

**NORTH YORKSHIRE COUNTY COUNCIL****CHIEF OFFICERS APPOINTMENTS AND DISCIPLINARY COMMITTEE****6 APRIL 2011****APPOINTMENT OF DIRECTOR – HEALTH AND ADULT CARE – ESTABLISHMENT OF AN APPOINTMENTS AND DISCIPLINARY SUB-COMMITTEE****1.0 PURPOSE OF THE REPORT**

- 1.1 In accordance with the County Council's Constitution, to establish a Chief Officers Appointments and Disciplinary Sub-Committee to deal with appointment to the post of Director – Health and Adult Care.

**2.0 ESTABLISHMENT OF A SUB-COMMITTEE**

- 2.1 The terms of reference of the Chief Officers' Appointments and Disciplinary Committee state:-

1. Where a vacancy occurs in the position of Chief Executive Officer, to:
  - (a) interview all qualified applicants for the post; or
  - (b) select a shortlist of such qualified applicants and interview those on the shortlist; and (in either case)
  - (c) having carried out such interviews, either appoint (*NB Note 1 below*) one of the candidates to the vacancy, or decide not to appoint any of the candidates, but instead to take such further action in relation to the filling of the post as the committee may determine.
2. **Where a vacancy occurs in the position of any Chief Officer other than the Chief Executive Officer, to appoint a sub-committee (*NB note 4 below*) to perform the functions set out at 1 (a)-(c) above in relation to that vacant post.**
3. On an annual basis, to carry out a formal appraisal of the performance of the Chief Executive Officer.
4. To consider from time to time the terms and conditions of Chief Officers and make necessary changes to them.

*Notes:*

1. *Full Council must approve in advance any offer of appointment as Chief Executive Officer.*
2. *Action under 2 above is to be reported to full Council at the first available opportunity.*
3. *NB also Rule 5 of the Staff Employment Procedure Rules.*
4. *Any Sub-Committee must include at least one member of the Executive.*

- 2.2 There are no rules in the Constitution about how large the Sub-Committee to deal with appointments of Chief Officers should be, but any such Sub-Committee needs to comply with the legislation relating to proportional allocation of seats. Because the Conservative Group has a majority of seats on the Council, under that legislation it must also have a majority of seats on any committee or sub-committee. Historically there has been a preference for the sub-committee to mirror the composition of the Committee itself.
- 2.3 Members of the Sub-Committee can be drawn from the Members or Substitute Members of the Chief Officers Appointments and Disciplinary Committee, but do not have to be. It is for the Committee to determine the number of seats on the Sub-Committee, but then for the relevant political groups to identify which Members they wish to nominate to fill the seats allocated to their Group.

### **3.0 RECOMMENDATIONS**

- 3.1 That the Committee establish a Sub-Committee to appoint a new Director – Health and Adult Care, specifying the number of seats on the sub-committee and their allocation between the political groups, which must comply with the proportionality rules in the Local Government and Housing Act 1989.
- 3.2 That the Committee appoint to the Sub-Committee those County Councillors nominated by the political group to which the seats have been allocated.

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29 MARCH 2011

Background Documents: None