

Part 3

Section 2.3 - Terms of Reference

Employment Panel

Membership

An Employment Panel will be convened as required to undertake a function in accordance with the Combined Authority's Human Resources policies and processes, including discipline, grievance and capability policies.

Membership of the Employment Panel will be comprised of three Members of the Finance, Resources and Corporate Committee where possible. In the event there are no three such members available or without conflict, Members may be co-opted to the Employment Panel, from a pool of members approved by the Combined Authority.

Decisions

Where the Employment Panel is convened in respect of matters other than those relating to the Head of Paid Service, the Head of Paid Service (or their nominated representative) shall be invited to attend in an advisory capacity.

Remit

In accordance with the Combined Authority's Human Resources policies and processes, including discipline, grievance and capability policies the Employment Panel is authorised:

1. In relation to **appointments**:
 - 1.1. To make recommendations to the Combined Authority in respect of appointments to the following posts (the Statutory Officers):
 - Head of Paid Service,
 - Section 73 Chief Finance Officer, and
 - Monitoring Officer.
 - 1.2. To make appointments to Executive Director and Director posts¹.
2. In relation to any **disciplinary action**:
 - 2.1. To appoint an External Investigator in the event of the need for an investigation in relation to a Statutory Officer, or in the event of a conflict of interest an Executive Director or Director.

¹ Except where a post is also a Statutory Officer.

- 2.2. Upon the completion of an investigation, to take the decision whether to suspend a Statutory Officer, upon advice from the Head of HR and the Monitoring Officer², or in the event of a conflict of interest an Executive Director or Director.
- 2.3. Upon the completion of an investigation, acting in their capacity as Hearing Manager, to take **any action short of dismissal** in relation to a Statutory Officer, or in the event of a conflict of interest an Executive Director or Director.
- 2.4. To deliver the outcome of a grievance brought by a Statutory Officer.
3. In relation to **dismissals**:
 - 3.1. To consider any disciplinary or capability proceedings brought against any of the Statutory Officers, where so delegated by the Combined Authority.
 - 3.2. To make recommendations to the Combined Authority in respect of dismissal of a Statutory Officer.
 - 3.3. To consider any disciplinary or capability proceedings against Directors or Executive Directors where there is a conflict of interest.
4. In relation to **appeals**:
 - 4.1. To consider any appeal against dismissal, or action short of dismissal, brought by an Executive Director, or in the event of a conflict of interest, a Director.
 - 4.2. To consider any appeal against action short of dismissal brought by a Statutory Officer³.
 - 4.3. To consider any appeal against the outcome of a grievance brought by a Statutory Officer⁴.

² Except where the decision to suspend is in relation to the Monitoring Officer, where advice will be provided by Head of HR and Deputy MO.

³ Where the Employment Panel exercises this function, it shall be a differently constituted Panel from that which took the decision under paragraph 2.2.

⁴ Where the Employment Panel exercises this function, it shall be a differently constituted Panel from that which took the decision under paragraph 2.3.

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