

CHIEF OFFICER EMPLOYMENT PANEL

Wednesday, 27th March, 2013
at 2.00 pm

PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic Centre

This meeting is open to the public

Members

Councillor Dr R Williams (Chair)
Councillor Letts
Councillor Moulton
Councillor Rayment
Councillor Smith
Councillor Stevens

Contacts

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PUBLIC INFORMATION

Role of the Chief Officer Employment Panel

The appointment of Chief Officers in accordance with the Council's Officer Employment Procedure Rules.

Public Representations

At the discretion of the Chair, members of the public may address the meeting about any report on the agenda for the meeting in which they have a relevant interest.

Smoking policy – the Council operates a no-smoking policy in all civic buildings.

Mobile Telephones – please turn off your mobile telephone whilst in the meeting.

Southampton City Council's Seven Priorities

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support for the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

Fire Procedure – in the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – access is available for the disabled. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2011/12

Meetings of the Panel are convened as and when required.

CONDUCT OF MEETING

TERMS OF REFERENCE

The terms of reference of the Cabinet, and its Executive Members, are set out in Part 3 of the Council's Constitution.

RULES OF PROCEDURE

The meeting is governed by the Executive Procedure Rules as set out in Part 4 of the Council's Constitution.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PERSONAL INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or

b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are now available via Southampton Online at
www.southampton.gov.uk/council/meeting-papers

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

3 STATEMENT FROM THE CHAIR

4 MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the meetings held on 29th January and 7th February 2013 and to deal with any matters arising, attached.

5 EXCLUSION OF PRESS AND PUBLIC

Chair to move that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of the following item based on Categories 1, 2 and 3 of paragraph 10.4 of the Access to Information Procedure Rules.

The information contained therein is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998. Having applied the public interest test it is not appropriate to disclose this information as the individuals' legal expectation of privacy outweighs the public interest in the exempt information.

6 DISMISSAL HEARING

Report of the Head of Legal, HR and Democratic Services, attached.

Tuesday, 19 March 2013

HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES

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CHIEF OFFICER EMPLOYMENT PANEL
MINUTES OF THE MEETING HELD ON 29 JANUARY 2013

Present: Councillors Dr R Williams (Chair), Rayment and Stevens

14. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP**

The Panel noted the resignation of Councillors Letts, Moulton and Smith and the appointment of Councillors Baillie, Bogle and Claisse in place thereof in accordance with the provisions of Council Procedure Rules 4.3.

15. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect the following matter based on Categories 1, 2 and 3 of paragraph 10.4 of the Access to Information Procedure Rules.

The information contained therein is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998. Having applied the public interest test it is not appropriate to disclose this information as the individuals' legal expectation of privacy outweighs the public interest in the exempt information.

16. **APPOINTMENT OF DIRECTOR, PEOPLE**

The confidential report of the Head of Legal, HR and Democratic Services, was submitted concerning the appointment of the Director, People (copy of report circulated with agenda and appended to signed minutes).

RESOLVED that the appointment of Alison Elliott to the position of Director, People at Southampton City Council be approved.

CHIEF OFFICER EMPLOYMENT PANEL
MINUTES OF THE MEETING HELD ON 7 FEBRUARY 2013

Present: Councillors Dr R Williams (item 20 only) (Chair), Moulton, Rayment, Stevens and Payne

COUNCILLOR RAYMENT IN THE CHAIR

17. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The Panel noted the resignation of Councillor Letts and the appointment of Councillor Payne in place thereof in accordance with the provisions of Council Procedure Rules 4.3.

The Panel further noted that apologies for absence had been received from Councillor Smith

18. **MINUTES OF THE PREVIOUS MEETINGS (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes of the meeting of the Chief Officer Employment Panel held on the 24th January 2013 be approved and signed as a correct record.

19. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of the following matter based on Categories 1, 2 and 3 of paragraph 10.4 of the Access to Information Procedure Rules.

The information contained therein is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998. Having applied the public interest test it is not appropriate to disclose this information as the individuals' legal expectation of privacy outweighs the public interest in the exempt information.

COUNCILLOR WILLIAMS IN THE CHAIR

20. **APPOINTMENT OF INTERIM DIRECTOR, PLACE**

The confidential report of the Head of Legal, HR and Democratic Services was submitted, concerning the appointment of the Director, Place (copy of report circulated with agenda and appended to signed minutes).

RESOLVED that John Tunney be appointed as interim Director, Place

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Agenda Item 6

by virtue of paragraph number 1, 2, 3 of the Council's Access to information Procedure Rules

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