

**Bolsover District Council**

**Standards Committee on 12<sup>th</sup> May 2025**

**Establishment of New Committees**

**Report of the Director of Governance and Legal Services & Monitoring Officer**

<b>Classification</b>	This report is public
<b>Report By</b>	Jim Fieldsend Director of Governance and Legal Services & Monitoring Officer

**PURPOSE/SUMMARY OF REPORT**

For Standards Committee to consider a proposal to establish the Investigating and Disciplinary Committee, Grievance Committee and Independent Panel

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**REPORT DETAILS**

**1. Background**

- 1.1 In May 2025, the Joint Negotiation Committee for Chief Executives (JNC) wrote to all Councils to highlight the need for local authorities to have in place appropriate structures and standing committees to deal with potential disciplinary issues involving Statutory Officers.
- 1.2 The JNC Chief Executive Officer Conditions of Service Handbook provides for a model disciplinary procedure that must be followed which includes reference to number of committees and panels, including an Investigating & Disciplinary Committee, Independent Panel and Appeals Committee. Whereas the Council already has an Appeals Committee it does not currently have an Investigating and Disciplinary Committee or Independent Panel.
- 1.3 In addition, the JNC Handbook requires the establishment of Grievance Committee in order to consider grievances made against the Chief Executive Officer.

**2. Details of Proposal or Information**

- 2.1 It is proposed that the Council establish the following committees:
  - An Investigating and Disciplinary Committee - The role of the Investigating and Disciplinary Committee will be to consider allegations against a Statutory Officer (Chief Executive Officer, Section

151 Officer and Monitoring Officer) which may ultimately lead to their dismissal; determine whether further investigation or action is required; determine whether action short of dismissal should be imposed or whether dismissal is recommended.

- An Independent Panel. The role of the panel will be to consider any recommendation of the Investigating and Disciplinary Committee to dismiss a Statutory Officer.
- A Grievance Committee. This Committee will consider grievances following an initial investigation. A case can be referred to it by the Chief Executive or the aggrieved employee.

2.2 Proposed terms of reference for the above are set out in **Appendix 1**.

### **3. Reasons for Recommendation**

3.1 To ensure that the Council has the structures in place to deal with disciplinary/grievance matters involving Statutory Officers.

### **4 Alternative Options and Reasons for Rejection**

4.1 To not establish the above committees. This is rejected as it would result in the Council not having sufficient structures in place to deal with disciplinary/grievance matters involving Statutory Officers.

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## **RECOMMENDATION(S)**

that Standard Committee recommends to Council that an Investigating and Disciplinary Committee, an Independent Panel and a Grievance Committee be established.

### **IMPLICATIONS:**

**Finance and Risk:**            Yes             No

**Details:**

None arising from this report.

On behalf of the Section 151 Officer

**Legal (including Data Protection):**            Yes             No

**Details:**

The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) and in Wales, the Local Authorities Standing Orders (Wales) Regulations 2006 provide a degree of protection for statutory against unwarranted political interference

On behalf of the Solicitor to the Council

**Staffing:** Yes  No

**Details:**

None arising from this report.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	No

<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Executive</b> <input type="checkbox"/> <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	Details:

**Links to Council Ambition: Customers, Economy and Environment.**

Demonstrating good governance

## DOCUMENT INFORMATION

Appendix No	Title
1	Terms of Reference for Investigating and Disciplinary Committee, Independent Panel and Grievance Committee

## Background Papers

*(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).*

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