



## COUNCIL 28TH JANUARY 2014

**SUBJECT: ANSWER TO QUESTION RECEIVED UNDER RULES OF PROCEDURE 10(2)**

**Disciplinary Process for Statutory Officers and Other Chief Officers** - to the Cabinet Member for Human Resources, Councillor Mrs. C Forehead from Councilor Mrs. A. Blackman.

Bearing in mind that the Investigatory and Disciplinary Committee and its procedures was only set up on the 21st March 2013, can the Cabinet Member for Human Resources Cllr Forehead inform Council as to what Disciplinary Process for Statutory Officers and Other Chief Officers was used before this date?

**RESPONSE FROM THE CABINET MEMBER FOR HUMAN RESOURCES AND GOVERNANCE /BUSINESS MANAGER - COUNCILLOR MRS. C. FOREHEAD**

The report to Council on 21st March 2013 set out the context for the introduction of the new procedures, and to assist an extract is re-produced below, prior to this time the Council did not have cause to require detailed procedures.

- 3.1 The Council's Employment Procedure Rules ('the Rules') outline the procedure to be followed in relation to disciplinary proceedings involving the Council's Statutory Officers, the Chief Executive as Head of Paid Service, the Monitoring Officer and the S.151 Officer.
- 3.2 The Rules, which are set out in the Council's Constitution, reflect the statutory regime as laid down in the Local Authorities (Standing Orders) (Wales) Regulations 2006. However the Rules do not include a detailed, clear procedure to deal with disciplinary issues in relation to Statutory Officers.
- 3.3 Rule 8, of the Rules, requires amendment, to reflect that any disciplinary action against Chief Officers (other than Statutory Officers) is now a matter to be determined in accordance with the JNC Conditions of Service for Chief Officers.
- 3.4 In order to avoid uncertainty in the future, detailed disciplinary procedures have now been drafted by the Council's external lawyers, Geldards LLP, for the Council's Statutory Officers (Appendix A) and other Chief Officers (Appendix B), attached to the Report.
- 3.5 Both procedures are based on the model disciplinary procedures contained in the JNC Conditions of Service for Chief Officers.

The report and the Procedures are available to view on the website. The Procedures have now been incorporated in the Council's Constitution.