



## **COUNCIL – 8<sup>TH</sup> APRIL 2025**

**SUBJECT: REVISED DISCIPLINARY PROCEDURES FOR STATUTORY OFFICERS AND CHIEF OFFICERS**

**REPORT BY: DIRECTOR OF PEOPLE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to seek Council approval for the revised Disciplinary Procedures for Statutory Officers and Chief Officers.

### **2. SUMMARY**

- 2.1 HR Policies and Procedures are subject to review and the Disciplinary Procedures are included within this review process.
- 2.2 There are 2 Disciplinary Procedures covered within this report i.e. the Disciplinary Procedure for Statutory Officers and the Disciplinary Procedure for Chief Officers (as defined within the Council's Pay Policy).
- 2.3 The Disciplinary Procedure for all other employees (apart from school employed staff) has also been subject to review but does not require Council approval.

### **3. RECOMMENDATIONS**

- 3.1 Council is asked to agree:
  - 3.3.1 The revised Disciplinary Procedure for Statutory Officers attached at Appendix 1.
  - 3.3.2 The revised Disciplinary Procedure for Chief Officers attached at Appendix 2.

#### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 To ensure up to date Disciplinary Procedures are in place for the Council's most Senior Officers.

#### **5. THE REPORT**

- 5.1 The Council's HR Policies and Procedures are subject to review. The Disciplinary Procedures for Statutory Officers and Chief Officers, which are the subject of this report, were last reviewed in 2013.
- 5.2 The Procedures are currently incorporated within the 'Officer Employment Procedure Rules' set out within Part 4 of the Council's Constitution and can be viewed via the link below on pages 161 to 186.

[Link to Council Procedure Rules](#)

- 5.3 The statutory process in is set by the Local Authorities (Standing Orders) (Wales) Regulations 2006 ("the 2006 Regulations") as amended by the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014.
- 5.4 On 7th October 2019, the Minister for Housing and Local Government announced an independent review of the arrangements for dealing with alleged misconduct of senior officers within local government in Wales. The aim of the review was to consider whether the arrangements in Wales remained fit for purpose.
- 5.5 The review was led by a QC and in June 2020, the Minister for Housing and Local Government reported that the overall conclusion of the review was that the arrangements remain broadly fit for purpose.
- 5.6 The amended Disciplinary Procedure for Statutory Officers, attached at Appendix 1, takes into consideration the findings of this review.
- 5.7 The amended Disciplinary Procedure for Chief Officers, attached at Appendix 2, removes the requirement for an Investigation and Disciplinary Committee to be called as this is only a regulatory requirement for Statutory Officers. This Procedure is now more aligned to the Disciplinary for all other Corporately employed staff. The Chief Executive will be the Disciplinary Officer for all hearings and all appeals will be heard by the Council's Appeals Panel.
- 5.8 External Counsel has been engaged in drafting the 2 revised Disciplinary Procedures.
- 5.9 GMB, Unison and Unite have been consulted along with Statutory Officers and Chief Officers defined within the Council's Pay Policy.
- 5.10 If Council agrees the revised Disciplinary Procedures attached at Appendix 1 and 2, the Council's constitution will be updated accordingly.

## **6. ASSUMPTIONS**

6.1 There are no assumptions made within this report.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

7.1 An integrated impact assessment has not been completed for the revision of these 2 Disciplinary Procedures.

## **8. FINANCIAL IMPLICATIONS**

8.1 There are no financial implications attached to the revision of these Disciplinary Procedures, but there could be if they are instigated.

## **9. PERSONNEL IMPLICATIONS**

9.1 The personnel implications are included in the report.

## **10. CONSULTATIONS**

10.1 The consultation responses have been incorporated in the report.

## **11. STATUTORY POWER**

11.1 Local Government Act 1972  
Local Authorities (Standing Orders) (Wales) Regulations 2006 amended by  
the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations  
2014

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Cllr Nigel George, Cabinet Member for Corporate Services, Property  
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Heads of Service  
Lisa Lane, Head of Democratic Services and Deputy Monitoring  
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GMB, Unison, Unite

Appendices:

- Appendix 1 Disciplinary Procedure for Statutory Officers
- Appendix 2 Disciplinary Procedure for Chief Officers