
Meeting of the Future Council Scrutiny Committee – 12th October, 2022

Report of the Lead for Law and Governance (Monitoring Officer)

Call-In of Decision Sheet - Changes to the Council's Disciplinary Policy and Procedure to cease elected member involvement in Disciplinary Appeals

Purpose of report

1. To consider and respond to the call-in of the decision of the Cabinet Member for Commercialisation and Human Resources concerning changes to the Council's Disciplinary Policy and Procedure to cease elected member involvement in Disciplinary Appeals.

Recommendation

2. That the Committee consider the 'call-in' of the decision of the Cabinet Member of Commercialisation and Human Resources and the options referred to in paragraph 8 below.

Background

3. On 14th September, 2022, the Cabinet Member of Commercialisation and Human Resources, considered and approved a decision sheet concerning changes to the Council's Disciplinary Policy and Procedure to cease elected member involvement in Disciplinary Appeals. The Decision Sheet is attached as Appendix 1.
4. The decision was subsequently 'Called-In' for scrutiny following a request from five Members of this Committee in accordance with Paragraph 13 of the Scrutiny Committee Procedure Rules.
5. As required by the Scrutiny Committee Procedure Rules, Members of the Committee have been invited to submit written questions in advance of the

meeting. Any questions submitted in advance, together with any responses, will be circulated to the Committee. This does not prevent Members from asking questions at the meeting itself.

6. The Cabinet Member of Commercialisation and Human Resources, Chief Executive and the Assistant Director People and Inclusion have been invited to attend the Committee to address the meeting and to respond to questions.
7. The procedure for dealing with the Call-In of the decision, as set out in Scrutiny Committee Procedure Rule 13, is attached as Appendix 2.
8. In determining the Call-In, the following options are open to the Committee:
 - (a) To raise no objection to the decision in which case no further action is necessary and the decision is implemented with immediate effect.
 - (b) To refer the decision back to the Cabinet Member along with any concerns
 - (c) To refer the matter for discussion at full Council along with any concerns.
9. In the case of options (b) and (c) above, it should be noted that the final decision rests with the Cabinet Member under powers delegated in Part 3 of the Constitution.
10. If the Scrutiny Committee is unable to reach a consensus view on any recommendation(s), then a minority report may also be submitted for consideration alongside any recommendations agreed by the majority of the Committee.

Finance

11. The implications are set out in the attached decision sheet.

Law

12. The legal implications relating to changes to the Council's Disciplinary Policy and Procedure are set out in the attached decision sheet. The provisions regarding the Call-In of decisions are contained in the Scrutiny Committee Procedure Rules in the Council's Constitution. The Constitution was adopted by the Council pursuant to the requirements of the Local Government Act, 2000.

Risk Management

13. The implications are set out in the attached decision sheet.

Equality Impact

14. The implications are set out in the attached decision sheet.

Human Resources/Organisational Development

15. The implications are set out in the attached decision sheet.

Commercial/Procurement

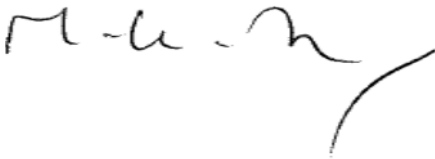
16. The implications are set out in the attached decision sheet.

Environment/Climate Change

17. This report has no direct implications on the environment or the Council's work in addressing Climate Change and achieving Net Zero target by 2041.

Council Priorities and Projects

18. The implications are set out in the attached decision sheet.



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Appendices

Appendix 1 – Decision Sheet – CEX/06/2022 - Changes to the Council's Disciplinary Policy and Procedure to cease elected member involvement in Disciplinary Appeals

Appendix 2 – Procedure for a Scrutiny Committee dealing with a ‘Call-In’ (Extract from Scrutiny Committee Procedure Rule 13)

List of Background Documents

[The Council’s Constitution:](#)

Part 2 - Article 6 (Overview and Scrutiny)

Part 4 - Scrutiny Committee Procedure Rules