

A.5 APPENDIX B

DRAFT TERMS OF REFERENCE

THE CHIEF OFFICERS' EMPLOYMENT APPEALS SUB-COMMITTEE

1. To consider Employment Appeals under the Council's Disciplinary Policies and Procedures relating to the Council's Statutory Officers and Non-Statutory Chief Officers (as defined within the Council's Pay Policy Statement), and in accordance with the Handbooks and Conditions of Service as applicable to those posts at the relevant time.
2. The Chief Officers' Employment Appeals Sub-Committee ("Appeals Sub-Committee") will be comprised of 3 members normally consisting of:
 - (i) a Portfolio Holder, as determined by the Leader of the Council. The Leader will have the right to appoint a substitute for the Portfolio Holder if they will be unable to attend or if otherwise necessary;
 - (ii) the Chairman or Vice-Chairman of the Human Resources & Council Tax Committee;
 - (iii) and a named committee member from a political group that is not represented on the Cabinet.
3. The Appeals Sub-Committee must not compromise of any Member who formed part of the Human Resources Sub-Committee when it performed its functions in relation to the dismissal and disciplinary process for the Statutory and Non-Statutory Chief Officers (as defined in Paragraph 3 of Part II of Schedule 1 of the Local Authorities (Standing Orders) (England) Regulations 2001.
4. No Member can sit on the Appeals Sub-Committee unless they have undertaken the appropriate training for the role to be fulfilled.
5. The Appeals Sub-Committee will follow the Appeal Procedure as contained within the Council's Policies and Procedures ensuring that the necessary process follows employment requirements.
6. The Appeals Sub-Committee must take into account the views and professional advice given by the relevant officers before a final decision is made, with such advice being recorded within the Decision.
7. The Decision of Appeals Sub-Committee maybe produced in any subsequent proceedings such as an Employment Tribunal.

8. All meetings of the Appeals Sub-Committee will be exempt from public attendance under paragraphs 1,2 and 3 of Schedule 12A of the Local Government Act 1972 due to the nature of the business conducted.