

# Terms of Reference for Working Groups, Parties and Panels

## **1 Appointments Panel**

- 1.1. Recommends the appointment of the Chief Executive and statutory officers (following short listing and interview) to Council to determine.
- 1.2. Appoint all other Chief Officers (as defined in the Constitution).
- 1.3. Where an appointment for a Chief Officer is being considered (other than for the Chief Executive or the Head of Paid Service – if they are separate roles), the Chief Executive will be a non-voting member of the Panel.

## **2 Civic Awards Panel**

- 2.1. A panel appointed by Council to consider such nominations and make recommendations for allocating Civic Awards. The panel will consist of the Chair of the Council, the Vice-Chair of the Council and one representative of each political group represented on the Council.

## **3 Constitution Panel**

- 3.1. Consider constitutional developments that may have an impact on or benefit for Harlow Council.
- 3.2. Make recommendations to Cabinet on such matters.
- 3.3. Liaise with the Monitoring Officer in order to ensure that the Constitution is accurate and up to date.

## **4 Electoral Review Working Group**

- 4.1. Composition
  - a) The Working Group shall comprise of five Members and will be politically proportionate.
- 4.2. Scope
  - a) The Working Group is established to:

- i) oversee and ensure full Member involvement in and support to officers in progressing the review of Council size and the ward boundaries in Harlow by the Local Government Boundary Commission for England (LGBCE).
- ii) to formulate draft recommendations to the Local Government Boundary Commission for consideration by the Council relating to:
  - the total number of Members of the Council;
  - the number and boundaries of electoral wards for the purposes of the election of Councillors;
  - the number of Councillors to be returned by any electoral division; and
  - the name of any electoral area.
- iii) to make recommendations to the Council on its future electoral cycle if considered appropriate.
- iv) to advise the Council, in consultation with officers, on proposals relating to any wider “community governance review” of local democratic and electoral arrangements, which emerge that are considered relevant as a result of the current review process.

## **5 Grants Panel**

- 5.1. To consider the grants policy and the allocation of grants.

## **6 Independent Remuneration Panel**

- 6.1. To recommend to Full Council changes to the Councillors’ Allowance Scheme as set out in Part 6 of this Constitution and in accordance The Local Authorities (Members’ Allowances) (England) Regulations 2003.

## **7 Shareholder Sub Committee**

- 7.1. To receive reports and approve Key Decisions (those decisions related to, but not limited to, borrowing of funds, changes and appointments to senior management structure, strategic policy adoption) of HTS Group and its subsidiaries, including, but not exclusively, the Articles of Association, the scheme of delegation, the appointment of Board Advisors, the appointment to any standing committees of the HTS Group and its subsidiaries and determining shareholder controls.
- 7.2. To be consulted on the appointment and dismissal of Statutory Directors for HTS Group and its subsidiaries and external auditors.

- 7.3. To hold the all HTS Group Boards to account.
- 7.4. To receive and agree the Business Plans for HTS Group Limited and its trading subsidiaries.
- 7.5. To receive financial and performance monitoring reports and accounts for the HTS Group and its subsidiaries.
- 7.6. To approve activities and thresholds contained in each scheme of delegation for HTS Group and its subsidiaries.
- 7.7. To be consulted and approve any proposals to change the HTS Group Limited and any subsidiary corporate structure.
- 7.8. Relationship between the Shareholder Sub Committee (“SSC”) and HTS Group and its subsidiaries.
  - a) The SSC may consider the options available to all HTS Group trading arms with a view to improving performance or mitigating adverse consequences in the light of actual or reasonably anticipated circumstances. In addition the SSC may offer non-binding proposals, recommendations and opinions (all without liability on the part of the Council or any individual member) on any matter affecting the Council as a shareholder of the HTS Group. The SSC shall take into consideration the interests of the Council in giving any proposals, recommendations or opinion to the HTS Group and its trading arm.
  - b) HTS Group and its subsidiaries shall provide for each SSC meeting at least one Director from each trading arm qualified and authorised to address SSC Agenda items and issues listed for consideration by the Members of the SSC
  - c) Upon request by the SSC, HTS Group and its subsidiaries shall provide:
    - i) Copy agendas and support papers provided to any HTS Group Boards at the same time as the Boards (except for minutes that shall be supplied following signature).
    - ii) Supply the SSC with all information and data reasonably requested by the SSC to enable it to reach an informed judgement on any matter within its purview under these Terms of Reference.
- 7.9. Meetings of the SSC for the HTS Group are open to members of the public, subject to the statutory exemptions contained in the Local Government Act 1972.

## **8 Investigatory and Disciplinary (Statutory Officers and Directors) Appeals Panel (“Appeals Panel”)**

8.1. Appointed by:

- a) Full Council

8.2. Membership:

- a) Five Councillors allocated between political groups in accordance with the rules on political balance set out in the Local Government and Housing Act 1989.
- b) No Councillor must also be on the Investigatory and Disciplinary Committee (Statutory Officers).
- c) At least one member must be part of the Cabinet.

8.3. Chair/Vice Chair

- a) To be determined by Full Council.

8.4. Terms of Reference

- a) To determine appeals against decisions, short of a recommendation of dismissal, made by the Investigatory and Disciplinary Committee (Statutory Officers and Directors) in respect of Statutory Officers.
- b) To determine appeals against decisions, made by the Investigatory and Disciplinary Committee (Statutory Officers and Directors) in respect of Directors.
- c) To consider the report of the report of the Independent Person, other relevant information considered by the Committee, and any representations made at the meeting.
- d) To determine whether the decision of the Committee should be upheld, a lesser sanction should be imposed, or no sanction imposed and advise accordingly.
- e) The Appeals Panel will be governed by the provisions contained in Part 5 of the Constitution (Officer Employment Procedure Rules) and guidance from the JNC.

## **9 Investigatory and Disciplinary (Statutory Officers) Independent Panel (“Independent Panel”)**

9.1. Appointed by:

- a) Full Council

## 9.2. Membership

- a) At least two Independent Persons appointed under Section 28(7) of the Localism Act 2011.
- b) The Independent Panel shall consist of appointed Independent Persons only.

## 9.3. Chair

- a) To be determined by the Independent Panel.

## 9.4. Terms of Reference

- a) To consider reports of the Investigatory and Disciplinary Committee (Statutory Officers) and all other relevant information where the Committee has recommended dismissal of the Statutory Officer.
- b) To consider oral representations from the Statutory and a nominated representative of the Committee on such matters.
- c) To recommend to the Council on any proposed course of action involving or culminating in dismissal of a Statutory Officer.
- d) The Independent Panel will be governed by the provisions contained in Part 5 of the Constitution (Officer Employment Procedure Rules) and guidance from the JNC.