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Date: 28th February 2017

Dear Sir/Madam,

A meeting of the **Investigating and Disciplinary Committee** will be held in **Sirhowy Room, Penallta House, Ystrad Mynach** on **Monday, 6th March, 2017** at **9.30 am** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

AGENDA

1 To receive apologies for absence.

2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes:-

Pages

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



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15	To receive and consider the following report(s) which in the opinion of the Proper Officer may be discussed when the meeting is not open to the public and first to consider whether the public interest requires that the meeting should be closed to the public for consideration of the item(s).	23 - 24
16	Disciplinary Proceedings for Statutory Officers.	

Circulation:

Councillors D.G. Carter (Chair), N. George, C.J. Gordon, J.A. Pritchard, S. Morgan and J. Taylor

For information substitute(s) Councillor R.W. Gough, D. Havard and T.J. Williams

And Appropriate Officers

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INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
ON 2ND DECEMBER 2016 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds) and L. Phillips (Geldards).

1. CHAIR'S ANNOUNCEMENT

The Chair advised Members that since the last meeting Councillor D. Rees had withdrawn as a Member of the Committee.

2. APOLOGIES

There were no apologies for absence received.

3. DECLARATIONS OF INTEREST

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

4. MINUTES – 31ST OCTOBER 2016

RESOLVED that the minutes of the Investigating and Disciplinary Committee held on 31st October 2016 (minute nos. 1 - 5), be approved as a correct record and signed by the Chair.

5. MINUTES – 1ST NOVEMBER 2016

RESOLVED that the minutes of the reconvened Investigating and Disciplinary Committee held on 1st November 2016 (minute nos. 1-4), be approved as a correct record and signed by the Chair.

6. 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.

7. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the content, the information and representations were noted.

RESOLVED that the information and representations as presented be noted.

The meeting closed at 12.00 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH
ON 15TH DECEMBER 2016 AT 9.30AM

PRESENT:

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds) and M. Griffiths (Eversheds).

1. APOLOGIES

Apologies for absence were received from Councillor D. Carter.

2. CHAIR

In the absence of Councillor D. Carter, Councillor S, Morgan took the Chair.

3. DECLARATIONS OF INTEREST

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

4. 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 and representations as presented to the Committee as part of the approved Disciplinary Proceedings for Statutory Officers.

Having fully considered the information and representations as presented it was moved and seconded that the meeting be adjourned until 9.30am on Monday the 19th December 2016 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Monday 19th December 2016.

The meeting closed at 11.00 a.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT GATEWAY CENTRE, YSTRAD MYNACH ON 19TH DECEMBER 2016 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting be adjourned until 9.30am on Tuesday the 20th December 2016 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Tuesday 20th December 2016.

The meeting closed at 4.30 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT GATEWAY CENTRE, YSTRAD MYNACH ON 20TH DECEMBER 2016 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds) and L. Morgan (Eversheds).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting be adjourned until 9.30am on Wednesday the 21st December 2016 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Wednesday 21st December 2016.

The meeting closed at 4.30 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT GATEWAY CENTRE, YSTRAD MYNACH ON 21ST DECEMBER 2016 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), S. Isaacs (Eversheds) and L. Morgan (Eversheds).

1. APOLOGIES FOR ABSENCE

An apology for absence was received from L. Donovan (Acting Head of HR and Organisational Development).

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting be adjourned until 9.30am on Wednesday the 11th January 2017 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Wednesday 11th January 2017.

The meeting closed at 4.30 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT DUFFRYN HOUSE, YSTRAD MYNACH ON 11TH JANUARY 2017 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds) and L. Morgan (Eversheds).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting scheduled for the 12th January 2017 be postponed and this meeting be adjourned until 9.30am on Wednesday 18th January 2017 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Wednesday 18th January 2017.

The meeting closed at 3.30 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT DUFFRYN HOUSE, YSTRAD MYNACH ON 18TH JANUARY 2017 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds), M. Griffiths (Eversheds) and K. Howells (Geldards).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting scheduled for the 19th January be postponed and this meeting be adjourned until a 9.30am on Monday 6th February 2017 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Monday 6th February 2017.

The meeting closed at 3.30 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT DUFFRYN HOUSE, YSTRAD MYNACH ON 7TH FEBRUARY 2017 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

C. Burns (Interim Chief Executive), D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds), M. Griffiths (Eversheds) and K. Howells (Geldards).

1. CHAIR'S ANNOUNCEMENT

The Chair apologised to Members that circumstances had necessitated the postponement of the reconvened meeting scheduled for Monday 6th February 2017 and regretted any inconvenience caused.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

3. DECLARATIONS OF INTEREST

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

4. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

5. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that this meeting be adjourned until a 9.30am on Wednesday 8th February 2017 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Wednesday 8th February 2017.

The meeting closed at 3.00 p.m.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT DUFFRYN HOUSE, YSTRAD MYNACH ON 8TH FEBRUARY 2017 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds), M. Griffiths (Eversheds), K. Howells (Geldards), M. Clarke (Blake Morgan LLP).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meetings scheduled for the 14th and 15th of February be postponed and that this meeting be adjourned until a 9.30am on Thursday 16th February 2017 and by show of hands this was unanimously agreed.

RESOLVED that the reconvened meetings scheduled for the 14th and 15th of February be postponed and that this meeting be adjourned until 9.30am on Wednesday 16th February 2017.

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 appropriate meeting, they were signed by the Chair.

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT DUFFRYN HOUSE, YSTRAD MYNACH ON 16TH FEBRUARY 2017 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds), M. Griffiths (Eversheds), K. Howells (Geldards), M. Clarke (Blake Morgan LLP).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting be adjourned until a 9.30am on Friday 17th February 2017 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Friday 17th February 2017.

The meeting closed at 11.30am.

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

CHAIR



INVESTIGATING AND DISCIPLINARY COMMITTEE

MINUTES OF THE RECONVENED MEETING HELD AT DUFFRYN HOUSE, YSTRAD MYNACH ON 17TH FEBRUARY 2017 AT 9.30AM

PRESENT:

Councillor D. Carter - Chair

Councillors:

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

Together with:

D. Street (Corporate Director of Social Services), L. Donovan (Acting Head of HR and Organisational Development) and S. Isaacs (Eversheds), M. Griffiths (Eversheds), K. Howells (Geldards), M. Clarke (Blake Morgan LLP).

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

3. EXEMPT ITEM

The Chair reminded Members that as this was a reconvened meeting the Public Interest Tested accepted and agreed in the meeting of the 15th December 2016 still applied and the Committee would therefore move directly into exempt session.

4. DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

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

Having fully considered the information and representations as presented it was moved and seconded that the meeting be adjourned until a 9.30am on Thursday 2nd March 2017 and by show of hands this was unanimously agreed.

RESOLVED that the meeting be adjourned until 9.30am on Thursday 2nd March 2017.

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 appropriate meeting, they were signed by the Chair.

CHAIR



**INVESTIGATING AND DISCIPLINARY COMMITTEE
6TH MARCH 2017**

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

SUBJECT: DISCIPLINARY PROCEEDINGS FOR STATUTORY OFFICERS

REPORT BY: PRINCIPAL SOLICITOR

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 reports 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: 27th February 2017 Signed: [Signature]
Post: Principal Solicitor

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

Signed: [Signature] Date: 27/2/17
Proper Officer