

Performance Panel Membership and Appointment

Final Decision-Maker	Policy and Resources Committee
Lead Head of Service	Angela Woodhouse, Head of Policy, Communication and Governance
Lead Officer and Report Author	Ryan O'Connell, Democratic and Electoral Services Manager
Classification	Public
Wards affected	All

Executive Summary

The Policy and Resources Committee terms of reference set out that the appraisals for the Chief Executive and Directors will be carried out by a five member panel of the Policy and Resources Committee. This report sets out the appointment of that panel.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. Approve the setup and seat allocation of the Performance Panel; and
2. The wishes of the Group Leaders be accepted with regard to Membership of the Panel.

Timetable

Meeting	Date
Policy and Resources Committee	12 February 2020

Performance Panel Membership and Appointment

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The proper carrying out of the appraisals of the Chief Executive and Directors will have an indirect impact on all corporate priorities.	Democratic and Electoral Services Mgr
Cross Cutting Objectives	The proper carrying out of the appraisals of the Chief Executive and Directors will have an indirect impact on all corporate objectives.	Democratic and Electoral Services Mgr
Risk Management	See section five below.	Democratic and Electoral Services Mgr
Financial	None	Democratic and Electoral Services Mgr
Staffing	None	Democratic and Electoral Services Mgr
Legal	All appointments to Committees need to be made in accordance with the relevant regulations and the constitution. In particular the allocation of seats and the appointment of councillors to committees is a statutory requirement, set out in the Local Government and Housing Act 1989, section 15. The Council has a duty to allocate seats to certain committees and ensure that the allocation is proportional to the seats attained for the Council. The appointment to these committees should reflect the wishes of the political groups in accordance with the Local Government (Committees and Political Groups) Regulations 1990.	Team Leader (Corporate Governance), MKLS
Privacy and Data Protection	None	Democratic and Electoral Services Mgr
Equalities	None	Democratic and Electoral Services Mgr
Public Health	None	Democratic and Electoral Services Mgr

Crime and Disorder	None	Democratic and Electoral Services Mgr
Procurement	None	Democratic and Electoral Services Mgr

2. INTRODUCTION AND BACKGROUND

- 2.1 This is the first year of using the new arrangements for carrying out the appraisals of the Chief Executive and Directors, agreed as part of the committee structure review last year. Part of the changes introduced were that the functions of the Employment Committee were split between the Democracy and General Purposes Committee and Policy and Resources Committee.
- 2.2 Carrying out the appraisals became the responsibility of the Policy and Resources Committee and the terms of reference for the committee state:

Function(s)	Delegation of Functions
To review annually the performance of the Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial year.	Panel comprising 5 Councillors

- 2.3 This report therefore seeks to establish the panel to allow the appraisals for the Chief Executive and Directors to take place ahead of the appraisal process for the rest of the officers. This allows the objectives and direction set to cascade down through the authority.

3. AVAILABLE OPTIONS

- 3.1 The Committee could agree to appoint a panel in accordance with the rules of political balance. This would produce a seat allocation as follows:

Two Conservative Group, two Liberal Democrat Group and one seat with equal claim from the Labour Group and the Independent Group.

- 3.2 The Committee would need to establish who the final seat is allocated to between the Labour Group and the Independent Group due to the equal claim for the seat between two Groups.

- 3.3 Alternatively, the Committee could agree to an alternative arrangement for the five Member panel making it politically unbalanced but as close to balanced as possible whilst meeting the wishes of Group Leaders. It should be noted that any vote on any arrangement that is not in political balance will automatically be lost if a single member objects to it (in accordance with the Local Government and Housing Act 1989).
 - 3.4 Once the seats have been allocated it is for Group Leaders to make the appointments to the panel from the Members of the Committee.
 - 3.5 The Committee could request an amendment to the constitution to go to Council on 26 February 2020 to appoint a different number of members of the panel, but this could delay the arrangement and timing of the appraisals. Additionally, increasing the panel's size would undermine the original purpose of establishing a panel, which was to limit the number of Members involved in the process to make it more effective and focussed.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 That the Committee agree the seat allocation for the five members Performance Panel that it wants, noting that a politically balanced seat allocation for 5 seats creates a Membership of two Conservative Group, two Liberal Democrat Group and an equal claim to the final seat for the Labour Group and Independent Group. It is for the Committee to determine the Membership and seats on its own sub-committee (which the panel is classified as); and
 - 4.2 That the wishes of the Group leaders are accepted for the Members and Substitute Members of the Panel as it is for Group Leaders to determine such appointments.
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5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 None.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Meetings of the Panel will be arranged to conduct the appraisals for Chief Executive and Directors.
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8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None