



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Karon Hadfield

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Tel direct: 01670 622610

Date: 10 June 2022

Dear Sir or Madam,

Your attendance is requested at a meeting of the **STAFF AND APPOINTMENTS COMMITTEE** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 20 JUNE 2022** at **1.30 PM**.

Yours faithfully

Daljit Lally
Chief Executive

To Staff and Appointments Committee members as follows:-

S Dickinson, B Flux, I Hunter, D Kennedy, M Purvis, G Sanderson (Chair), E Simpson and R Wearmouth (Vice-Chair)



Daljit Lally, Chief Executive
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. APOLOGIES FOR ABSENCE

2. MEMBERSHIP AND TERMS OF REFERENCE

To note the terms of reference and election of Chair and Vice Chair, as agreed by Council on 4 May 2022:-

9 members (4:3:1 Ind Gp, 1 LD)

Quorum – 3

Chair: G. Sanderson

Vice Chair: R. Wearmouth

Conservative	Labour	Independent Group	Liberal Democrats	Green Party	Ind Non-Grouped
B. Flux	S. Dickinson	D. Kennedy	I.E. Hunter		
G. Sanderson	M. Purvis				
R. Wearmouth	E. Simpson				
One TBC					

Terms of Reference

- a. To discharge the Council's functions of the employer in relation to the Chief and Deputy Chief Officers. Chief Officer is defined as the Head of Paid Service, the Monitoring Officer and any officer as defined in S.2 (1) (b) (c) and (d) of the Local Government and Housing Act 1989.
- b. To consider, approve, or make recommendations to the County Council, in relation to any changes to the overall structure of the Council's workforce, and the number and designation of Chief Officer and Deputy Chief Officer posts.
- c. To determine the terms and conditions relating to employees of the County Council to include the remuneration and terms and conditions of employment for the Head of Paid Service and Chief and Deputy Chief Officers.
- d. To exercise the discretions available to the employer under the Local Government Pension Scheme and related legislation in relation to the Head of Paid Service and to Chief and Deputy Chief Officers.
- e. To approve any voluntary severance, settlement or ex-gratia payments to be made to the Head of Paid Service or to Chief or Deputy Chief Officers.

NB: No offer of appointment may be made to a Chief or Deputy Chief Officer until the Officer Employment Procedure Rules have been complied with. The Head of Paid Service may approve acting up arrangements in the case of the temporary absence of a Chief or Deputy Chief Officer but may not appoint any interim arrangement without the approval of the committee and compliance with the Officer Appointment Procedure Rules set out in the Constitution.

3. MINUTES

(Pages 1
- 4)

Open minutes of the meeting of the Committee held on 7th April 2022, as circulated, to be confirmed as a true record and signed by the Chair

4. DISCLOSURES OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

a. Which directly relates to Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.

b. Which directly relates to the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.

c. Which directly relates to their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.

d. Which affects the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.

e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact monitoringofficer@northumberland.gov.uk. Members are referred to the

Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

5. ANNUAL WORK PROGRAMME OF THE COMMITTEE

To receive a report from the Interim Service Director HR and OD on the work programme for the Committee for the ensuing year (To follow).

6. MOTION FROM THE EXTRAORDINARY COUNTY COUNCIL MEETING HELD ON 8TH JUNE 2022

To receive the reference from the meeting of the Extraordinary County Council meeting held on 8th June 2022

“To consider the contents of the Statutory Report of the Chief Finance Officer dated 23rd May 2022 in relation to the payment of the International Allowance and related matters”

7. URGENT BUSINESS (IF ANY)

8. EXCLUSION OF PRESS AND PUBLIC

The Committee is invited to consider passing the following resolution:

- (a) That under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the agenda as they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the 1972 Act, and
- (b) That the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons-

Agenda Item	Paragraph of Part I of Schedule 12A
9, 10, 11, 12 and 13	1, 2, 3, 4, and 5 Information relating to any individual, Information which is likely to reveal the identity of an individual, information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. Information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

AND The statutory report contained information relating to the

allowance paid to the Chief Executive and the Council took the view that the public interest in disclosure outweighed the private interests of the individual, at this stage it is necessary for the Committee to consider a number of options and factual issues relating to that allowance and the pension scheme which should for the reasons given above remain confidential and to maintain professional legal privilege and litigation privilege in the advice and options considered.

The public interest in maintaining the exemption outweighs the interest in disclosure because disclosure would adversely affect the Authority's interests.

9. MINUTES

Confidential minutes of the meeting of the Committee dated 7 April 2022, as circulated, to be confirmed as a true record and signed by the Chair.

10. INTERNATIONAL ALLOWANCE PAID TO THE CHIEF EXECUTIVE

The Committee will receive a report from the Interim Director of Governance relating to the legal position and be invited to commission further detailed legal advice from Nigel Giffin QC – Report to follow

11. HEALTH AND WELLBEING AT WORK

To consider a report from the Interim Service Director HR and OD relating to health and well-being of members and officers of the County Council - Report to follow.

12. EMPLOYEE RELATIONS RELATING TO CHIEF OFFICERS

To receive a report from the Interim Director of Governance concerning on-going litigation and internal processes, including options for mediation and alternative dispute resolution – Report to follow

13. OCCUPATIONAL HEALTH ADVICE

To consider an update from the Interim Service Director for HR & OD relating to cases referred to the Occupational Health Service – Verbal update will be given to the Committee.

14. ANY OTHER URGENT BUSINESS

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

Name:		Date of meeting:	
Meeting:			
Item to which your interest relates:			
Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details):			
Are you intending to withdraw from the meeting?		Yes - <input type="checkbox"/>	No - <input type="checkbox"/>

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.