



## **INVESTIGATING AND DISCIPLINARY COMMITTEE**

### **MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON FRIDAY, 19TH APRIL 2013 AT 2.00 P.M.**

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PRESENT:

Councillor H. David - Chairman

Councillors:

R. Gough, Mrs B. Jones, G. Kirby, Ms J. Pritchard, D. Rees, J. Taylor and R. Woodyatt.

Observing:

S. Morgan and J. Summers

Together with:

G. Williams (Monitoring Officer/Principal Solicitor), E. Sullivan (Democratic Services Officer)

#### **APOLOGIES**

There were no apologies for absence received.

#### **1. DECLARATIONS OF INTEREST**

There were no declarations of interest received at the start or during the course of the meeting.

#### **2. TERMS OF REFERENCE**

The terms of reference were circulated together with copies of the Disciplinary Procedure for Statutory Officers and Disciplinary Procedure for Other Chief Officers.

Members fully considered all the documents presented. It was proposed and seconded that the Terms of Reference be adopted and by a show of hands this was unanimously agreed.

RESOLVED that the Terms of Reference as circulated be adopted.

#### **3. APPOINTMENT OF THE CHAIR**

Nominations were sought and it was proposed and seconded that Councillor H. David be appointed as Chair. By a show of hands this was unanimously agreed.

RESOLVED that Councillor H. David be appointed as Chair of the Investigating and Disciplinary Committee.

**4. EXEMPT MATTER**

Members considered the public interest test certificate from the Proper Officer and concluded that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information. By a show of hands this was unanimously agreed and it was

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 the public be excluded from the remainder of the meeting because of the likely disclosure to them of exempt information as identified in paragraph 12 of Schedule 12A of the Local Government Act 1972 (As Amended).

During the course of the debate and in view of the nature of the business to be transacted it was proposed and seconded that, subject to legal clarification, only the nominated Members of the Investigating and Disciplinary Committee would be entitled to attend meetings. By a show of hands this was unanimously agreed.

RESOLVED that only the nominated Members of the Investigating and Disciplinary Committee attend meetings.

Members that had attended to observe proceedings in consideration of the wishes of the Committee left the meeting room.

**4. TO CONSIDER REFERRAL(S) UNDER CAERPHILLY COUNTY BOROUGH COUNCIL DISCIPLINARY PROCEDURE FOR STATUTORY OFFICERS.**

Members received and considered the referrals as presented and it was proposed and seconded that they immediately be referred to an Independent Investigator. By a show of hands this was unanimously agreed.

RESOLVED that referrals to an Independent Investigator be made.

Members received the recommended list of candidates for the appointment of an Independent Investigator and having fully considered the options presented it was proposed and seconded that Mr. Michael Clark of Morgan Cole be appointed as the Independent Investigator. By a show of hands this was unanimously agreed.

RESOLVED that Mr. Michael Clark of Morgan Cole be appointed as the Independent Investigator to the Investigating and Disciplinary Committee.

The meeting closed at 14:55 p.m.

Approved as a correct record, and subject to any amendments or corrections agreed and recorded in the minutes of the next meeting, they were signed by the Chair.

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CHAIRMAN