

Chapter 12 - Employment Committee

1. Governance

- 1.1. The Combined Authority has appointed an Employment Committee. The committee is an executive committee of the Combined Authority Board.

2. Terms of Reference

- 2.1. The functions of the Employment Committee are:
- (a) To make recommendations to Combined Authority Board on the appointment of the Head of Paid Service (Chief Executive), Monitoring Officer and Chief Finance Officer (“the statutory officers”).
 - (b) To appoint chief officers.
 - (c) To establish, as required, a Statutory Officer Investigatory Panel with authority to make recommendations to the Combined Authority as to the dismissal arising from disciplinary action [as defined at paragraph 2.2 below] of any of the statutory officers. The membership of this Panel shall be as set out in the Officer Employment Procedure Rules.
 - (d) To take disciplinary action falling short of dismissal against the statutory officers and to suspend and keep under review any suspension of those statutory officers.
 - (e) To take disciplinary action against Chief Officers in circumstances capable of resulting in the dismissal of those officers and to suspend and keep under review any suspension of those officers.
 - (f) To determine appeals by Chief Officers against decisions made in relation to grievance proceedings.
 - (g) To determine employment procedures for the officers of the Combined Authority, including dismissal procedures.
 - (h) To determine local terms and conditions of employment for officers of the Combined Authority.

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- (i) To consider, and recommend appropriate actions where necessary, in response to proposals relating to changes within a Department's /Division's structure which involve substantial changes in the responsibilities of the Head of Paid Service [Chief Executive] and Chief Officers.
- (j) To promote and pursue a policy of equal opportunities in employment.
- (k) To determine policies relating to local government pensions and discretionary compensation for early termination of employment. Upon the commencement of the Restriction of Public Sector Exit Payments Regulations to approve applications for waivers under the Regulations.

2.1 For the purposes of paragraph 2.1:

“Chief Officer” means:

- (a) a person for whom the head of the authority's paid service (Chief Executive) is directly responsible;
- (b) a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the head of the authority's paid service (Chief Executive);

But a person whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a Chief Officer.

“Deputy Chief Officer” means:

“a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers.”

But a person whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a Deputy Chief Officer.

“Disciplinary Action” means:

“any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Combined Authority, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include

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failure to renew a contract of employment for a fixed term unless the Combined Authority has undertaken to renew such a contract”

3 Membership

- 3.1 The Committee shall comprise eight members to include the Mayor or his/her nominee and a Board Member from each of the seven constituent councils or their nominee. The Chair must be a Board member.
- 3.2 The Combined Authority Board shall appoint the members of the Committee, and their substitute members. With the exception of the Chair, Board members may nominate another member from their constituent council to be a member of the Committee in their place. The Board member shall also nominate a named substitute member. Nominations are in consultation with the Mayor and subject to approval by the Board. In principle, neither the Mayor nor the Board will seek to exercise their voting rights to veto or vote against the appointment of constituent council members to the Committee or the Sub-Committees.
- 3.3 The Procedure Rules of Executive Committee Meetings at Chapter 11 of this Constitution shall apply to the proceedings of the Committee.