

Pecyn Dogfennau Cyhoeddus

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG

Ty Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Emma Sullivan
(Rhif Ffôn: 01443 864420 Epost: sullie@caerphilly.gov.uk)

Dyddiad: Dydd Llun, 28 Tachwedd 2016

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Archwilio a Disgyblu** yn cael ei gynnal yn **Sirhowy Room, Tredomen, Ystrad Mynach** ar **Dydd Gwener, 2ail Rhagfyr, 2016** am **9.30 am** i ystyried materion a gynhwysir yn yr agenda canlynol.

Yr eiddoch yn gywir,

Chris Burns
PRIF WEITHREDWR DROS DRO

A G E N D A

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cyngorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cyngorwyr a Swyddogion.

I gymeradwyo a llofnodi'r cofnodion canlynol:-

- 3 Pwyllgor Ymchwilio a Disgyblaeth a gynhaliwyd ar y 31 Hydref 2016.

1 - 2

A greener place Man gwyrddach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



- 4 Cyfarfod wedi ailymgynnull o'r Pwyllgor Ymchwilio a Disgyblaeth a gynhaliwyd ar y 1 Tachwedd 2016. 3 - 4
- 5 I dderbyn ac ystyried yr adroddiad(au) canlynol sydd ym marn y Swyddog Priodol yn gallu cael ei drafod pan nad yw'r cyfarfod ar agor i'r cyhoedd ac i ystyried yn gyntaf os yw lles y cyhoedd yn golygu y dylai'r cyfarfod gael ei gau i'r cyhoedd ar gyfer ystyriaeth o'r eitem(au):- 5 - 6
- 6 Gweithdrefnau disgyblu ar Gyfer Swyddogion Statudol.

Cylchrediad:

Cynghorwyr D.G. Carter (Cadeirydd), N. George, C.J. Gordon, J.A. Pritchard, S. Morgan, D. Rees a J. Taylor

Er gwybodaeth i'r cynghorydd amnewid R.W. Gough, D. Havard a T.J. Williams.

A Swyddogion Priodol



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE MEETING HELD AT GATEWAY CENTRE, YSTRAD MYNACH
ON 31ST OCTOBER 2016 AT 9:30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

C. Gordon, N. George, S. Morgan, J.A. Pritchard and J. Taylor

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development), K. Howell (Partner – Geldards) and L. Phillips (Solicitor – Geldards)

1. APOLOGIES

An apology for absence was received from Councillor D. Rees

2. DECLARATIONS OF INTEREST

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

3. MINUTES – 6TH OCTOBER 2016

RESOLVED that the minutes of the Investigating and Disciplinary Committee held on 6th October 2016, be approved as correct record and signed by the Chair.

4. MINUTES – RECONVENED MEETING 10TH OCTOBER 2016

RESOLVED that the minutes of the reconvened Investigating and Disciplinary Committee held on 10th October 2016, be approved as correct record and signed by the Chair.

5. EXEMPT ITEM

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 Part 4 of Schedule 12A of the Local Government Act 1972.

5. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

Members received and considered the information as presented to the Committee as part of the approved Disciplinary Proceedings for Statutory Officers.

Having considered the information as presented it was moved and seconded that the meeting be adjourned until 9.30am on Tuesday 1st November 2016 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Tuesday 1st November 2016.

The meeting closed at 5.00 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.

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT GATEWAY CENTRE, YSTRAD MYNACH ON 1ST NOVEMBER 2016 AT 9:30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

C. Gordon, N. George, S. Morgan, J.A. Pritchard and J. Taylor

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development), K. Howell (Partner – Geldards) and L. Phillips (Solicitor – Geldards)

1. APOLOGIES

An apology for absence was received from Councillor D. Rees

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Committee having previously considered and accepted the public interest test certificate from the Proper Officer in accordance with Section 100A(4) of the Local Government Act 1972, as identified in paragraph 12 of Part 4 of Schedule 12A of the Local Government Act 1972 moved directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

Members received and considered the information as presented to the Committee as part of the approved Disciplinary Proceedings for Statutory Officers.

Having considered the information as presented it was moved and seconded that the meeting be adjourned until 9.30am on Wednesday 16th November 2016 and by show of hands this

was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Wednesday 16th November 2016.

The meeting closed at 5.00 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.

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE - 2ND DECEMBER 2016

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

I have considered grounds for exemption of information to be presented to the Committee and make the following recommendations to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to a particular individual(s) (para 12).

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in which the Council deals with staffing issues.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains detailed information regarding personal information which affects a particular individual/s and the affairs of that individual/s.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 12 should apply. My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of a Public Authority for decisions taken in relation to staffing issues, this must be balanced against the fact that these matters have not yet been concluded at this stage outweigh the need for the information to be made public.


The information is not affected by any other statutory provision, which requires the information to be publicly registered. The information contains personal data of staff members which is protected by the Data Protection Act 1998.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Date: 28/11/2016

Signed: 

Post: Interim Head of Legal Services and Monitoring Officer

I accept/~~do not~~ accept recommendation made above.

Signed: 

Proper Officer

Date: 28/11/16
