



City of Westminster

Committee Report

Decision Maker:	Audit and Performance Committee (and the General Purposes Committee)
Date:	15 July 2015
Classification:	General Release
Title:	(Establishment of Tri-Borough) Appointments Sub-Committee and Approval of Terms of Reference
Report of:	Head of Legal and Democratic Services
Financial Summary:	There are no financial implications
Report Author and Contact Details:	Reuben Segal, Senior Committee & Governance Services Officer Tel: (020) 7641 3160 E-Mail: rsegal@westminster.gov.uk

1. Executive Summary

- 1.1 In July 2011, as part of Tri-Borough working Standing Orders were amended to address the appointment (and dismissal) of joint Chief Officers and Deputy Chief Officers. The current requirement is for the Appointments Sub-Committee of each borough to meet concurrently to determine an appointment (or dismissal). The composition of each Appointments Sub-Committee is four members including at least one cabinet member from each of the authorities.
- 1.2 This report seeks to amend Standing Orders to reduce the number of members on the Sub Committee from four to three from each borough.

2. Recommendation

- 2.1 That a Sub-Committee entitled Appointments Sub-Committee (Tri-borough) be established with the Constitution and Terms of Reference as set out in Appendix A.
- 2.2 That the Terms of Reference of the Appointments Sub-Committee be amended as set out in Appendix B.

3. Background

- 3.1 The Appointment (and dismissal) of Officers at Chief and Deputy Chief Officer level is conducted in accordance with the Local Authorities (Standing Order) (England) Regulations 2001. These provide an opportunity for appointments (and dismissals) for Chief Officers and Deputy Chief Officers to be conducted at Member level provided Members of the Cabinet are given the opportunity to object to the appointment or dismissal.
- 3.2 The Council's Standing Order 51, which covers the appointment of staff was agreed in 2001. At the time it was agreed that appointments at Chief Officer and Deputy Chief Officer would be conducted by the Appointments Sub-Committee. The Sub-Committee reports to the Audit and Performance Committee whose Terms of Reference includes staffing matters.
- 3.3 The membership of Council's Appointments Sub-Committee comprises four Councillors including at least one member of the Cabinet and is split proportionally (3:1). Each of the Tri-boroughs has an Appointments Sub-Committee, or equivalent, of 4 Members. A requirement for 12 members to make an appointment is considered to be too large and unwieldy. Members have expressed a preference for the involvement of fewer members while retaining the appropriate safeguards in respect of political proportionality and sovereignty. It is considered that Sub-Committees of 3 Members in each case (2:1) would be more manageable making an overall panel of 9.
- 3.4 This report proposes that where an appointment or dismissal relates to a Tri-borough post Chief Officer or joint Deputy Chief Officer the membership of the Appointments Sub-Committee comprises of 3 Members; 2 Majority Party Member and one Minority Party member with a quorum of 2. All other arrangements set out in Standing Order 51 would continue to apply including that for an appointment to be agreed all 3 of the authorities must have agreed.

4. Financial Implications

- 4.1 There are no financial implications.

5. Legal Implications

- 5.1 The Council has powers under Section 101 of the Local Government Act 1972 to exercise such of its functions as it sees fit jointly with another authority via a joint committee or sub-committee.

If you have any questions about this report, or wish to inspect one of the background papers, please contact: Reuben Segal: 7641 3160; Email: rsegal@westminster.gov.uk; Tel: 76413160

APPENDIX A

APPOINTMENTS SUB-COMMITTEE (TRI-BOROUGH)

1. CONSTITUTION

3 Members of the Council (2 Majority Party and 1 Minority Party Member).
One Member must be a member of the Cabinet.

2. TERMS OF REFERENCE

(1) GENERAL

To be responsible for the appointment, on behalf of the City Council, or Chief Officers and Deputy Chief Officers, to be appointed as part of the Tri-borough arrangements except where the relevant Cabinet Member has indicated that they wish the appointment to be made by the Chief Executive in accordance with the Council's usual appointment procedures.

APPOINTMENTS SUB-COMMITTEE

1. CONSTITUTION

4 Members of the Council (must contain at least one member of the Cabinet)

2. TERMS OF REFERENCE

(1) GENERAL

- (a) To control the appointment, dismissal, retirement, pensions and other personnel matters of the Chief Executive, Chief Officers and Deputy Chief Officers other than for Tri-borough posts.
- (b) In the case of Deputy Chief Officers to undertake the functions listed in (a) above except where the relevant Cabinet Member has indicated that they don't wish the Appointments Sub-Committee to do so.

(2) APPRAISAL

- (a) To undertake the annual performance appraisal of the Chief Executive.

(3) APPOINTMENTS

- (a) To interview for vacant posts and make appointments and subsequent arrangements in respect of the above posts.