



**LIVERPOOL  
CITY REGION**  
COMBINED AUTHORITY

# **Constitution**

## **Liverpool City Region Combined Authority**

# CONSTITUTION OF THE LIVERPOOL CITY REGION COMBINED AUTHORITY

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## Standards

- (a) to promote and maintain high standards of conduct by Members;
- (b) to assist Combined Authority Members to observe the Combined Authority's Code of Conduct for Members;
- (c) to advise the Combined Authority on the adoption, revision or replacement of the Combined Authority's Code of Conduct for Members and the Combined Authority's Arrangements for Dealing with Complaints that Combined Authority Members have failed to comply with the Combined Authority's Code of Conduct for Members ("the Authority's Arrangements");
- (d) to monitor the operation of the Combined Authority's Code of Conduct for Members and the Authority's Arrangements;
- (e) to advise, train or arrange to train Combined Authority Members to observe the Combined Authority's Code of Conduct for Members;
- (f) to determine, in accordance with the Authority's Arrangements, whether a Member has failed to comply with the Combined Authority's Code of Conduct for Members and, if so, to determine what action (if any) to take in respect of the Combined Authority Member, such actions to include:
  - publication of the findings of the Combined Authority's Standards Committee in respect of the Subject Member's conduct;
  - reporting the findings of the Combined Authority's Standards Committee to the Combined Authority for information;
  - recommendation to the Combined Authority that the Subject Member should be censured;
  - instructing the Combined Authority's Monitoring Officer to arrange training for the Subject Member; or
  - recommendation to the Combined Authority that the Subject Member should be removed from all appointments to which the Subject Member has been appointed or nominated by the Combined Authority;
- (g) to determine appeals against the Monitoring Officer's decision on the grant of dispensations;
- (h) to form an Investigating and Disciplinary Committee for the purposes of the Disciplinary Procedure in relation to the Combined Authority's Chief Officers, as per Part 6, Section F of the Constitution.

## **PART 3 – SECTION E**

### **APPOINTMENTS AND DISCIPLINARY COMMITTEE**

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## 5. Functions

5.1 Whilst it is for the Combined Authority to determine the terms of reference of the Committee at the Annual Meeting and from time to time, it is envisaged that the Committee will exercise responsibility for the following functions:

- (a) To approve Person Specifications and Job Descriptions for Head of Paid Service and other Statutory Chief Officers, Chief Officers and Deputy Chief Officers.
- (b) To shortlist applicants for interview and to interview and make recommendations to the Combined Authority in relation to the appointment of the Head of Paid Service.
- (c) To shortlist applicants for interview and to interview and make appointments to Chief Officer and Deputy Chief Officer posts.
- (d) To approve any specific terms and conditions within approved Combined Authority budget and policy framework.

(e) In addition to the above, the Appointments and Disciplinary Committee may deal with the discipline and dismissal of Chief Officers. The Chief Officers Disciplinary Procedure and Guidance can be found in Part 6, Section F of the Constitution. The Committee will form as the Appeals Committee for the purposes of the disciplinary procedure.

(e)(f) Head of Paid Service and other Statutory Chief Officers and Chief Officers has the meaning ascribed in the Local Government and Housing Act 1989 as they relate to the Combined Authority. Deputy Chief Officer refers to a Deputy Chief Officer as defined by section 2(8) of the Local Government and Housing Act 1989.

5.2 The functions listed at 5.1 in respect of those officers of the Combined Authority referred to at 5.1(a) above are delegated to the head of paid service (save for the role of head of paid service itself) where those positions are to be or have been filled on an interim or temporary basis only.

5.3 The functions listed at 5.1 in respect of any officer of the Combined Authority other than those referred to at 5.1(a) above are delegated to the head of paid service.

For the purposes of the Constitution the Head of Paid Service and other Statutory Chief Officers, Chief Officers and Deputy Chief Officers are the staff cited in the Staffing Structure Chart attached on page 85.

**PART 6 – SECTION F**

**CHIEF OFFICERS DISCIPLINARY PROCEDURE AND GUIDANCE**

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## **1. Introduction**

1.1 The below will outline how the Chief Officers are dismissed and the taking of disciplinary action.

## **2. Definitions**

2.1 For the purpose of the below procedure and guidance, the definition of “Chief Officer” means those who are in Executive or Statutory Officer positions. These posts can be found in the Senior Leadership Staffing Structure Chart contained in Part 3, Annex C of the Constitution.

## **3. Dismissals and Disciplinary Action**

3.1 A Chief Officer may not be dismissed by the Combined Authority unless the relevant procedures set out below have been complied with.

3.2 A Chief Officer may be suspended whilst an investigation takes place into the alleged misconduct. Such suspension will be on full pay and last no longer than two months.

3.3 The meaning of disciplinary action in this context is as defined under the Local Authorities (Standing Orders) Regulations 1993.

3.4 Disciplinary action will be dealt with in accordance with best practice, which is the JNC Model Disciplinary Procedure and Guidance and as such the following will be complied with:

(a) The Audit and Governance Committee will form as the Investigating and Disciplinary Committee and will have the authority to oversee the disciplinary process.

(b) The Appointments and Disciplinary Committee will form as the Appeals Committee and will have the authority to consider appeals against action taken short of dismissal.

(c) Two independent persons will be called upon from our Constituent Councils and will comprise of the Independent Panel and will have the authority to consider any proposal to dismiss.

3.5 Before a Chief Officer can be dismissed, any disciplinary action will be conducted in accordance with the statutory disciplinary and dismissal procedure contained in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. This includes the following:



- (a) The final decision to dismiss a Chief Officer will be by resolution of the full Combined Authority.
  - (b) The Independent Panel will be appointed at least 20 days before the Authority meeting, at which consideration as to whether to approve a proposal to dismiss is to be given or not.
  - (c) Before taking a vote on whether to approve such a dismissal, the Combined Authority will take into account any advice, views or recommendations of the Independent Panel; the conclusions of any investigation into the proposed dismissal; and, any representations from the Chief Officer who is the subject of the proposed dismissal.
- 3.6 Members will not be involved in the dismissal or the disciplinary action of any Officer below Deputy Chief Officer level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct.