

SLOUGH BOROUGH COUNCIL

REPORT TO: Employment & Appeals Committee **DATE:** 20th June 2017

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WARD(S): All

PART I **FOR DECISION**

APPOINTMENT OF APPEALS SUB-COMMITTEE

1. **Purpose of Report**

This report recommends, in accordance with the Constitution, the establishment of an Appeal Sub-Committee and appointment of Members to serve on this Sub-Committee.

2. **Recommendations**

The Committee is requested to resolve:-

- a) That the Appeals Sub-Committee be appointed for the 2017/2018 Municipal Year
- b) That the terms of reference of the Sub Committee be as set out in Appendix A
- c) That seats be allocated to the Sub-Committee as shown in paragraph 5.1
- d) That Members be appointed to serve on the Sub-Committee in accordance with the wishes expressed by Political Groups in respect of seats allocated to them as set out in paragraph 5.1.

3. **Wellbeing Strategy Priorities**

There are no implications for the Council's Wellbeing Strategy priorities as this report is administrative in nature.

4. **Other Implications**

(a) **Financial**

There are no financial implications of proposed action.

(b) **Human Rights Act and other Legal Implications**

The recommendations meet the requirements of political proportionality as set out in the Local Government and Housing Act 1989 and associated Regulations. The Appointments Sub-Committee must include at least one Executive Member.

5 **Supporting Information**

Appeals Sub-Committee

- 5.1 The Constitution provides for the Employment and Appeals Committee to appoint an Appeals Sub-Committee. Accordingly, the Sub-Committee seat allocations have been calculated to reflect group membership and statutory proportionality entitlements as follows:

Sub-Committee	Seats	Labour	Conservative
Appeals S/C	5 (+ 5 deputies)	4 (+4)	1 (+1)

- 5.2 The Constitution also provides for the Committee to establish an Investigating Sub-Committee and Appointments Sub-Committee as required, in accordance with the Officer Employment Procedure Rules. These Sub-Committees will be appointed if the need should arise.
- 5.3 Nominations have been sought from Political Groups and are confirmed as follows:

Members:

Cllr Brooker - Labour
Cllr N Holledge - Labour
Cllr M Holledge - Labour
Cllr Plenty – Labour
Cllr D Smith – Conservative

Deputies:

Cllr Rasib - Labour
+ 4 vacancies

5.4 **Terms of Reference**

The terms of reference of the Sub-Committee are set out at Appendix A for consideration and agreement by the Committee.

6 **Appendix**

A - Terms of Reference of the Sub-Committee

7 **Background Papers**

'1' - Constitution

Employment and Appeals Committee: Sub-Committee Terms of Reference

Appeals Sub-Committee

1. To determine appeals against refusal by the Local Education Authority of applications for home to school transport which do not fall within the LEA's policy for the provision of such transport.
2. To consider complaints about the school curriculum and collective worship in accordance with Section 23 of the Education Reform Act 1988.
3. To deal with requests for the allocation of accommodation outside the Council's approved policies on referral by the Officers or by three Members of the Council.
 - a) Decisions on Appeals:- To deal with requests:
 - i) against exclusion from various schemes on matters of interpretation or value judgement;
 - ii) against cancellation of applications for false or incomplete information;
 - iii) against rent arrears recovery action and proceedings for possession;
 - iv) in respect of any discretionary housing service provided from time to time not within the established criteria, where special circumstances apply and the Assistant Director Housing and Environment has refused the application;
 - v) against assessments made under the Amenity Points Scheme for housing rents or any other method of rent assessment;
 - vi) against an Officer decision concerning the re-housing of applicants on urgent medical grounds, where in the view of Members the applicant(s) should be dealt with as a priority in the light of the facts of the case, taking into account the agreed definition of guidelines;
 - vii) against determination of improvement grants.
 - b) To deal with unusual matters of day to day management referred by the Director of Resources, Housing and Regeneration or Service Heads for guidance.
4. To hear representations and determine appeals under the statutory provisions relating to nurseries, playgroups, child minders and residential homes.
5. To consider and determine appeals against refusal by the Authority of application for Local Council Tax Discount.
6. To consider and determine appeals in accordance with Section 17(3) of the Health & Social Services and Social Security Adjudication Act 1983.