

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Constitution Committee**
held on Thursday, 18th June, 2015 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor A Martin (Chairman)

Councillors G Baxendale, M Beanland, B Burkhill, S Edgar, S Gardner,
S Hogben, D Mahon, N Mannion, D Newton, S Pochin and G Wait

Officers

Brian Reed, Head of Governance and Democratic Services
Anita Bradley, Head of Legal Services and Monitoring Officer
Paul Mountford, Democratic Services Officer

Apologies

Councillors D Marren and R Menlove

1 DECLARATIONS OF INTEREST

There were no declarations of interest by Members.

The Head of Legal Services and Monitoring Officer declared a non-pecuniary interest in relation to an item on proposed changes to the staff employment procedure rules insofar as it affected her post.

2 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public wishing to speak.

3 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 26th March 2015 be approved as a correct record subject to the placing on record of Councillor G Wait's apologies for the meeting.

4 TERMS OF REFERENCE

The Committee considered its terms of reference.

RESOLVED

That

1. the terms of reference be noted; and

2. it be noted that a meeting of the Civic Sub-Committee was being arranged to consider various matters.

5 APPOINTMENTS TO OUTSIDE ORGANISATIONS

RESOLVED

That consideration of this matter be deferred to a later meeting.

6 THE STAFF EMPLOYMENT PROCEDURE RULES - LEGISLATIVE CHANGES

The Committee considered a report addressing the legislative changes introduced by the Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015. The report sought authority to make the required constitutional changes.

The 2015 regulations made it a requirement for the dismissal of the Chief Executive, Monitoring Officer or Chief Finance Officer to be approved by the full Council before notice of dismissal was given. This was already the position under the Council's constitution.

The 2015 regulations also removed the need to appoint a designated independent person before taking any disciplinary action against these three statutory officers. Instead the Council had to comply with a new procedure which was set out in new standing orders the Council was required to adopt. These had been incorporated into the revised version of the Staff Employment Procedure Rules attached as Appendix 1 to the report.

RESOLVED

That Council be recommended that

1. the amended Staff Employment Procedure Rules as set out in Appendix 1 to the report be included in the Constitution;
2. the Head of Legal Services be instructed to make the changes in the Constitution set out in Appendix 1; and
3. the Head of Legal Services be instructed to make any minor corrections, amendments or contextual changes resulting from the above.

7 STAFFING FUNCTIONS

RESOLVED

That this matter be considered at a special meeting of the Committee in July on a date to be determined.

The meeting commenced at 2.00 pm and concluded at 2.30 pm

Councillor A Martin (Chairman)