



CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY BOARD	AGENDA ITEM No: 1.7
27 SEPTEMBER 2017	PUBLIC REPORT

EMPLOYMENT COMMITTEE AND APPOINTMENT OF MAYORAL ADVISER AND CHIEF OF STAFF

1.0 PURPOSE

- 1.1. This report asks the Board to agree the size, membership and the Chair and Vice Chair of the Employment Committee. The terms of reference of the Committee is attached.
- 1.2. It also asks the Board to note the appointment of Tom Hunt as Mayoral Adviser and Chief of Staff to the Mayor on the terms and conditions set out in the report.

<u>DECISION REQUIRED</u>	
Lead Member:	James Palmer, Mayor
Lead Officer:	Kim Sawyer, Monitoring Officer
Forward Plan Ref: N/A	Key Decision: No
<p>The Combined Authority Board is recommended to agree the Employment Committee consists of six members to include:</p> <ul style="list-style-type: none">(a) The Mayor as Chair(b) The Statutory Deputy Mayor as Vice-Chair(c) The Constitutional Deputy Mayor,(d) Councillor Lewis Herbert (to maintain political balance)(e) Two other Board members taken in rotation which must include the relevant Portfolio Holder when interviewing for to a particular Chief Officer post.	<p>Voting arrangements</p> <p>At least two-thirds of all Members (or their Substitute Members)</p>

Board members and their substitutes may also substitute for the core membership.	
<u>MATTERS FOR NOTING</u>	
The Board notes the appointment made by the Mayor of Tom Hunt as Mayoral Adviser and Chief of Staff on the terms and conditions set out in the report.	No vote required. This is a decision of the Mayor

2.0 BACKGROUND

EMPLOYMENT COMMITTEE

- 2.1. At its meetings on 26 July and 4 September 2017, the Board considered and approved an officer structure for the Combined Authority. Now approval has been given by the Board, the process can begin to recruit to the structure and the Employment Committee plays an essential role in that process.
- 2.2. In accordance with the Constitution, appointments to most Director and Assistant Director roles would need to be made by the Employment Committee.
- 2.3. Furthermore, once the Combined Authority is in a position to employ staff directly, terms and conditions of appointment and key Human Resources policies, including certain pension discretions will need to be approved by the Employment Committee.
- 2.4. Therefore, the Board is now requested to decide the size and membership of the Employment Committee, which should be politically balanced, and to appoint the Chair and Vice Chair of the Committee. The terms of reference of the Committee was agreed when the Constitution was approved and is attached at Appendix 1 for ease of reference.

Appointment of Chief Officers and Deputy Chief Officers

- 2.5. In law, only the Combined Authority Board or the Employment Committee can be responsible for the appointment of Chief and Deputy Chief Officers. These terms are defined in the Officer Employment Procedure Rules in Chapter 14 of the Constitution, as follows:
 - (a) A Chief Officer means a statutory Chief Officer or a non-statutory Chief Officer who reports directly to the Head of Paid Service for most or all of the duties carried out by them.
 - (b) A Deputy Chief Officer means a person who reports directly or is directly accountable to one or more of the Chief Officers for all or most of the duties carried out by them.

- (c) Even though they may report directly to a Chief Officer or the Head of Paid Service, any administrative position does not have to be appointed by the Employment Committee by virtue of the less senior nature of their role.

2.6. The Committee will therefore be responsible for the following appointments within the proposed officer structure:

Post	Officer Status	Process
Finance and Commercial Director	Statutory Chief Officer (Chief Finance Officer or section 151 officer)	Employment Committees makes recommendation to Board. The Board decides the appointment. The Committee must include Mayor or Deputy Mayor in his place. The Board may also make this appointment.
Legal Counsel (Monitoring Officer)	Statutory Chief Officer (Monitoring Officer)	Employment Committees makes recommendation to Board. The Board decides the appointment. The Committee must include Mayor or Deputy Mayor in his place. The Board may also make this appointment
Housing Director	Chief Officer	Appointed by Employment Committee
Director of Transport and Infrastructure	Chief Officer	Appointed by Employment Committee
Assistant Director	Chief Officer	Appointed by Employment Committee

2.7. The Chief Executive will appoint to the following interim position:

Post	Officer Status	Process
Interim Director of Skills	Chief Officer	Chief Executive to appoint to interim positions.

- 2.8. The Chief Executive, as Head of Paid Service, will appoint to Chief and Deputy Chief Officer roles, in consultation with the Mayor and the relevant Portfolio holder, where these roles are to be filled on an interim or secondment basis.
- 2.9. All other posts within the structure are regarded as administrative posts. Even though they report to a Chief Officer or Deputy Chief Officer, their purpose is to assist the Chief Officers in the administration of their statutory or strategic roles and are therefore regarded as administrative posts. Officers below Chief Officer and Deputy Chief Officer level can only be appointed by relevant Chief Officers.
- 2.10. The Committee will also make decisions about the terms and conditions of employees' contracts as set out in the terms of reference.

Size and Membership of Committee

- 2.11. It is recommended that the committee consists of six members to include:
- (a) The Mayor (as required by the procedure rules) as Chair
 - (b) The Statutory Deputy Mayor as Vice-Chair
 - (c) The Constitutional Deputy Mayor
 - (d) Councillor Lewis Herbert (to maintain political balance)
 - (e) Two other Board members taken in rotation which must include the relevant Portfolio Holder when interviewing for a particular Chief Officer post.

Board members and their substitutes may also substitute for the core membership.

- 2.12. When the Employment Committee is sitting to recruit a Chief Officer or Deputy Chief Officer, the relevant portfolio holder must be part of the Committee. This member would replace one of the "two other members" appointed.

- 2.13. In accordance with the procedure under the Constitution,

- (a) the Chair has no casting vote.
- (b) The appointment may only be approved where no material or well-founded objection has been made by the Mayor (or the Deputy Mayor acting in his place) to the employment.
- (c) The statutory Deputy Mayor, as vice chair, will preside over meetings in the absence of the Mayor. The non-statutory Deputy Mayor presides over meetings in the absence of both.

- 2.14. If agreed by the Board, the terms of reference of the Committee would be amended to incorporate the membership requirements. The quorum is two thirds of the committee (4 members).

APPOINTMENT OF MAYORAL ADVISER AND CHIEF OF STAFF

- 2.15. The Board was advised at its meeting on 26 July that the Mayor required two officers to support his role and these officers were included within the structure approved by the Board. Tom Hunt had been selected in accordance with the Mayor's wishes to act as his political assistant and Mr Hunt took up that post with effect from 17 July 2017.
- 2.16. Subsequent to this appointment, the Mayor increased the level of responsibility for this role including a requirement to assist the Mayor in his dealings with Central Government to promote the interests of Cambridgeshire and Peterborough. This is in common with the practice being adopted by other Mayoral Combined Authorities, Elected Mayors of local authorities and follows the structure of the London Mayoral office.
- 2.17. The Mayor has subsequently informed the Members of the Combined Authority that Tom Hunt's role is akin to a Chief of Staff role within other elected Mayoral offices and his post is therefore to become Mayoral Adviser and Chief of Staff.
- 2.18. Similar to a political advisor, the Mayoral Adviser and Chief of Staff works exclusively to the direction of the Mayor. Although the role sits within the management framework of the Combined Authority, the post-holder does not represent the Combined Authority. The Mayoral Adviser and Chief of Staff forms part of the Mayor's office and is directed day to day by the Mayor. The post-holder may issue press releases and media briefings, but does so on a clear understanding that this is on behalf of the Mayor.
- 2.19. The salary scale has been set from £41,025 - £44,765pa following evaluation of the responsibilities of the role. The post-holder will be employed on a National Joint Council (NJC) contract of employment and will receive pay and benefits, for example pension contributions and holiday entitlement, in line with this.
- 2.20. In accordance with the legislation the term of employment will end when the Mayor's term of office ends. The post is classed as politically restricted in accordance with the Local Government and Housing Act 1989.
- 2.21. The Board is asked to note the appointment.

3.0 FINANCIAL IMPLICATIONS

- 3.1. The additional budget allocation for staffing for 2017/18 was approved by the Board at its meeting on 4 September.

4.0 LEGAL IMPLICATIONS

- 4.1. Constitutional arrangements and legal implications are set out in the report.

5.0 SIGNIFICANT IMPLICATIONS

- 5.1. The roles within the structure to be appointed by the Combined Authority will be advertised in accordance with the Officer Employment Procedure Rules and the process with comply with equalities legislation

6.0 APPENDICES

- 6.1. Appendix 1 – Employment Committee Terms of Reference

<u>Source Documents</u>	<u>Location</u>
Previous agendas, reports and decisions are available on the Combined Authority website.	Combined Authority website http://cambridgeshirepeterborough-ca.gov.uk/meetings/show/2017-07-26

Chapter 10 –Employment Committee

1. Terms of Reference

- 1.1. To appoint and dismiss Chief & Deputy Chief Officers as defined in the Officer Employment Procedure Rules, and determine terms and conditions of employment.
- 1.2. To make recommendations to Combined Authority on the appointment and dismissal of the Monitoring Officer, S151 Officer and the Chief Executive
- 1.3. To determine employment procedures, including dismissal procedures.
- 1.4. To determine local terms and conditions of employment for employees.
- 1.5. To consider, and recommend appropriate actions where necessary in response to proposals relating to changes within a Department's/Division's structure which involve substantial changes in the responsibilities of first and second tier posts;
- 1.6. To promote and pursue a policy of equal opportunities in employment.
- 1.7. To determine pension policies.

2. Membership

- 2.1. The Combined Authority shall decide the size and membership of the Employment Committee.

3. Chair and Vice-Chair

- 3.1. The Combined Authority Board shall appoint the Chair and Vice-Chair.

4. Quorum

- 4.1. No business is to be transacted at a meeting of the Committee unless at least two-thirds of the total number of Members on the Committee are present.