

GRIEVANCE & STANDARDS COMMITTEE (A Quasi-Judicial Body)

GENERAL

This Committee will meet to cover 2 main functions:

Grievance (Head of Paid Service, Chief Finance Officer and Monitoring Officer)

Meetings for the purposes of determining an investigation of Grievance as may be recommended by the Investigating Officer. A decision making body with full delegated powers.

Standards

Meetings for the purposes of the Standards function will be called and arranged by the Monitoring Officer, in consultation with the Chairman as required.

MEMBERSHIP, CHAIRMANSHIP AND QUORUM

- Number of Members: **5**
- Substitute Members permitted: **YES**
- Whether Proportionality applies: **YES**
- Appointments/Removal from Office: As expressed through the wishes of the Political Groups and given effect to by the Council by way of resolution.
- Eligibility/Non-Eligibility for Membership:
 - Members of the Chief Executive, Directors and Chief Officers Disciplinary Committee and the Appeals Committee are not eligible.
- Quorum: **3**
- Eligibility/Non Eligibility for Chairmanship/Vice-

Chairmanship:

- All Members of the Committee are eligible

PROCEDURES**Compilation of Agenda**

The Democratic Services, Scrutiny and Governance Manager shall be responsible for the compilation of the Agenda in consultation with the Investigating Officer.

FUNCTIONS OF THE GRIEVANCE COMMITTEE

- 1 To consider and determine Grievance cases where:
 - An employee raises a grievance against the Chief Executive, S.151 Officer or the Monitoring Officer.
 - Where the Chief Executive raises a grievance, by definition this will be against an individual elected member(s) or the Council.
- 2 In the event of a Grievance case involving the Chief Executive, the relevant national Conditions of Service (as set out by the JNC for Chief Executives and the Chief Officers) should be consulted.
- 3 Where disciplinary action may result in dismissal of a Statutory Officer, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 must be followed.
- 4 For the purposes of this Constitution, 'disciplinary action' shall mean:-

Any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the authority, be recorded in the Officer's personal file, and includes any proposal for dismissal of an Officer for any reason other than redundancy or permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract.

STANDARDS COMMITTEE

CRITERIA FOR APPOINTMENT OF INDEPENDENT PERSONS

- 1 Appointment to be approved by at least 20 Members (i.e. a majority of the Council) at a Council Meeting.
- 2 Any proposed appointment is advertised in the local area, and must indicate a closing date for an application.
- 3 Only persons who have submitted an application within timescales published in 2 above can be considered.
- 4 No application will be eligible when the applicant has been a Member or Officer of this Authority within 5 years of the date of appointment or is currently a Member or Officer of any other relevant local authority.
- 5 No application will be eligible when the applicant is a relative or close friend of an Officer or Member of the District Council, or any Local Council within the area.

THE MONITORING OFFICER ROLE IN RELATION TO THIS COMMITTEE

The Monitoring Officer has the right to make reports to and receive reports from the Standards Committee, subject to consultation with the Head of Paid Service and the S151 Officer.

PROTOCOL FOR PRESENTATION OF REPORTS OF THE STANDARDS COMMITTEE TO COUNCIL

Reports of Standards Committee to Council shall be presented by the Chairman of the Standards Committee.

PROCEDURES

Compilation of Agenda

The Monitoring Officer is responsible for the compilation of the Agenda in consultation with the Chairman of the Committee and the Chief Executive.

Rights to see, requisition and call to appear

This Committee has the right:-

- to see Cabinet Executive papers (which must be treated with the necessary confidentiality given to them by the Council's procedures).
- to requisition all relevant documents held by the Council (which must be treated with the necessary confidentiality given to them by the Council's procedures).
- to call Members and Officers to appear before it.

FUNCTIONS

Responsibility pursuant to Article 9 of the Constitution:-

- 1 To discharge the functions conferred by Part III of the Local Government Act 2000, as amended by the Localism Act 2011.
- 2 To promote and maintain high standards of conduct by Councillors.
- 3 To advise the Council on the adoption of a local code of conduct for Members.
- 4 To advise the Council on the adoption of a local code of conduct for employees including arrangements for monitoring and updating as required.
- 5 To advise the Council on ethical governance, including the adoption of local codes and/or protocols and/or policies in relation to ethical standards (including 'whistle blowing').
- 6 To adopt relevant policies and procedures.
- 7 To consider reports from the Monitoring Officer on material breaches of local codes and/or protocols in relation to member conduct not falling within the Code of Conduct.
- 8 To consider and report to the Council on breaches of Council Codes and Protocols by Members, as the Committee considers appropriate.
- 9 To advise, train or arrange to train Members and co-opted Members of the authority on matters relating to the authority's code of conduct.

- 10 To monitor the operation of the Members' Code of Conduct and assisting Members and co-opted Members to observe it.
- 11 To review significant changes to the Constitution, as determined by the Proper Officer;

N.B. The Standards Committee has no powers to intervene in any employee issues falling within the Council's Disciplinary Procedure and/or the Grievance Procedure.

DELEGATED POWERS

As detailed in Functions.