

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

6<sup>TH</sup> MAY 2009

A MEETING of the CHIEF OFFICERS' APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE was held at the MANSION HOUSE, DONCASTER on WEDNESDAY 6<sup>TH</sup> MAY 2009 at 10.30 a.m.

PRESENT:

Chair - Councillor Joe Blackham

Councillors Jill Arkley-Jevons, Tony Brown, Stuart Exelby, Bob Ford, Ros Jones, John McHale, Chris Mills, Tony Sockett and Yvonne Woodcock (substitute for Councillor Patricia Bartlett).

APOLOGIES

Apologies were received from Councillors Patricia Bartlett, Paul Coddington, Craig Sahman, Margaret Pinkney and Carol Williams.

31. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST, IF ANY

No declarations were made at the meeting.

32. MINUTES OF THE MEETING HELD ON 15<sup>TH</sup> JANUARY 2009.

RESOLVED that the Minutes of the meeting held on 15<sup>th</sup> January 2009, be approved as a correct record and signed by the Chair.

33. REVISED DISCIPLINE AND DISMISSAL PROCEDURES FOR THE MANAGING DIRECTOR (Minute No. 30, 15<sup>th</sup> January 2009)

Further to consideration at the last meeting on 15<sup>th</sup> January 2009, the Committee received a report providing a revised Local Discipline and Dismissal Procedure for the Managing Director which contained minor amendments in relation to matters for local determination which had also been agreed at that meeting, an outline of which was provided.

The Committee was informed that the Model Disciplinary Procedure and Guidance had been the basis on which Doncaster's procedure had been produced, although minor adaptations had been made in order to ensure that matters of local determination were addressed. In conclusion, the Committee was asked to approve the procedure for adoption by the Council.

A general discussion followed during which clarification on a number of issues was sought and responded to by Officers. An issue of particular concern to Members was when an initial allegation against the Managing Director was referred to the Chief Officers Investigatory Sub-Committee for consideration, and then whether further allegations could subsequently be added. Members were of the view that this should not be allowed to happen and any additional allegations arising after the initial allegation had been submitted, should be considered separately following the same process again. Furthermore, it was agreed that this should be clarified within the procedure. The Director of People, Performance and Improvement agreed to clarify this in the procedure.

Members emphasised the importance for Investigatory Sub-Committee Members to receive relevant training in order for them to fully understand both the Committee's role and the process when dealing with allegations made against the Managing Director to enable them to make informed/robust decisions. In response, the Director of People, Performance and Improvement confirmed that following the Annual Council Meeting when the Sub-Committee membership would be known, training for Members would be organised. In addition, a meeting with the Mayor would be arranged, once appointed, in order to emphasise his/her responsibility for monitoring the Managing Director's performance.

Clarification was sought whether the procedure contained within the report would also be used for the posts of Monitoring Officer and Director of Finance. The Director of People, Performance and Improvement confirmed that the procedure would be applied, although Members were asked to bear in mind that both posts reported directly to the Managing Director who would therefore be naturally involved in the process. Furthermore, the Director of People, Performance and Improvement confirmed that an addendum to the report would be brought to a future meeting of the Committee, as consideration would need to be given around the appointment of a Designated Independent Person (DIP) given the Monitoring Officer/Director of Finance's statutory duties.

RESOLVED that the Committee approve the Local Discipline and Dismissal Procedure for the Managing Director, as set out in the report, for adoption by the Council, subject to the following addition:-

- (i) Once an initial case containing allegations against the Managing Director has been submitted to the Chief Officers Investigatory Sub-Committee for consideration, if further allegations arise, these should be dealt with separately and this will be clarified within the procedure.