

Report of City Solicitor

Report to the Employment Committee

Date: 23rd March 2020

Subject: Governance Arrangements regarding Recruitment to the Position of Chief Officer Environmental Services

Are specific electoral wards affected?	☐ Yes ☒ No
If yes, name(s) of ward(s):	
Has consultation been carried out?	☒ Yes ☐ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes ☒ No
Will the decision be open for call-in?	☐ Yes ☒ No
Does the report contain confidential or exempt information?	☐ Yes ☒ No
If relevant, access to information procedure rule number:	
Appendix number:	

Summary

1. Main issues

- The Employment Committee has been established by full council to 'appoint or dismiss or take disciplinary action against' those senior officers, as defined within the Officer Employment Procedure Rules and the Committee's Terms of Reference.
- The purpose of this report is to provide Members with an overview of the governance arrangements and format for this specific Employment Committee which will have responsibility for the recruitment to the post of Chief Officer Environmental Services.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- Recruiting to this position is in line with the priorities of the Best Council Plan.

3. Resource Implications

- There are no resource implications arising from this report.

Recommendations

The Committee is recommended to note:-

- a) The governance arrangements and format relating to the Employment Committee; and
- b) The Council's requirements regarding the consideration and disclosure of confidential and 'exempt' information.

1. Main issues

- 1.1 Quorum and Membership – The Constitution requires that the membership of an Employment Committee be a minimum of 3 and must include one member of the Executive. Agreement has been reached for the membership of this Employment Committee to be 6, with members being appointed in the following proportions, in line with the overall political composition of the Council:

Labour	Conservative	Liberal Democrat
4	1	1

- 1.2 Meetings - This recruitment exercise includes two distinct committee meetings: one to conduct a short listing exercise (23 March 2020) and one to conduct the formal interview of the shortlisted candidates (15 April 2020).
- 1.3 Quorum - Members are asked to also note that the quorum for an Employment Committee is 2 Members, including 1 Member of the Executive Board.
- 1.4 Exempt Information - The Council's Access to Information Procedure Rules allow for a Committee to resolve to exclude the public and press from those parts of the meeting where it is likely that in view of the nature of the business to be transacted, confidential or 'exempt' information will be disclosed and that the Committee deems that maintaining the exemption outweighs the public interest in disclosing the information. Given the nature of the information being considered as part of this recruitment exercise, it will be necessary for the committee to consider making such a resolution prior to considering the information contained within agenda item 7.
- 1.5 Process following interviews – The Committee is invited to note, that before an offer of employment can be made, the Executive will be notified of the name (and any other details deemed relevant) of the individual that the Committee wishes to offer the post to. Executive Members would then have a designated period of time to raise any objections they may have to the making of an offer to that individual. Should any objections be raised, it would then be up to the Employment Committee to determine whether it is material and/or well founded. (Procedure Rule 4, within the Appendix provides further detail).

2 Corporate considerations

2.1 Consultation and engagement

- 2.1.1 At the commencement of each Employment Committee cycle, the relevant Group Whips are consulted upon the membership arrangements for that Committee.

2.2 Equality and diversity / cohesion and integration

- 2.2.1 No implications

2.3 Council policies and the Best Council Plan

- 2.3.1 The aim of this report, which is to ensure consistency and transparency of decision making throughout each Employment Committee recruitment process supports Leeds' Best City Priorities within the Best Council Plan.

Climate Emergency

- 2.3.2 There are implications regarding the Climate Emergency arising from this report.

2.4 Resources, procurement and value for money

- 2.4.1 No implications.

2.5 Legal implications, access to information, and call-in

- 2.5.1 The aim of this report is to inform Members of the Constitutional and legal requirements are met as part of the Employment Committee decision making process.
- 2.5.2 The Council's Access to Information Procedure Rules allow for a Committee to resolve to exclude the public and press from those parts of the meeting where it is likely that in view of the nature of the business to be transacted, confidential or 'exempt' information will be disclosed and that the Committee deems that maintaining the exemption outweighs the public interest in disclosing the information. Given the nature of the matters considered by Employment Committee, this report provides Members with background and guidance on the consideration and disclosure of exempt and confidential information.
- 2.5.3 The report is not subject to Call In.

2.6 Risk management

- 2.6.1 The purpose of this report is to minimise any risks around the Committee's decision making processes and to ensure that the Committee's decisions are taken in line with all Constitutional and legal requirements.

3 Conclusions

- 3.1 The report provides Members with an overview of the governance arrangements and format for the Employment Committee.

4 Recommendations

4.1 The Committee is recommended to note:-

- The governance arrangements and format relating to the Employment Committee; and
- The Council's requirements regarding the consideration and disclosure of confidential and 'exempt' information.

5 Background documents¹

5.1 None.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.