

## 19 Terms of Reference – Council and Committees

### 8. General Purposes Committee

**Summary Description:** The Committee is responsible for a range of non-executive functions including matters such as; electoral matters, personnel issues and byelaws, that have not been delegated to other Committees.

**Membership:** 9 Councillors

Functions	Delegation of Functions
<p>This Committee is responsible for a range of non-executive functions, including electoral matters, personnel issues and appeals. It also has responsibility for considering and making recommendations to Full Council on the introduction, amendment or revocation of new byelaws and can consider and make non-material changes to the Council's Constitution</p>	-
<p>1. To exercise powers in relation to the holding of elections and the maintenance of the electoral register including:</p> <ul style="list-style-type: none"> <li>(a) the provision of assistance at European Parliamentary elections;</li> <li>(b) power to make submissions to the Local Government Commission in relation to the boundaries of the borough or ward boundaries; and</li> <li>(c) the appointment of a proper officer for the purposes of giving various notices in relation to elections and referenda (e.g. in relation to the verification number for petitions for a referendum under Local Government Act 2000).</li> </ul>	None
<p>2. Appointments of officers, Members or other persons to external bodies on behalf of the Council, where the appointment is not the responsibility of the Mayor</p>	The Monitoring Officer is authorised to make or amend Committee/ Subcommittee appointments in accordance with Section 24 of this Constitution
<p>3. To recommend to Council the introduction, amendment or revocation of byelaws</p>	None
<p>4. Appointment and revocation of local authority school governors</p>	None
<p>5. To make changes to the membership and substitute membership of committees appointed by the Council</p>	The Monitoring Officer is authorised to make or amend

and their subordinate bodies, consistent with the proportionality rules	Committee/ Sub-committee appointments in accordance with Section 24 of this Constitution
6. To consider and make changes to the Council's Constitution upon the recommendation of the Monitoring Officer	
7. To determine major policy on the terms and conditions on which staff hold office within allocated resources	
<del>8. To agree any negotiated settlement, in relation to a senior executive in circumstances which do not amount to a dismissal that may be proposed in accordance with the Council's Pay Policy Statement</del>	[Note being deleted as new rules mean these must now be agreed by Full Council]
9. To determine the criteria for the appointment of the Head of Paid Service and other statutory and non-statutory chief officers and deputy chief officers and to establish Appointments Sub-Committees to consider such appointments	The Monitoring Officer and the Director of Workforce, OD and Business Support are authorised to appoint members to Appointment Sub-Committees in line with the Governance and Resource Directorates Schemes of Delegation in Part D of the Constitution
10. To make recommendations to Full Council on the appointment of the Head of Paid Service	
11. To establish a Sub-Committee to consider any proposal to discipline and/or dismiss the Head of the Paid Service, the Monitoring Officer or the Chief Financial Officer in accordance with the Officer Employment Procedure Rules set out in Part 4 of this Constitution and to appoint a minimum of two (2) 'Independent Persons' to such Sub-Committee	The Monitoring Officer is authorised to make or amend Committee/ Sub-committee/ Panel appointments in accordance with Section 24 of this Constitution.
12. To consider and determine any appeal in respect of any function for which the Council is responsible (except where statutory arrangements exist or where the appeal function is delegated elsewhere in the Constitution) including: (a) Education awards appeals;	None

<p>(b) Appeals by governing bodies;  (c) <u>Appeals by employees under human resources procedures requiring a Member level decision; and</u></p>	
<p>13. Appeals in respect of refusals to register premises under the Marriage Act 1994 or the attachment of any condition to an approval</p>	None
<p>14. To establish <u>Employee Appeals Sub-Committees and other</u> Appeals Sub-Committees as appropriate to be convened by the Monitoring Officer <u>or Director of Workforce, OD and Business Support as appropriate</u> for determination of the above appeals referred to in paragraph 12 above. Such Sub-Committees to comprise a maximum of five (5) Members of the Council with a quorum of three (3) and as far as possible to reflect ethnicity and gender balance</p>	<p>The Monitoring Officer is authorised to make or amend Committee/ Sub-committee appointments in accordance with Section 24 of this Constitution.</p> <p>The Director of Workforce, OD and Business Support is authorised to appoint Members to Employee Appeals Sub-Committees in line with the Resources Directorate Scheme of Delegation as set out in Part D of the Constitution</p>
<p>15. To receive general update reports on employee appeals against dismissal and other Appeals processes and cases as required (as determined by the Director of Workforce, OD and Business Support)</p>	None
<p>16. Any other functions which under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, may not be the responsibility of the Executive and which are not delegated elsewhere under this Constitution.</p>	None
<p>17. In cases of emergency or extreme urgency any non-executive function delegated under this Constitution whether or not reserved to the Council and where the Chief Executive does not consider it appropriate to exercise his/ her power in relation to such decisions under Part B Section 24 of this Constitution</p>	None

**Quorum:** 3 Members of the Committee

## **Part C – Section 38 – Officer Employment Procedure Rules**

8.4 Involvement of Members in Disciplinary Action. Neither the Mayor nor any Member of the Council will be involved in disciplinary action against any officer below deputy chief officer.

8.5 A Disciplinary Policy and Procedure for the Head of Paid Service, the Monitoring Officer and the Chief Financial Officer shall from time to time be issued or updated. That document does not form part of the Council's Constitution but should be read alongside these Officer Employment Procedure Rules.

### **9. DISMISSAL**

9.1 Neither the Mayor nor any Member of the Council will be involved in the dismissal of any officer below deputy chief officer **except where set out in Paragraph 10.**

### **10. APPEALS**

10.1 Nothing in Rule 1.1 above shall prevent a person from serving as a member of any committee or sub-committee established by the authority to consider an appeal by:-

- a) another person against any decision relating to the appointment of that other person as a member of staff of the authority; or
- b) **a member of staff of the authority against any decision relating to the dismissal of that member of staff.**

## Part D – Section 52 – Resources Scheme of Delegation

### 2. Human Resources

	<b>Decision</b>	<b>Corporate Director</b>	<b>Director</b>	<b>Head of Service</b>	<b>Other</b>
2.1	<p><u>Authorising a Settlement Agreement or Special Severance Payment.</u></p> <p><u>Payments up to £20k</u></p>	<p><u>Resources</u></p>	<p><u>Workforce, OD and Business Support</u></p>		<p><u>Subject to proposal by Director, Workforce, VFM and Audit justification must be agreed by Corporate Director of Resources and Director of Legal &amp; Monitoring Officer.</u></p>
2.2	<p><u>Authorising a Settlement Agreement or Special Severance Payment.</u></p> <p><u>Payments £20k to £100K</u></p>				<p><u>Decision to be taken by the Chief Executive following the agreement of the Mayor on a proposal from the Director, Workforce, OD and Business Support.</u></p> <p><u>VFM and Audit justification must be agreed by the Corporate Director, Resources, Director of Legal as part of this process.</u></p>
2.3	<p><u>Authorising a Settlement Agreement or Special Severance Payment.</u></p>				<p><u>Decision to be taken by a meeting of Full Council.</u></p> <p><u>Subject to proposal by</u></p>

	<u>Payments above £100k</u>				<u>Director, Workforce, VFM and Audit justification must be agreed by Corporate Director of Resources and Director of Legal &amp; Monitoring Officer.</u>
2.4	Authorising settlement of an Employment Tribunal Claim	Resources in consultation with the Director of Legal and Monitoring Officer	Workforce, OD and Business Support		
<u>2.5</u>	<u>Agreeing to establish individual Employee Appeal Sub-Committees including; Membership, Meeting dates/times, training and other procedural matters as required.</u>		<u>Workforce OD and Business Support</u>		