

**Minutes of the Appointments Committee
Monday 9th January, 2023 at 6.00pm
in Committee Room 4, the Council House, Dudley**

Present:

Councillor S Clark (Vice-Chair in the Chair)
Councillors S Ali, I Bevan, D Borley, J Foster, S Keasey, D Stanley and
L Taylor-Childs

Officers:

M Wilcox (Principal Lawyer and Deputy Monitoring Officer) and S Griffiths
(Democratic Services Manager)

1 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors P Harley,
N Neale and Q Zada.

2 Appointment of Substitute Member

Councillors I Bevan and D Borley were appointed as a Substitute Members
for Councillors P Harley and N Neale, respectively, for this meeting of the
Committee only.

3 Declarations of Interest

There were no declarations of interest made pursuant to the Members'
Code of Conduct.

4 **Minutes**

Resolved

That the minutes of the meeting held on 21st March, 2022 be confirmed as a correct record and signed.

5 **Joint Negotiating Committee Handbook and Model Procedure Update**

The Committee considered a report of the Deputy Monitoring Officer on the updated Joint Negotiating Committee (JNC) Handbook and proposals for the delegation of authority to enable compliance with the model procedure as set out in the Handbook and in statute.

In response to a question from Councillor D Stanley, the Deputy Monitoring Officer confirmed that the proposals had been submitted to the Committee at this time to reflect recent updates made to the Handbook and following consideration of external legal advice received.

Councillor J Foster referred to potential circumstances whereby all the Council Officers referred to in recommendation 2 of the report might be conflicted or unable to act for any reason. The Deputy Monitoring Officer confirmed that, in appropriate circumstances, legislation would permit the appointment of a senior officer from another local authority to carry out the initial 'filter test' as referred to in the report.

In response to a query from Councillor S Ali, it was noted that the JNC Handbooks were available on the Internet. The report presented to the meeting fully reflected the external legal advice received to ensure compliance with the necessary requirements. Councillor J Foster requested a copy of the external legal advice. The Deputy Monitoring Officer would confirm her understanding that the external legal advice was provided on a private and confidential basis and subject to professional legal privilege.



Resolved

- (1) That the updated Joint Negotiating Committee (JNC) Handbook be noted.
 - (2) That authority be delegated to the Officers listed below to undertake and determine the initial 'filter test' in relation to the Statutory Officers (as set out in the JNC Model Procedure):
 - the Monitoring Officer;
 - the Head of Paid Service (where the Monitoring Officer is unable to act);
 - the Section 151 Officer (where the Monitoring Officer and the Head of Paid Service are unable to act); and
 - the Deputy Chief Executive (where the Monitoring Officer, the Head of Paid Service and the Section 151 Officer are unable to act).
 - (3) That each of the Officers referred to in resolution (2) above be authorised to further delegate these powers where this is considered necessary.
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6 Questions Under Council Procedure Rule 11.8

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 6.20pm

CHAIR

