

EMPLOYMENT MATTERS COMMITTEE

1 JUNE 2021

ESTABLISHMENT OF THE EMPLOYMENT MATTERS APPEALS PANEL

Report from: Jan Guyler, Interim Monitoring Officer

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Summary

Members are asked to agree to the establishment of the Employment Matters Appeals Panel and appoint Members to it.

1. Budget and policy framework

- 1.1 The appointment of Chairmen and Vice-Chairmen of some committees, the establishment of sub-committees, and the appointment of Members to serve on them is usually a matter for decision at a Joint meeting of Committees, which usually follows the Annual Council meeting. However, given that the Annual Council meeting this year was held remotely with reduced numbers, it was not therefore possible to hold a Joint meeting of Committees as this would have required each individual Committee to be quorate and this could not necessarily be achieved with reduced numbers of Members in attendance.

2 Establishment of Sub-Committees and allocation of seats

- 2.1 The Council is required under the Local Government and Housing Act 1989 to allocate seats on Committees and sub-committees to political groups in accordance with the size of each group on the Council as a whole, unless alternative arrangements are notified to all Members five clear days in advance of the meeting and agreed without any Councillor voting against them.
- 2.2 At the Annual Council meeting this year this review of seats on committees resulted in the following allocation of seats on the Employment Matters Committee: Conservative Group (4) and Labour and Co-operative Group (3).
- 2.3 The Employment Matters Appeals Panel is a sub-committee of this Committee and its size is a matter for the Committee. However, it is recommended that,

as in previous years, it should comprise 3 Members of the Employment Matters Committee.

- 2.4 Once the size of the Panel has been agreed, this Committee must then review the allocation of seats on the Panel so that the political balance of the Panel reflects the political balance of the Council. A Panel of 3 Members would result in the following allocation of seats: Conservative Group (2) and Labour and Co-operative Group (1).
- 2.5 The terms of reference of the Panel are set out in the in the Constitution and are as follows:

To hear and determine final appeals by employees on behalf of the Council relating to their conditions of service, discipline, performance or termination of employment. (Noting that appeals against disciplinary action short of dismissal affecting the Head of the Paid Service, the S.151 Officer and the Monitoring Officer will be dealt with by the Disciplinary Appeals Committee.)

3. Risk management

- 3.1 There are no risk management implications arising from this report.

4. Financial implications

- 4.1 There are no financial implications arising from this report.

5. Legal implications

- 5.1 The Local Government and Housing Act 1989 stipulates that, as far as is practicable, the allocation of seats on a sub-committee to political groups should reflect the proportional representation of the political groups on the Council

6. Recommendations

- 6.1 The Committee is asked:
 - a) to agree to the establishment of the Employment Matters Appeals Panel comprising 3 Members of this Committee and allocate 2 seats to the Conservative Group and 1 seat to the Labour and Co-operative Group;
 - b) subject to a), to appoint Councillors Fearn, Hackwell and Mahil to the Panel.

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Appendices

None

Background papers

None