APPENDIX 1

2K Appointment & Employment Panel

**1. Appointment & Employment Panel**

1.1 To deal with the recruitment of the Council’s Chief Executive (Head of Paid Service), Deputy Chief Executive, Director of Governance (Monitoring Officer), Director of Finance (Section 151 officer), Deputy Director of Finance (Deputy Section 151 officer) and Shared Services Lead – Legal (Deputy Monitoring Officer. The Panel may be used for the appointment of other senior posts if considered appropriate.

1.2 For all Shared Services posts arrangements will be agreed with Chorley Borough Council.

1.3 For the sake of clarity the “Statutory posts” are the Head of Paid Service, the Monitoring Officer and the Section 151 Officer.

**2. Membership**

2.1 **Political Balance**. The committee is required to have proportional political balance in accordance with the requirements of the Local Government & Housing Act 1989

2.2 **Membership**. 5 Members – one of which must be a Cabinet Member. In the event of a joint appointment with Chorley Borough Council then a reduced number of South Ribble members may be involved but the principles of political proportionality will always be maintained.

2.3 **Chairing the Panel** – The Chairman will be the Leader of the Council.

2.4 **Reserve Members.** There are 3 reserve members who may be used in the event that – for whatever reason – one of the permanent members cannot attend.

**3. Terms of Reference**

3.1 To oversee the arrangements to appoint a new Chief Executive & Head of Paid Service to include selecting applicants from a shortlist of qualified candidates and interviewing those on the shortlist.

3.2 Wherever appropriate to recommend the appointment of a suitable candidate for the role of Chief Executive & Head of Paid Service to full Council.

3.3 To consider whether to re advertise the post where there is no suitable candidate or to recommend that full Council makes other appropriate arrangements.

3.4 (Working with colleagues in Chorley Borough Council) to oversee the arrangements for the recruitment of the other posts referred to in paragraph 1 above to include selecting applicants from a shortlist of qualified candidates and interviewing those on the shortlist.

**4. Initial Filter Panel**

4.1 **Composition.** Leader, Shared Services Lead (Transformation andPartnerships) and Monitoring Officer in respect of any allegations against the Chief Executive. Otherwise the Chief Executive will be part of the Panel rather than the Monitoring Officer. In the event that the Leader or any of the officers referred to above cannot fulfill that role (whether because they have a conflict of interest or because they are not available or for any other reason) then appropriate deputies may fulfil the role.

**Terms of Reference**

4.2To consider the severity & relevance of any complaint or allegation relating to the conduct or capability of the Statutory Officer or any other substantial concern.

4.3 To determine whether any complaint or allegation should proceed to the first stage of the Model Disciplinary & Guidance Procedure

**5.** **Investigating & Disciplinary sub Committee**

5.1 **Composition.** 3 members of the Appointment & Employment Panel on a politically proportionate basis (at least one of which must be a member of the Cabinet).

5.2 **Chairing the sub Committee**. To be appointed at the commencement of the meeting.

5.3 **Shared Services Posts**. It will for the employing Council to deal with any disciplinary issues relating to any Statutory officer (albeit the other council will be fully liaised with).

**Terms of Reference**

5.4 To undertake an initial assessment of any allegations against any of the Council’s statutory officers referred by the Initial Filter Panel and decide whether a disciplinary investigation should be commissioned.

5.5 (Subject to 6.1 below) to decide whether the statutory officer in question should be suspended from his/her role and to periodically review whether any such suspension should continue.

5.6 To appoint an independent investigator to conduct the investigation and determine those matters to be investigated.

5.7 To consider the report and recommendations of any independent investigator and determine any sanctions to be imposed. (NB Any recommendation to dismiss of one of the statutory officers is a decision of full Council).

6. **Chair of the Appointment and Employment Panel – Power to suspend**

6.1 Ordinarily any decision to suspend the Chief Executive/Head of Paid Service will be for the IDC to make. However, it is recognised that there may be exceptional circumstances that necessitate suspending such an officer before an IDC could meet. In such circumstances the power to suspend will be vested in the Chair of the Appointment and Employment Panel. Such a power will only be exercised in cases of genuine urgency – for example where the continued presence of the officer concerned in the workplace would pose a serious risk to the health and safety of others. Any such decision to suspend by the Chair of the Appointment and Employment Panel will be reviewed by the IDC at the earliest practicable opportunity. Prior to making any such decision to suspend the Chair of the Appointment and Employment Panel should seek advice from the Monitoring Officer.

7. **Appeals Committee**

7.1 **Composition.** 2 members of the Appointment and Employment Panel (at least one of which must be a member of Cabinet). These will be the two members of the Panel who did not sit on the Investigating and Disciplinary sub Committee whose decision is the subject of the appeal.

7.2 **Chairing the sub Committee.** To be appointed at the commencement of the meeting

**7.3. Terms of Reference.**

To hear an appeal against a decision of the Investigating and Disciplinary Committee to impose a sanction short of dismissal in respect of any of the council’s statutory officers.