

## Appendix A

### PART 2

#### Article 12B Chief Officer Disciplinary Committee

12B.1 The Council will appoint a Chief Officer Disciplinary Committee.

##### Composition

12B.2 The Chief Officer Disciplinary Committee shall comprise 5 members of Council, at least one of whom must be a member of the Executive, unless Article 12B.3 applies.

12B.3 Where the Committee is considering whether to recommend the dismissal of the Head of Paid Service (Chief Executive), the Monitoring Officer (the City Solicitor), or the Chief Finance Officer (Director of Finance), the Committee shall comprise: -

12B.3.1 Five members of Council, at least one of whom must be a member of the Executive and

12B.3.2 Two Independent Persons appointed in accordance with the Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015.

##### Quorum

12B.4 In relation to Article 12B.2 the quorum of the Committee shall be 3 members.

12B.5 In relation to Article 12B.3 the quorum of the Committee shall be 7 which must include the two Independent Persons.

##### Functions

12B.6 The Chief Officer Disciplinary Committee is authorised to discharge the following functions: -

12B.6.1 to suspend and keep under review the suspension of the Head of Paid Service, the Monitoring Officer, or the Chief Finance Officer under the Officer Employment Procedure Rules.

12B.6.2 to set up a full investigation if required under the Officer Employment Procedure Rules.

12B.6.3 to take disciplinary action<sup>1</sup> short of dismissal against the Head of Paid Service, the Monitoring Officer, or the Chief Finance Officer under the Officer Employment Procedure Rules.

12B.6.4 to make recommendations to Council as to the dismissal for disciplinary action<sup>1</sup> of the Head of Paid Service, the Monitoring Officer, or the Chief

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<sup>1</sup> 'Disciplinary Action' has the meaning set out in the Local Authorities (Standing Orders)(England) Regulations 2001 (as amended) and as detailed in the Officer Employment Procedure Rules.

Finance Officer under the Officer Employment Procedure Rules. The advice, views, or recommendations of the Independent Persons on the Committee must be separately detailed in the recommendations.

12B.6.5 to dismiss for disciplinary action<sup>1</sup> or take disciplinary action short of dismissal<sup>1</sup> against Strategic Directors, Directors (other than the Director of Finance in relation to dismissal), Deputy Directors, or Assistant Directors under the Officer Employment Procedure Rules.

## Appendix B

### PART 2

#### Article 12A Staffing Committee

12A.1 The Council will appoint a Staffing Committee.

##### Composition

12A.2 The Staffing Committee shall comprise 5 members of Council at least one of whom ~~must will~~ be a member of the Executive.

##### Quorum

12A.3 The quorum of the Committee shall be 3 members.

##### ~~Roles and Functions~~

12A.4 ~~The functions of the Committee are to:~~ Staffing Committee is authorised to discharge the following functions: -

12A.4.1 Recommend to Council the appointment ~~or dismissal~~ of the Head of the Paid Service (the Chief Executive) under the Officer Employment Procedure Rules.

~~12A.4.2 Deal with employment matters which may not be decided by Executive and which are not delegated to Officers.~~

12A.4.2 Appoint Strategic Directors, Directors, and the City Solicitor under the Officer Employment Procedure Rules. ~~or dismiss under the Officer Employment Procedure Rules:~~

~~12A.4.3.1 A Statutory Chief Officer~~

~~12A.4.3.2 A non-statutory Chief Officer~~

This function will normally be delegated to a sub-committee (an appointment panel).

12A.4.3 To make recommendations to Council as to the dismissal of the Head of Paid Service (Chief Executive), the Monitoring Officer (City Solicitor) or the Chief Finance Officer (Director of Finance), or to dismiss Strategic Directors, Directors (other than the Director of Finance), Deputy Directors or Assistant Directors for any reason not falling within the functions of the Chief Officer Disciplinary Committee. This function may be delegated to a sub-committee.

12A.4.4 Determine appeals brought by the Chief Executive against a grievance decision.

- 12A.4.5 Determine appeals under the Officer Employment Procedure Rules.
- 12A.4.6 Determine cases brought (by way of appeal or otherwise) by employees under agreed employment procedures ~~including appeals by a member of Top Management against a grievance decision~~ and the Access to Information Rules.
- The function under Article 12A.4.6 will normally be delegated to the Employee Appeals Panel.
- 12A.4.7 Deal with any matter referred to the Committee under section 112 of the Local Government Act 1972.
- 12A.4.8 Deal with employment matters which may not be decided by Executive or the Chief Officer Disciplinary Committee and which are not delegated to Officers.

### **Staffing Committee – Sub-Committees**

- 12A.5 The Committee shall appoint the Employee Appeals Panel.

#### **Composition**

- 12A.5.1 The Employee Appeals Panel shall comprise three members where possible including the Chair, drawn on a rota basis, and in compliance with Section 15 of the Local Government and Housing Act 1989, from a list of members appointed by the Staffing Committee.

#### **Quorum**

- 12A.5.2 The quorum of the Employee Appeals Panel shall be two members.

#### **Functions**

The Employee Appeals Panel is authorised to discharge the following functions: -

- 12A.5.3 ~~shall discharge the functions of~~ the functions of Staffing Committee in paragraph 12A.4.6.
- 12A.5.4 to sit as a Grievance Committee to consider a grievance brought by the Chief Executive.

## Appendix C

### PART 3H Officer Employment Procedure Rules

In these Rules 'chief officer' ~~and 'Top Management'~~ means the Chief Executive and Strategic Directors, Directors ~~or~~ and City Solicitor. 'Senior Officer' means Chief Officer as defined and Deputy Directors and Assistant Directors.

#### 1 Attempts to Influence an Appointment

- 1.1 Candidates for any appointment will be disqualified if they directly or indirectly canvass members.
- 1.2 A member of Council shall not provide a reference for any candidate for appointment to the employment of the Council and must not in any way seek to influence improperly the choice of candidate for any appointment.
- 1.3 An officer who has agreed to act as a referee for a candidate may not take part in the recruitment process.

#### 2 Candidates Related to Members or Officers

- 2.1 Candidates for any appointment ~~with the Council~~ must state in their application if a member or ~~Senior Officer of Top Management~~ is a relative. Anyone who fails to do this will be disqualified, or if appointed, liable to instant dismissal on grounds of gross misconduct.
- 2.2 Members and ~~Senior Officers of Top Management~~ must inform the appropriate Strategic Director, Director, City Solicitor, ~~Deputy Director~~, or Assistant Director if they know that any candidate is related to them. The ~~Strategic Director~~, Director, ~~City Solicitor~~, ~~Deputy Director~~, or Assistant Director must ensure that the appointing body is made aware of the relationship.
- 2.3 Members and ~~Senior Officers of Top Management~~ must inform the appropriate Strategic Director, Director or City Solicitor in writing if they know that a relative is appointed. The Strategic Director or Director will inform the Monitoring Officer who will record the appointment. ~~and report it to the Standards Committee.~~
- 2.4 All candidates must be made aware of the Rules contained in paragraph 2.
- 2.5 For the purposes of these Rules:
  - 2.5.1 "Relative" means spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons.
  - 2.5.2 "Partner" in paragraph 2.5.1 above means a member of a couple who live together.

## Appointments to Chief Officer Posts

### 3 Chief Executive

- 3.1 Where there is a vacancy in the post of Chief Executive an appointment panel will be established by the Staffing Committee to decide how the post will be filled, including on what terms and conditions, advertising, short listing and interviewing.
- 3.2 The appointment panel ~~must shall~~ include at least one member of the Executive.
- 3.3 Where the appointment panel decides that the appointment will not be made exclusively from among the Council's existing officers, the panel shall:
- 3.3.1 Draw up a statement specifying the duties of the post and any qualifications or qualities to be sought in the person to be appointed.
  - 3.3.2 Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.
  - 3.3.3 Make arrangements for a copy of the statement in paragraph 3.3.1 above to be sent to any person on request.
  - 3.3.4 Where a post has been advertised, the appointment panel shall either interview all qualified applicants for the post or select a shortlist of qualified applicants and interview those included on the shortlist.
- 3.4 Where the appointment panel has selected a candidate for appointment they must notify the proper officer of the name of that candidate together with any other relevant details.
- 3.5 The proper officer will send the information under paragraph 3.4 to every member of the Executive and will inform them of the timescale during which any objection to the proposed offer of appointment should be made to the Leader of Council.
- 3.6 The Council must approve the appointment of the Chief Executive. The Panel's recommendation for appointment will not be referred to the Council for a decision until one of the following is satisfied:
- 3.6.1 The Leader of Council has notified the appointment panel within the specified timescale that no member of the Executive has objected to the proposed offer of appointment.
  - 3.6.2 The proper officer has notified the appointment panel that s/he has received no objection from the Leader of Council within that **specified** timescale, **or**
  - 3.6.3 The appointment panel is satisfied that any objection received from the Leader of Council within the specified timescale is not material or well founded.

3.7 Full Council must also approve any salary package, as defined in the Council's Pay Policy Statement, of £100,000 per annum or more before it is offered in respect of a new appointment.

3.8 Where no qualified person has applied or where the panel is unable to make a recommendation for appointment the panel shall make further arrangements for advertisement in accordance with paragraph 3.3.2 above.

#### 4 Other Chief Officers

4.1 If there is a vacancy in a chief officer post, other than that of Chief Executive, the Staffing Committee will decide whether to fill the post. If the Committee decides not to fill the post, it must determine how the duties of the post are to be carried out.

4.2 If the Staffing Committee decides to fill the post, the Committee must establish an appointments panel to make the appointment or delegate the power to make the appointment to the Chief Executive, or her/his nominee. Either the appointments panel, the Chief Executive, or her/his nominee, as the case may be, shall have full delegated powers to decide how the post will be filled, including on what terms and conditions, advertising, short listing and interviewing.

4.3 An appointment panel ~~must shall~~ include at least one member of the Executive.

4.4 Where the appointment panel, the Chief Executive or her/his nominee, decide that the appointment will not be made exclusively from among the Council's existing officers, the panel, Chief Executive or her/his nominee shall:

4.4.1 Draw up a statement specifying the duties of the post and any qualifications or qualities to be sought in the person to be appointed.

4.4.2 Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

4.4.3 Make arrangements for a copy of the statement in paragraph 4.4.1 above to be sent to any person on request.

4.4.4 Where a post has been advertised, the appointment panel, the Chief Executive or her/his nominee, shall either interview all qualified applicants for the post or select a shortlist of qualified applicants and interview those included on the shortlist.

4.5 Where the appointment panel, Chief Executive or her/his nominee, has selected a candidate for appointment they must notify the proper officer of the name of that candidate together with any other relevant details.

4.6 The proper officer will send the information provided under Paragraph 4.5 to every member of the Executive and will inform them of the timescale during which any objection to the proposed offer of appointment should be made to the Leader of Council.

- 4.7 No offer of appointment shall be made by the appointment panel, Chief Executive or her/his nominee, as the case may be, until one of the following is satisfied:
- 4.7.1 The Leader of Council has notified the appointment panel or Chief Executive or her/his nominee within the specified timescale that no member of the Executive has objected to the proposed offer of appointment.
  - 4.7.2 The proper officer has notified the appointment panel, Chief Executive or her/his nominee, that s/he has received no objection from the Leader of Council within that **specified** timescale, **or**
  - 4.7.3 The appointment panel, Chief Executive or her/his nominee, is satisfied that any objection received from the Leader of Council within the specified timescale is not material or well founded.
- 4.8 **Full Council must approve any salary package, as defined in the Council's Pay Policy Statement, of £100,000 per annum or more before it is offered in respect of a new appointment.**
- 4.9 Where no qualified person has applied, or where the Panel, Chief Executive or her/his nominee, is unable to make an appointment from the candidates that have been interviewed, the Panel, Chief Executive or her/his nominee, shall make further arrangements for advertisement in accordance with Paragraph 4.4.2 above.
- 4.10 **The provisions detailed in paragraphs 4.1 to 4.9 above do not apply where an interim appointment is to be made exclusively from among the Council's existing officers, and where that interim appointment is for a period not exceeding 6 months duration.**

## **5 Appointments to Other Officer Posts**

- 5.1 The appointment of officers below Chief Officer is the responsibility of the Chief Executive or her/his nominee, and members may not make or be involved in such appointments.

## **6 Disciplinary Procedures**

### **The Chief Executive (Head of Paid Service), Monitoring Officer, and Chief Finance Officer**

- 6.1 For the purpose of these procedures, disciplinary action has the meaning set out in the Local Authorities (Standing Order)(England)(Regulations) 2001 (as amended), namely:

“any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the authority, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill health, or infirmity of mind or body, but does not include failure to renew a contract of



employment for a fixed term unless the authority has undertaken to renew such a contract”.

~~7.1 The disciplinary procedures contained in the Joint Negotiating Committee (JNC) Agreement for Chief Executives will apply to the Chief Executive, Monitoring Officer and the Section 151 Officer.~~

6.2 The Chief Executive, Monitoring Officer or ~~Section 151~~ Chief Finance Officer (referred to below in each case as the “relevant statutory officer”) may be suspended on full pay ~~for a period not exceeding two months~~ for the purpose of investigating alleged misconduct by her/him. ~~Any period of suspension of longer than two months requires the agreement of the Independent Person.~~

6.3 Subject to the provisions set out below, the Chief Officer Disciplinary Committee may take disciplinary action short of dismissal against a relevant statutory officer or recommend to full Council that a relevant statutory officer be dismissed for disciplinary action as defined in paragraph 6.1 above.

6.4 Where a potential disciplinary matter in respect of the Chief Executive, Monitoring Officer or the ~~Section 151~~ Chief Finance Officer arises, the steps to be taken under the disciplinary procedure may be summarised as follows:

6.4.1 A preliminary investigation will be carried out by a group of not fewer than three elected members appointed by the Leader of Council.

6.4.2 If the preliminary investigation shows there is a case to answer, a full investigation will be set up and heard by the Chief Officer Disciplinary Committee. ~~Panel of the Staffing Committee acting as the Investigating Committee under the JNC agreement.~~

~~7.3.3 At this stage the Council and the officer concerned must agree the appointment of an Independent Person. If the parties cannot agree on an Independent Person, s/he will be appointed by the Secretary of State.~~

~~7.3.4 The role of the Independent Person is to prepare a report which must state her/his opinion as to whether (and if so the extent to which) the evidence s/he has obtained supports any allegations of misconduct against the chief officer and recommend the disciplinary action or range of actions which appear to her/him to be appropriate for the Council to take against the chief officer.~~

~~7.3.5 No disciplinary action within the meaning of regulation 2 of the Local Authorities (Standing Orders) Regulations 2001 in respect of the Chief Executive as Head of the Paid Service, the Monitoring Officer or the Section 151 Officer, apart from suspension for the purpose of investigation, may be taken by the Council or any of its committees or sub-committees, other than in accordance with a recommendation in a report made by a designated Independent Person under regulation 7 of those Regulations. Any such suspension will be on full pay and last no longer than two months.~~

~~7.3.3 Following the full investigation, the Chief Officer Disciplinary Panel recommends to the Staffing Committee a course of action, and no~~

~~disciplinary action may be recommended other than in accordance with a recommendation in the report of the Independent Person. The relevant officer may appeal against the recommendations by presenting a written submission when the matter is considered by the Staffing Committee, and has the right to attend the meeting and speak to the written submission. There is no further right of appeal.~~

6.4.3 Where, following the full investigation and hearing, the Staffing Chief Officer Disciplinary Committee ~~having considered the recommendation of the Panel and the Independent Person and any submissions made by the relevant officer~~ considers that dismissal is the appropriate course of action in respect of a relevant statutory officer they must notify the proper officer giving particulars, in addition to the person's name, that are relevant to the proposed dismissal.

6.4.4 The proper officer will send that information, including the person's name, to every member of the Executive and will inform them of the timescale during which any objection to the proposed dismissal should be made by the Leader of Council, on behalf of the Executive, to the proper officer.

6.5 The Staffing Chief Officer Disciplinary Committee ~~shall~~ must include at least one member of the Executive. Where dismissal is to be considered, the Chief Officer Disciplinary Committee must also include two Independent Persons appointed in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

6.6 ~~Where the person that is proposed to be dismissed is the Chief Executive, the Council must approve that dismissal.~~ Only full Council can approve the dismissal of the Chief Executive, Monitoring Officer, or Chief Finance Officer, and must do so before notice of dismissal (if required) is given. The Staffing Chief Officer Disciplinary Committee's recommendation for dismissal will not be referred to Council for a decision until one of the following is satisfied:

6.6.1 The Leader of Council has notified the Committee within the specified timescale that ~~neither s/he nor any other~~ member of the Executive has objected to the proposed dismissal, ~~or~~

6.6.2 The proper officer has notified the Committee that s/he has received no objection from the Leader of Council within that timescale, or

6.6.3 The Committee is satisfied that any objection received from the Leader of ~~the~~ Council within the specified timescale is not material or well founded.

6.7 Where the proposed dismissal is for disciplinary action as defined in paragraph 6.1 above, Council must take into account, in particular: -

(a) any advice, views or recommendations of the Chief Officer Disciplinary Committee. The advice, views or recommendations of the Independent Persons on that Committee to be separately detailed;

(b) the conclusions of any investigation into the proposed dismissal; and

(c) any representations from the relevant statutory officer

before the taking of a vote at the meeting on whether or not to approve such a dismissal.

6.8 The Chief Officer Disciplinary Committee must be appointed by the Authority at least 20 days before the relevant meeting and must include two Independent Persons.

~~7.6 Where the person that is proposed for dismissal is the Monitoring Officer or the Section 151 Officer the Staffing Committee must not give notice of the dismissal until notification has been received under paragraph 7.5.1 or 7.5.2 or unless paragraph 7.5.3 applies.~~

6.9 In relation to action short of dismissal, the relevant statutory officer has a right of appeal to Staffing Committee. There is no right of appeal beyond this level.

#### Other Members of Top Management **Other Chief Officers, Deputy Directors, and Assistant Directors**

6.10 Where a potential disciplinary matter arises which concerns a Strategic Director, ~~or~~ Director, Deputy Director, or Assistant Director (referred to below in each case as the "relevant officer"), other than the Monitoring Officer or ~~Section 151~~ Chief Finance Officer the disciplinary procedures contained in the Joint Negotiating Committee (JNC) Agreement for Chief Officers will apply.

6.11 Subject to the provisions set out below, the Chief Officer Disciplinary Committee may dismiss for disciplinary action as defined in paragraph 6.1 above or take disciplinary action short of dismissal against Strategic Directors, Directors (other than the Director of Finance in relation to dismissal) Deputy Directors or Assistant Directors.

6.12 Where a potential disciplinary matter in respect of a ~~relevant officer member of Top Management~~ (other than the ~~Chief Executive~~, Monitoring Officer or ~~its Section 151~~ Chief Finance Officer) arises, the steps to be taken under the disciplinary procedures are:

6.12.1 When the matter involves a Strategic Director or Director (~~other than the Director of Finance~~) ~~not referred to in paragraph 7.7 or 7.8~~, the Chief Executive will undertake a preliminary investigation of the complaint. The preliminary investigation may in certain circumstances, including the prior involvement in the matter by the Chief Executive, be undertaken by another ~~Chief Officer Top Manager~~ or by not fewer than two elected members. Where the matter involves a ~~Deputy Director or Assistant Director an officer engaged under the terms of the JNC Agreement for Chief Officers~~, the Strategic Director will undertake a preliminary investigation of the complaint. This preliminary investigation may in certain circumstances, including the prior involvement in the matter by a Strategic Director, be undertaken by the Chief Executive, another ~~Chief Officer Top Manager~~ or by not fewer than two elected members. ~~This is an agreed local variation on paragraph 41(b)(1) of the JNC Agreement.~~

6.12.2 Unless the decision on the preliminary investigation is either that the complaint does not warrant a full investigation, or, if established, could be resolved informally, for example, through an unrecorded informal warning, ~~it~~ **the matter** will be referred to the Chief Officer Disciplinary **Committee Panel**, acting as the Investigating Committee under the JNC Agreement **for Chief Officers**. The **Committee Panel shall must** include at least one member of the Executive and will have full delegated powers to act.

6.12.3 The employee will have a right of appeal against any disciplinary action to the Staffing Committee ~~who~~ **which shall must** include at least one member of the Executive. There is no right of appeal beyond this level.

6.13 Where the Chief Officer Disciplinary **Committee Panel** considers that dismissal is the appropriate course of action they must notify the proper officer giving particulars, in addition to the person's name, that are relevant to the proposed dismissal.

6.14 The Proper Officer will send that information, **including the person's name**, to every member of the Executive and will inform them of the timescale during which any objection to the proposed dismissal should be made by the Leader of the Council, on behalf of the Executive, to the proper officer.

6.15 The **Committee Panel** must not give notice of the dismissal until one of the following is satisfied:

6.15.1 The Leader of Council has notified the **Committee Panel** within the specified timescale that **neither s/he nor any other** member of the Executive has objected to the proposed dismissal,

6.15.2 The proper officer has notified the **Committee Panel** that s/he has received no objection from the Leader of Council within that timescale, **or**

6.15.3 The **Committee Panel** is satisfied that any objection received from the Leader of ~~the~~ Council within the specified timescale is not material or well founded.

## **7. Dismissal other than for Disciplinary Action (for example dismissal by reason of redundancy)**

### **The Chief Executive, Monitoring Officer, and Chief Finance Officer**

7.1 Only full Council can approve the dismissal of the Chief Executive, Monitoring Officer, or Chief Finance Officer ("relevant statutory officers") and must do so before notice of dismissal is given.

7.2 Where the Staffing Committee considers that dismissal is the appropriate course of action in respect of a relevant statutory officer, they must notify the proper officer giving particulars, in addition to the person's name, that are relevant to the proposed dismissal.

- 7.3 The proper officer will send that information including the person's name, to every member of the Executive and will inform them of the timescale during which any objection to the proposed dismissal should be made by the Leader of Council on behalf of the Executive, to the proper officer.
- 7.4 The Staffing Committee's recommendation for dismissal will not be referred to Council for a decision until either paragraph 6.6.1 or 6.6.2 or 6.6.3 is satisfied.

**Other Chief Officers, Deputy Directors, and Assistant Directors ("relevant officers")**

- 7.5 Where the Staffing Committee considers that dismissal is the appropriate course of action in respect of a relevant officer, they must notify the proper officer giving the particulars in addition to the person's name that are relevant to the proposed dismissal.
- 7.6 The proper officer will send that information, including the person's name, to every member of the Executive and will inform them of the timescale during which any objection to the proposed dismissal should be made by the Leader of the Council, on behalf of the Executive, to the proper officer.
- 7.7 The Committee must not give notice of the dismissal until one of the following is satisfied:
- 7.7.1 The Leader of Council has notified the Committee within the specified timescale that neither s/he nor any other member of the Executive has objected to the proposed dismissal,
  - 7.7.2 The proper officer has notified the Committee that s/he has received no objection from the Leader of Council within that timescale, or
  - 7.7.3 The Committee is satisfied that any objection received from the Leader of Council within the specified timescale is not material or well founded.

## Appendix D

### PART 2

#### Article 4 The Full Council

##### Definitions

4.1 The 'policy framework' means:

4.1.1 The following documents:

4.1.1.1 The Community Strategy

4.1.1.2 The Corporate Plan (incorporating the Best Value Performance Plan)

4.1.1.3 The Children and Young People's Plan (incorporating the Youth Justice Plan)

4.1.1.4 The Crime and Disorder Reduction Strategy (incorporating the Drug Action Team Strategy)

4.1.1.5 The Food Law Enforcement Plan

4.1.1.6 The Housing and Homelessness Strategy

4.1.1.7 Local Development Framework

4.1.1.8 The West Yorkshire Local Transport Plan

4.1.1.9 The Treasury Strategy Document

4.1.1.10 The Annual Investment Statement

4.1.2 Any strategy or plan following that the Council has determined must be adopted by the Council as part of the policy framework:

4.1.2.1 The Asset Management Plan

4.1.2.2 Procurement Strategy

4.1.2.3 The Youth Service Plan

4.1.2.4 The Climate Change Strategy

4.2 The 'budget' includes the allocation of financial resources to different services and projects, proposed contingency funds setting the level of Council Tax and decisions relating to the control of the Council's borrowing requirements, capital expenditure and the setting of any virement limits.

- 4.3 'Housing land transfer' means the approval or adoption of applications (whether in draft or otherwise) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

#### Functions of the Council

- 4.4 The Council alone may exercise the following functions:

- 4.4.1 Adopt or amend the Constitution, except where otherwise provided in the Constitution or by resolution of the Council.
- 4.4.2 Approve the budget, policy framework and any application to the Secretary of State in respect of any housing land transfer.
- 4.4.3 Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 3B of this Constitution, make decisions about any matter in the discharge of an executive function where the decision-maker is minded to take a decision that would not accord with the budget and/or the policy framework.
- 4.4.4 Appoint the Leader of the Council.
- 4.4.5 Agree or amend the terms of reference for committees, determine their composition and make appointments.
- 4.4.6 Appoint chairs and deputy chairs to committees excluding area committees.
- 4.4.7 Appoint representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council.
- 4.4.8 Adopt the Members' Allowances Scheme under Article 2.7 and as set out in Part 5A of the Constitution.
- 4.4.9 Change the name of the Council or the area, confer the title of honorary alderman or freedom of the city.
- 4.4.10 ~~Confirm~~ Approve the appointment of the Head of Paid Service.
- 4.4.11 Approve the dismissal of the Head of Paid Service, Monitoring Officer, and Chief Finance Officer.
- 4.4.12 Approve the annual Pay Policy Statement under the Localism Act 2011.
- 4.4.13 Approve proposed salary packages of £100,000 per annum or more for a new appointment and approve proposed severance packages for Chief

Officers of £100,000 or more in accordance with the Council's Pay Policy Statement and the Officer Employment Procedure Rules.

- 4.4.14 Promote or oppose the making of local legislation or private bills.
- 4.4.15 The local choice functions that the Council decides should be undertaken by itself and not the Executive.
- 4.4.16 All other matters which, by law, must be reserved to the full Council.

#### Council Meetings

- 4.5 There are three types of Council meeting:
  - 4.5.1 The Annual Meeting.
  - 4.5.2 Ordinary meetings.
  - 4.5.3 Extraordinary meetings.
- 4.6 Meetings will be conducted in accordance with the Council Standing Orders in Part 3A of this Constitution.