

## General Services Committee Terms of Reference

**Appointed by:** The Council under section 21, Local Government Act 2000

**Number of Elected Members:** Seven

**Chair and Vice-Chair appointed by:** The Council

**Political Proportionality:** The elected Members shall be appointed in accordance with Political Proportionality

**Quorum:** Three elected Members

**Co-opted Members to be appointed by Council:** None

### Functions determined by Council:

1. To advise the Council on the appointment or dismissal of, or the arrangements for the appointment or dismissal of, the Head of the Paid Service.
2. Save for the Monitoring Officer and Chief Finance Officer, to appoint or make arrangements for the appointment of Directors and Assistant Directors, whether on a permanent, interim or acting up basis, and to dismiss or make arrangements for the dismissal of Directors.
3. To appoint or to advise the Council on the dismissal of, or the arrangements for the dismissal of the Chief Finance Officer or the Monitoring Officer and before the Committee makes a decision to recommend the dismissal to the Council of the Head of Paid Service or the Monitoring Officer or Chief Financial Officer, the Committee shall appoint an Independent Panel to also advise the Council in relation to the dismissal of the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer of at least two Independent Persons appointed under the Localism Act 2011 to take part in the decision, with priority to an Independent Person appointed by the Council and who is a local elector followed by an Independent Person appointed by the Council and finally an Independent Person appointed by another Authority.
4. To deal with any of the functions of the Council in relation to the employment of staff that are not dealt with by Officers under delegated powers, or which may be referred to them by an Officer waiving his/her power to make a decision, including powers to:
  - 4.1 designate Officers (other than the Head of Paid Service) for specific statutory purposes
  - 4.2 exercise the Council's power of suspension of a Statutory Officer, after taking appropriate legal advice
  - 4.3 make decisions in respect of disciplinary action, executing dismissal which will be subject to a recommendation to and determination by the Council, in relation to Head of Paid Service, Monitoring Officer and Chief Financial Officer

- 4.4 appoint any Sub-Committee or panel or other body to exercise the Committee's powers in relation to staff grading, disciplinary, grievance or any other staffing matter
- 4.5 determine any other staffing matter that it is within the remit of the Council
- 4.6 determine any matter in respect of compromise agreements for Chief Officers or Deputy Chief Officers and superannuation
- 5. To settle cases of claimed or actual maladministration, etc.
- 6. To receive, for the purposes of early engagement, notification of proposals for any formal non-minor (1) restructure, permanent or temporary, that impacts on the line management or breadth of responsibility of any Director or Assistant Director, and (2) any role title changes to Director or Assistant Director.
- 7. To advise the Council on major changes to the Constitution.
- 8. Insofar as is within the remit of the Council, to make casual or urgent appointments to outside bodies.
- 9. To agree any arrangements for the appointment of a joint Overview and Scrutiny Committee under section 245, National Health Service Act 2006, and any regulations made thereunder.
- 10. To exercise the functions of the Council in relation to elections, parish and town Councils, vacancies and local bills.
- 11. To make recommendations to the Council in respect of any change to the electoral arrangements for the authority.
- 12. Any matter not delegated or referred to or coming under the remit of any other committee.
- 13. Subject to, and without prejudice to, the generality of the foregoing, to exercise the powers and functions of the Council in relation to the provisions referred to in column (2) of Schedule 1 to the Local Authorities (Functions and Responsibilities Regulations) (England) Regulations 2000 as amended, including the following legislation and any amendment and replacement thereof and any regulations made thereunder.
- 14. To exercise the Council's functions under any of the "relevant statutory provisions" within the meaning of Part 1 of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as an employer.

**Acts of Parliament:**

- 15. European Parliamentary Elections Act 1978, Schedule 1, paras. 4(3) and (4)
- 16. Health and Social Care Act 2001, section 8
- 17. Local Government Act 1972, sections 10,11, 75, 86, 87, 91, 101, 112, 151 and 239
- 18. Local Government Act 2000, section 82
- 19. Local Government and Housing Act 1989 sections 4(1) and 5(1)
- 20. Local Government and Rating Act 1997
- 21. Representation of the People Act 1983, sections 8(2), 18, 31, 35, 39(4), 52(4), 54, 106, 112, 135, 151, 270(3) and Schedule 12, para. 42
- 22. Representation of the People Act 1985, section 21
- 23. Representation of the People Act 2000, sections 10 and 93

24. Superannuation Act 1972, sections 7, 12, and 24
25. Localism Act 2011 Subordinate Legislation:
26. Commons Registration (General) Regulations 1966
27. Commons Registration (New Land) Regulations 1969, Reg. 6
28. Local Election (Parishes and Communities) Rules 1986 Local Elections (Principle Areas) Rules 1986