

POLICY REVIEW AND DEVELOPMENT PANEL REPORT

REPORT TO:	Corporate Performance Panel		
DATE:	27 February 2023		
TITLE:	Review of IDC		
REPORT AUTHOR:	Becky Box, Assistant Director Central Services		
OPEN/EXEMPT		WILL BE SUBJECT TO A FUTURE CABINET REPORT:	Yes/No

REPORT SUMMARY/COVER PAGE

PURPOSE OF REPORT/SUMMARY: This item has been requested by CPP, supported by the Chair of CPP. The report responds to a brief as captured on the CPP work programme as follows: “Full Review of IDC* to include the appointment of Members, standing orders relating to the investigation of discipline of statutory officers and terms of reference for that Committee.” (* IDC = Investigating and Disciplinary Committee) The attached report sets out the information requested.
KEY ISSUES: Members are referred to the attached report which sets out the background to the creation of the IDC and covers the other points requested in the brief.
OPTIONS CONSIDERED: N/A The report explains the background and approach to the creation of the Council's IDC.
RECOMMENDATIONS: That the report is considered by Panel members to familiarise themselves with the requirements for implementing an IDC within the Council and the steps undertake to establish this Committee.
REASONS FOR RECOMMENDATIONS: To fulfil the Panel's request.

REPORT DETAIL

1. Introduction/Background

A request for a review of the Council's Investigating and Disciplinary Committee was agreed by CPP.

The request was captured as a "Full Review of IDC to include the appointment of Members, standing orders relating to the investigation of discipline of statutory officers and terms of reference for that Committee."

A report outlining the various points requested is attached for Members' consideration.

To assist Members' understanding of the requirements for an IDC, the report also sets explains:

- What the IDC is
- The legal requirements governing disciplinary procedures for statutory officers
- Why the Council needs an IDC

2. Issues for the Panel to Consider

Members are asked to note that:

- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 set out requirements governing disciplinary procedures for statutory officers
- Model procedures to reflect these requirements have been introduced by the Joint Negotiating Committee (JNC) for Local Authority Chief Executives
- The JNC requires all Council's across England to establish an IDC to govern disciplinary procedures for statutory officers
- The arrangements implemented by the Council are consistent with the JNC's requirements

3. Corporate Priorities

Not applicable.

4. Financial Implications

Not applicable.

5. Any other Implications/Risks

Failure to adopt the JNC model procedures could result in legal challenge by a statutory officer.

7. Equal Opportunity Considerations

Not applicable – the model procedures are applicable to all statutory officers.

8. Environmental Considerations

Not applicable.

9. Consultation

Statutory officers are aware that they are subject to different disciplinary procedures to other members of staff. This is reflected in the Council's disciplinary procedure which states that "The Chief Executive, Monitoring Officer, and the Authority's 151 Officer, are subject to the

requirements of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 and the associated disciplinary procedure for statutory officers.”

10. Conclusion

A review of a range of matters related to the Council’s Investigating and Disciplinary Committee was requested by CPP and a paper has been provided to respond to these points.

11. Background Papers

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015
The JNC for Local Authority Chief Executives model procedures
Part 3, Appendix A of the Council’s Constitution