

**Constitution Update – Officer Employment Rules**

Relevant Portfolio Holder	Cllr John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non key

**1. SUMMARY OF PROPOSALS**

- 1.1 This report sets out revised Officer Employment Rules and seeks Council's approval to them.

**2. RECOMMENDATIONS**

**The Council is requested to RESOLVE**

- 1. that the Officer Employment Rules and Terms of Reference for the Senior Officer Disciplinary Panel be approved;**
- 2. that the Borough Council's membership of the Panel comprises 5 Councillors, politically balanced (currently 3 Labour, 2 Conservatives)**

**3. KEY ISSUES**

**Financial Implications**

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

**Legal Implications**

- 3.2 The content of parts of the Council's constitution are set out in law. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 were published on election day. These require the Council to amend a statutory standing order about employment rules for the most senior officers of the Council. It also requires changes to the arrangements for dealing with disciplinary matters for the three "Statutory Officers" – the Head of Paid Service, Monitoring Officer and Chief Finance Officer (often referred to as the Section 151 officer)
- 3.3 The content of the standing order for Officer Employment is set out in the legislation. The enclosed draft follows the legislative requirements.

- 3.4 The main change to previous arrangements is that the Panel which deals with disciplinary matters for the statutory officers must now include at least two independent persons. Updated terms of reference for the Panel which deals with this aspect are enclosed.
- 3.5 Previously appointments to bodies dealing with personnel matters have been made as and when a meeting is required. The new legislation imposes a timescale on the procedures and requires political balance for the Panel. It is suggested that the Panel is made up of 5 Borough Councillors, which under the current arrangements requires 3 Labour appointments and 2 Conservative. As officers operate in the shared service with Bromsgrove District Council it is proposed that the Leader of Bromsgrove is a non-voting appointee to the Panel. A reciprocal arrangement exists with the District Council for their equivalent Panel.

**Service / Operational Implications**

- 3.6 There are no direct implications arising from this report.

**Customer / Equalities and Diversity Implications**

- 3.7 There are no specific implications arising from this report.

**4. RISK MANAGEMENT**

There are no specific high level risks arising from this report.

**5. APPENDICES**

Appendix 1 - Revised Officer Employment Rules.

Appendix 2 - terms of reference for the Statutory Officers Disciplinary Panel

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**6. BACKGROUND PAPERS**

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

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