

<b>COMMITTEE:</b> Appointments Sub-Committee	<b>DATE:</b> 28 <sup>th</sup> January 2013	<b>CLASSIFICATION:</b> Unrestricted	<b>REPORT NO:</b>
<b>REPORT OF:</b> Service Head, Democratic Services		<b>TITLE:</b>	
<b>ORIGINATING OFFICER(S):</b> John Williams		<b>Appointments Sub-Committee (Chief Executive/Head of Paid Service):</b> <b>Membership, terms of reference etc.</b>	
		<b>Wards Affected: All</b>	

## 1. SUMMARY

- 1.1 On 20<sup>th</sup> December 2012 the Council considered further the matter of the vacant post of Chief Executive/Head of Paid Service. The Council debated a report of the Corporate Director, Resources and a tabled amendment, and resolved (inter alia) to instruct the Human Resources Committee to immediately establish an Appointments Sub-Committee to begin the process, with the support of the Local Government Association and London Councils, of recruiting a Chief Executive.
- 1.2 The Human Resources Committee accordingly met on 10<sup>th</sup> January 2013 and agreed to establish an Appointments Sub Committee to undertake the recruitment of a Chief Executive on a fixed term basis and to make recommendations to the Council on that appointment. This report sets out for members' information the membership and terms of reference of the sub-committee. A further report on the sub-committee's agenda sets out a proposed process and timetable for the recruitment and associated matters for consideration.

## 2. RECOMMENDATIONS

- 2.1 That the report be noted.

## 3. DECISIONS OF THE HUMAN RESOURCES COMMITTEE

- 3.1 At its meeting on 10<sup>th</sup> January 2013 the Human Resources Committee resolved that –
- the Appointments Sub Committee should comprise of seven members, four members nominated by the Leader of the majority group; one member nominated by the Leader of the largest minority group; and either the Mayor

and one other member nominated by the Mayor; or two members nominated by the Mayor at least one of whom must be an executive member.

- the Service Head Democratic Services to liaise with the Mayor and Group Leaders to receive their nominations and to agree a date of the first Sub Committee
- the Service Head Human Resources and Workforce Development report to the first meeting of the Sub Committee with a proposed process, timetable , specification and associated matters with a view to the new Chief Executive being in post as soon as possible and invite the LGA to attend.

#### **4. APPOINTMENTS SUB-COMMITTEE: MEMBERSHIP AND TERMS OF REFERENCE**

##### **Membership**

- 4.1 The Appointments Sub-Committee is subject to the proportionality rules as set out in the Local Government and Housing Act 1989 and associated regulations. These state that where there is a majority group on the Council, that group must have a majority of members on all committees and sub-committees covered by the regulations. The allocation of places on each committee/sub-committee must as closely as possible reflect the overall membership of the Council, insofar as this is consistent with the total allocation of places on all committees and sub-committees also reflecting that overall membership. The Appointments Sub-Committee must by law include at least one member of the Executive.
- 4.2 The decision of the Human Resources Committee at 3.1 above is in accordance with the statutory provisions. In accordance with that decision Group Leaders and the Mayor were invited to submit nominations for membership of the Appointments Sub-Committee. The following nominations have been received:-

Labour Group (4):- Councillors Joshua Peck, Motin Uz-Zaman, Judith Gardiner and one member t.b.c.

Conservative Group (1):- Councillor Gloria Thienel

Mayor (2):- t.b.c.

##### **Terms of reference**

- 4.3 The Council's Officer Employment Procedure Rules at Part 4.9 of the Constitution set out the rules applying to the appointment of the Chief Executive and these reflect the requirements of the Local Authorities (Standing Orders) (England) Regulations 2001.
- 4.4 The terms of reference of this Appointments Sub-Committee as stated at Part 3.3.8 of the Constitution are 'to consider the appointment of the Head of Paid Service and to make recommendations to the Council on that appointment.'

## **5. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 5.1 The costs of the recruitment process for the post of Chief Executive will be contained within the existing budget allocations for Human Resources and Workforce Development and related functions.

## **6. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 6.1 The Local Authorities (Standing Orders) (England) Regulations 2001 require that the appointment of the Head of Paid Service (Chief Executive) must be confirmed by the Council. Under the Council's Constitution the Human Resources Committee is required to establish an Appointments Sub Committee to consider the appointment of the Head of Paid Service (Chief Executive) and make recommendations to the Council. The Sub-Committee must be politically proportionate and must include at least one member of the Executive.
- 6.2 Although this Council's constitution currently states that the Head of Paid Service is the Chief Executive, it is not a legal requirement that it is such and the two roles can be split if the Council so desired.
- 6.3 The regulations also set out a statutory 'objection' procedure at the end of the process under which the appointment may only be confirmed if there is no well-founded objection to the proposed appointment by the Mayor or an executive member.

## **7. IMPLICATIONS FOR ONE TOWER HAMLETS**

- 7.1 The recruitment process will follow equalities best practice to ensure a diverse range of potential candidates. Members of the sub-committee are trained on appointments and on equalities practices.

## **8. ANTI-POVERTY IMPLICATIONS**

- 8.1 There are no direct implications for anti poverty

## **9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 9.1 There are no direct implications for environmental sustainability.

## 10. RISK ASSESSMENT

10.1 The recommendations detailed above will ensure the Council complies with the statutory requirements for the appointment of chief officers.

### **Local Government Act, 2000 (Section 97)**

List of “Background Papers” used in the preparation of this report

<b>Background papers</b>	<b>Available for inspection by contacting</b>
none	John Williams Town Hall, Mulberry Place Telephone 020 7364 4024