve new terms of reference for the Committee and these were subsequently approved on 28 February 2013.

The Employment Committee at its meeting on 22 July 2013 agreed that the Full Council should be recommended to rescind the decision taken on 28 February 2013 to delegate to the Director of Human Resource, Pensions and Payroll in relation to employment policies, procedures and practices, including recruitment and selection; collective agreements relating to the same; and decisions relating to the trade union facilities agreement. The Full Council agreed to rescind this decision at its meeting on 3 October 2013. The changes agreed in February 2013 in respect of the appointment, dismissal and disciplinary process were retained.

Further consideration has now been given to Employment Committee's Terms of Reference in relation to the provisions relating to appointment, dismissal and disciplinary process.

The changes proposed remove the current provisions which require the suspension of the Chief Executive, Monitoring Officer or Chief Financial Officer to be approved by Full Council (or the Urgency Committee on its behalf). These provisions go beyond both the current statutory protections and conditions of service for these officers. It is proposed that suspension of the Chief Executive can instead be agreed by the Employment Committee or, in exceptional circumstances (reflecting the guidance given in the Conditions of Service for Chief Executives), by the Chair of the Committee (subject to a decision to suspend being ratified by the Employment Committee within 7 days of the decision).

Also proposed are changes in the arrangement for appeals against dismissal and disciplinary action short of dismissal, the changes again being in accordance with conditions of service.

A copy of the proposed revised Terms of Reference are attached at Appendix 'A'

It should also be noted that further changes may in future be required if proposed amendments to the current statutory protections for statutory officers – the Head of the Paid Service, Monitoring Officer and Chief Financial Officer – are introduced by Government as is envisaged by way of amendments to Regulations.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

No significant risks have been identified.

### **Local Government (Access to Information) Act 1985**

#### **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
Employment Committee agenda and minutes	19 February and 22 July 2013	Chris Mather, OCE, 01772 533559
Full Council agenda and minutes	28 February and 3 October 2013	Chris Mather, OCE, 01772 533559

Reason for inclusion in Part II, if appropriate

N/A