

AUDIT COMMITTEE

PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE OF THE PERSONNEL COMMITTEE AND APPEALS COMMITTEE 28TH JUNE 2006

Report of Head of Legal and Human Resources

PURPOSE OF REPORT

To enable the Committee to consider the recommendations of the Personnel Committee on proposed changes to the Terms of Reference for Personnel Committee and Appeals Committee and to make recommendations to Council for the amendment of the Constitution.

This report is public

RECOMMENDATIONS

- (1) That the Committee consider the recommendations of the Personnel Committee and any views thereon expressed by members of the Appeals Committee.**
- (2) That in accordance with Article 15 of the Constitution, Council be recommended to approve the proposed changes to the Terms of Reference for Personnel Committee and Appeals Committee and delegations to officers, as set out in Appendices C and D to the report to the Personnel Committee of the 30th May 2006.**

1.0 Introduction

- 1.1 As Members will be aware, Article 15 of the Constitution provides for changes to the Constitution relating to responsibility for functions, to be approved by full Council after hearing recommendations from the Audit Committee.**
- 1.2 At its meeting on the 30th May 2006, the Personnel Committee considered a report on proposed changes to its Terms of Reference and to the delegations to officers in respect of personnel matters. A copy of the report is attached. Members will note that the proposed changes are intended to give the Committee a more strategic role in terms of policy development with more day-to-day decisions delegated to the Chief Executive (Head of the Paid Service), and, where appropriate to Corporate Directors and Service Heads.**

- 1.3 The report was referred in the first place to the Personnel Committee for its views to ensure that it was content with the proposed arrangements for delegations to officers. At the same time the report was copied to the Chairman of the Appeals Committee in view of the consequential changes to the terms of reference of that Committee.
- 1.4 In accordance with Option 3 in the report before it, the Personnel Committee recommended to this Committee the proposed amended terms of reference as set out in Appendices C and D, on the basis that any appeals would be dealt with by the full Personnel Committee of seven members (with the normal quorum of three as set out in the Constitution) rather than a sub-committee of three as suggested in option 4 of the report.
- 1.5 The Personnel Committee, however, resolved that this recommendation should be subject to the views of the members of the Appeals Committee being sought prior to consideration of the matter by the Audit Committee. In accordance with this resolution, a letter was sent to all members of the Appeals Committee on the 31st May 2006, inviting their comments. The Chairman of the Appeals Committee has indicated that she has no objections to the proposal. Any further comments received will be reported at the meeting.

2.0 Proposal Details

- 2.1 The Committee is requested to recommend Council to amend the Constitution in accordance with the recommendations of the Personnel Committee.

3.0 Details of Consultation

- 3.1 The recommendation has been made by the Personnel Committee, and the members of the Appeals Committee have been consulted.

4.0 Options and Options Analysis (including risk assessment)

- 4.1 The options and analysis were set out in the attached report to Personnel Committee.

5.0 Conclusion

- 5.1 The Committee is requested to consider the recommendation of the Personnel Committee.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p>

<p>There are no direct implications.</p>
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FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments to add.

LEGAL IMPLICATIONS

The report has been prepared by the Head of Legal and Human Resources.

MONITORING OFFICER'S COMMENTS

The Deputy Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None

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