

DONCASTER METROPOLITAN BOROUGH COUNCIL
CHIEF OFFICERS' APPOINTMENTS AND CONDITIONS OF
SERVICE COMMITTEE

15th JANUARY, 2009

A MEETING of the CHIEF OFFICERS' APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE was held at the MANSION HOUSE, DONCASTER on THURSDAY, 15th JANUARY, 2009 at 2.00 p.m.

PRESENT:

Chair - Councillor Joe Blackham

Councillors Jill Arkley-Jevons, Patricia Bartlett, Bob Ford, Ros Jones, Georgina Mullis (substitute for Margaret Pinkney) and Tony Sockett.

APOLOGIES

Apologies were received from the Vice-Chair Craig Sahman and Councillors Tony Brown, Paul Coddington, Stuart Exelby, John McHale, Chris Mills, Margaret Pinkney and Carol Williams.

28. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST, IF ANY

No declarations were made at the meeting.

29. MINUTES OF THE MEETING HELD ON 9th DECEMBER 2008.

RESOLVED that the Minutes of the meeting held on 9th December 2008, be approved as a correct record and signed by the Chair.

30. REVISED DISCIPLINE AND DISMISSAL PROCEDURES FOR CHIEF EXECUTIVES

Paul Evans, the Acting Director of Resources, presented to Members the Revised Discipline and Dismissal Procedures for Chief Executives. He reported the purpose of the report was to address the recommendations of the District Auditor. In addition, the Acting Director of Resources reported that the Joint Negotiating Committee for Chief Executives of Local Authorities had recently agreed a new Model Procedure and Guidance that was consistent with current legislation and provided an appropriate response to the Public Interest Report.

The Acting Director of Resources recommended the Model Procedure for

adoption, subject to appropriate amendments to take into account matters of local determination.

A discussion took place with regard to exceptional circumstances where allegations were referred to the Monitoring Officer and the Chair of Chief Officers Investigatory Sub-Committee (COISC). Members were of the view that in such circumstances it would be more appropriate for both the Chair and Vice-Chair of the COISC to consider a decision with advice from the Director of People and Performance Improvement of whether a referral to the COISC was necessary. Members concurred that this would improve the decision making process and reduce conflict of interest.

Members then questioned how the performance of the Managing Director was being monitored. The Acting Director of Resources and Director of People & Performance Improvement explained that regular meetings were taking place that involved the Mayor and Deputy Mayor and monitoring was being carried out.

The Acting Director of Resources emphasised the importance of initial informal meetings, to resolve any areas of concern. The Committee felt that it was important for accurate notes of those discussions to be taken and retained, should they need to be referred to in the future.

With regard to the issue of suspension, the Acting Director of Resources explained that the Model Procedure set out that an Elected Member should have responsibility for taking the decision to suspend the Managing Director with advice from the Director of People and Performance Improvement and suggested it should be the Chair of COISC. The Committee felt it would be more appropriate for both the Chair and Vice-Chair of COISC to be involved in taking such a decision.

Members then considered the recommendation to approve the adoption of the Model Disciplinary Procedure & Guidance on the use of suspension and special leave and, procedures for the investigation of the Managing Director.

RESOLVED that

- (1) the Model Procedure be adopted as the basis of the revised documented process for dismissals, appeals and compromise agreements, guidance on the use of suspension and special leave, and procedures for investigation for the Managing Director, subject to minor amendments identified above; and
- (2) the Director of People and Performance Improvement to submit a revised Local Discipline and Dismissal Procedure for the Managing Director to this Committee for adoption.

