

DISCIPLINARY PROCEDURE FOR STATUTORY OFFICERS

To: **Staffing and Appeals Committee**

Date: **18th February 2020**

From: **Martin Cox, HR Director**

Purpose: **To provide Committee with an overview of the disciplinary procedure that will apply to statutory officers.**

Recommendations: **The Committee is asked to agree the adoption of this procedure and the amendments to the Staffing and Appeals Committee terms of reference within the Constitution.**

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1.0 PURPOSE

- 1.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 requires local authorities to have a disciplinary procedure for statutory officers. This paper outlines the procedure that is being recommended for Cambridgeshire County Council and seeks approval for this document.

2.0 THE PROPOSED PROCEDURE

- 2.1 This document (shown in **appendix one**) outlines the disciplinary procedure that will apply to the following roles, referred to in the procedure as Statutory Officers:
- Chief Executive
 - Section 151 officer
 - Monitoring Officer
- 2.2 This procedure is based on the model procedure provided by the JNC (Joint Negotiating Committee) and complies with the relevant legislative requirements

3.0 ROLES IN THE PROCEDURE

- 3.1 The procedure has the following roles:
- Investigating and Disciplinary Committee (IDC)
 - Independent Investigator
 - Independent Panel
 - Full Council.

This procedure outlines the actions that each of these roles is responsible for undertaking.

- 3.2 In summary the IDC is responsible for:
- deciding whether a statutory officer is suspended
 - appointing an independent investigator
 - considering the outcome of the independent investigation and the input of the statutory officer (in a meeting following the format of a disciplinary hearing)
 - deciding if disciplinary action should be taken
 - where considered appropriate, making a proposal to dismiss to the Independent Panel and Full Council.
- 3.3 It is proposed that the Staffing and Appeals Committee will act as the IDC. However the policy allows for flexibility as to who makes up the IDC to prevent any potential conflicts of interest.
- 3.4 In order to fulfil the function of the IDC we are proposing an addition to the terms of reference of the Staffing and Appeals Committee as follows:

“Authority to act as Investigating and Disciplinary Committee (IDC) to consider any disciplinary issues in relation to the Chief Executive, Monitoring Officer or

Section 151 Officer as detailed in the Disciplinary Procedure for Statutory Officers”.

Source Documents	Location
The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015	http://www.legislation.gov.uk/uksi/2015/881/contents/made