

Extracts from Constitution  
- Chief Officers Appointments and Disciplinary Committee

## Chief Officers Appointments and Disciplinary Committee

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### Delegated Powers

#### Appointments

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. To consider the outcome of the annual appraisal of the performance of the Chief Executive Officer by the Leader of the Council where the outcome will affect the terms and conditions of the Chief Executive Officer and to determine any necessary changes to such terms and conditions. Where, on appraisal of the Chief Executive Officer, the Leader and/or the Chief Officers Appointments and Disciplinary Committee determines that an increment should not be awarded, the Chief Executive Officer will have a right of appeal to the Employment Appeals Committee.
  
- Note: for the avoidance of doubt, issues such as the award (or non-award) of an increment within the grade band of the Chief Executive Officer will not amount to a change in their terms and conditions necessitating a referral to this Committee.*
  
4. Subject to the sub-paragraphs below, to consider from time to time the terms and conditions of Chief Officers and make necessary changes to them:
  - (a) The determination of the remuneration and other terms and conditions which shall apply to a Chief Officer post on appointment must comply with the Pay Policy Statement, provided that if it is proposed to make an appointment on terms and conditions which do not comply, the matter shall be referred to full

Council for consideration as to whether the Pay Policy Statement should be amended prior to a final offer being made to any candidate.

- (b) Any amendments proposed to Chief Officer remuneration and other terms and conditions, which would comprise an amendment to the Pay Policy Statement, shall be considered by the Chief Officers Appointments and Disciplinary Committee (or, in the case of Assistant Directors and Assistant Chief Executives, by the Chief Executive Officer), and recommended by them to full Council for approval.

Notes:

- 1. Full Council must approve, in advance, any offer of appointment as, or any notice of dismissal to, the Chief Executive Officer, the Monitoring Officer and the Section 151 Officer. Such full Council advance approval is not required for offers/notices in relation to Corporate Directors and Assistant Chief Executives (unless also acting as Monitoring Officer or section 151 Officer).
- 2. Where a vacancy occurs in the position of any Chief Officer other than the Chief Executive Officer, to appoint a sub-committee (NB see Notes below).
- 23. All permanent appointments as a Chief Officer shall, unless the Council otherwise directs, be made by the Chief Officers Appointments and Disciplinary Sub-Committee and shall be reported to full Council at the first available opportunity. Action under 2 above is to be reported to full Council at the first available opportunity.
- 34. NB also Rules 5 and 6 of the Staff Employment Procedure Rules.
- 45. Any The Sub-Committee must include at least one member of the Executive.

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## Chief Officers Appointments Sub-Committee

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Note:

- 1. Where a vacancy occurs in the position of any Chief Officer other than the Chief Executive Officer, to appoint a sub-committee (NB Notes 2-5 below).
- 2. Full Council must approve, in advance, any offer of appointment as, or any notice of dismissal to, the Chief Executive Officer, the Monitoring Officer and the Section 151 Officer. Such full Council advance approval is not required for offers/notices in relation to Corporate Directors and Assistant Chief Executives (unless also acting as Monitoring Officer or Section 151 Officer).

3. All permanent appointments as a Chief Officer shall, unless the Council otherwise directs, be made by the Chief Officers Appointments and Disciplinary Sub- Committee and shall be reported to full Council at the first available opportunity~~Action under 2 above is to be reported to full Council at the first available opportunity.~~
4. NB also Rules 5 and 6 of the Staff Employment Procedure Rules.
5. Any~~The~~ Sub-Committee must include at least one member of the Executive.

## Staff Employment Procedure Rules

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### 2. Appointment of Head of Paid Service

The Head of Paid Service (i.e. the Chief Executive Officer) shall be appointed according to the provisions of Rule 3 below, save that:

- ♦ references in Rule 3 to functions being performed by the Chief Executive Officer shall be read as those functions being performed by the first named of the following Officers who is available to act and not themselves a candidate: Corporate Director of Environment, Corporate Director of Resources, Assistant Chief Executive HR and Business Support
- ♦ references to functions being performed by a sub-committee of the Chief Officers Appointments and Disciplinary Committee shall be read as those functions being performed by the committee itself; and
- ♦ the Council must approve the appointment before an offer of appointment is made.

### 3. Appointment of Chief Officers

- (a) Whenever a vacancy occurs amongst the Chief Officers, the Chief Executive Officer shall consult with the Leader, the relevant Portfolio Holder and group spokespersons on the relevant overview and scrutiny committee to decide whether the Council should be requested to consider and approve the duties and salary of the post before the post is filled. Pending any such reconsideration by the Council and the filling of the post, the Chief Executive Officer may, if they think fit, appoint some person within the establishment to discharge temporarily the duties of the post until a successor is appointed.
- (b) Where it is proposed to appoint a Chief Officer, and it is not proposed that the appointment be made exclusively from among existing Officers of the Council, the Chief Executive Officer shall, after consultation with the Leader, the appropriate Portfolio Holder and group spokespersons on the relevant Overview and Scrutiny Committee:

- (i) draw up a statement specifying:
    - (1) the duties of the Officer concerned; and
    - (2) any qualification or qualities to be sought in the person to be appointed
  - (ii) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
  - (iii) make arrangements for a copy of the statement mentioned in paragraph (i) to be sent to any person on request.
- (c) (i) Where a post of Chief Officer has been advertised, the Chief Officers Appointments and Disciplinary Committee shall appoint a sub-committee to:
- (1) interview all qualified applicants for the post; or
  - (2) select a short list of such qualified applicants and interview those included on the short list.
- (ii) Where no qualified person has applied, further arrangements for advertisement shall be made in accordance with (b) above.
- (d) All permanent appointments as a Chief Officer shall, unless the Council otherwise directs, be made by the sub-committee referred to in (c) above and shall be reported to full Council at the first available opportunity. [See also paragraph \(i\) below.](#)
- (e) Both the Chief Officers Appointments and Disciplinary Committee, and any sub-committee appointed under (c) above, must include at least one Member of the Executive.
- (f) The determination of the remuneration and other terms and conditions which shall apply to a Chief Officer post on appointment must comply with the Pay Policy Statement, provided that if it is proposed to make an appointment on terms and conditions which do not comply, the matter shall be referred to full Council for consideration as to whether the Pay Policy Statement should be amended prior to a final offer being made to any candidate.
- (g) Any amendments proposed to Chief Officer remuneration and other terms and conditions, which would comprise an amendment to the Pay Policy Statement, shall be considered by the Chief Officers Appointments and Disciplinary Committee (or, in the case of Assistant Directors and Assistant Chief Executives, by the Chief Executive Officer) and recommended by them to full Council for approval.
- (h) The Director of Public Health must be appointed jointly by the Council and the Secretary of State.
- [\(i\) Full Council must approve the appointment of the Section 151 Officer and the Monitoring Officer before an offer of appointment is made.](#)