

EMPLOYEE APPOINTMENTS/DISCIPLINARY COMMITTEE

1. AIMS AND OBJECTIVES

Within the Terms of Reference of, and under the powers and authority delegated to, the Committee to deal with appointments and disciplinary matters.

2. CONSTITUTION AND POWERS

- (i) The Employee Appointments/Disciplinary Committee will comprise five Members of the Council.
- (ii) Political balance will apply.
- (iii) The quorum of the Employee Appointments/Disciplinary Committee will be three Members.
- (iv) A Chair for the meeting will be the first item of business for each individual meeting of the Committee.
- (v) Members should attend Recruitment and Selection and Equal Opportunities Training.

3. TERMS OF REFERENCE

- (1) To shortlist, interview and recommend to Council candidates for Chief Executive (Head of Paid Service), Chief Officers, the Monitoring Officer and the Section 151 Officer.
- (2) To manage and consider any disciplinary and/or capability and any grievance matters arising in relation to the Statutory Officers (Head of Paid Service, Chief Finance Officer (Section 151 Officer) and Monitoring Officer) and Chief Officers.
- (3) To carry out the function of an Investigating and Disciplinary Committee as set out in the Joint Negotiating Committee (JNC) Conditions of Service for Chief Executives and the JNC Conditions of Service for Chief Officers.
- (4) To consider allegations concerning the conduct or capability of Statutory Officers and Chief Officers in order to establish whether or not they are sufficiently well-founded and serious in content to justify investigation.
- (5) If appropriate, to suspend a Statutory Officer or Chief Officer under the terms of the JNC Conditions of Service for Chief Executives or the JNC Conditions of Service for Chief Officers.
- (6) In respect of Statutory Officers:
 - (a) to decide whether the issue requires no further formal action; or
 - (b) whether the issue should be referred to a “Designated Independent Person (DIP)”;
 - (c) to be responsible for the appointment and Terms of Reference for any “Designated Independent Person” (which power can be delegated to an Officer);

(d) to receive and consider the report of the “Designated Independent Person”; and

(e) to hold a capability or disciplinary hearing.

Following receipt of any DIP report, to determine a course of action within the Council’s powers under law and within its procedures. In the case of dismissal, to recommend that course of action to the Council for final approval.

(7) In respect of Chief Officers:

(a) to appoint, if appropriate, an investigator to carry out an investigation on behalf of the Committee (which power can be delegated to an Officer);

(b) to receive, and consider, any report of an investigator; or

(c) to hold a capability, disciplinary or grievance hearing; and

(d) following any capability and/or disciplinary hearing, to determine a course of action (up to and including dismissal) within the Council’s powers under law and within its procedures.

(8) To determine whether to carry out any disciplinary action against/dismissal of any of the Council’s Heads of Service.

4. DELEGATED POWERS

Subject to the General Provisions, and Scheme of Delegation to Officers, to determine all matters within the Terms of Reference of the Committee.