

COMMITTEE FOR DISCIPLINARY ACTION – INDEPENDENT MEMBERS
(Investigation of Alleged Misconduct)
Head of Paid Service, Chief Finance Officer and Monitoring Officer
(A Quasi-Judicial Body)

GENERAL

- An advisory body with no delegated powers.
- This body reports directly to Council.

MEMBERSHIP, CHAIRMANSHIP AND QUORUM

- Number of Members: **2 Independent Members**
- Substitute Members permitted: **NO**
- Whether Proportionality applies: **NO**
- Appointments/Removal from Office:
Appointments are for a maximum fixed term of four years from the date of appointment.
- Eligibility/Non-Eligibility for Membership:
 - Elected Members of Parish, District or County Councils are not eligible
- Quorum: **2**
- Independent Persons will be called off a list of Members in accordance with the Localism Act 2011 by the Democratic Services, Scrutiny & Governance Manager

PROCEDURES

Compilation of Agenda

The Democratic Services, Scrutiny and Governance Manager shall be responsible for the compilation of the Agenda.

FUNCTIONS

- 1 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.

- 2 Where disciplinary action may result in dismissal of a Statutory Officer, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 must be followed and the recommendations of this panel are to be communicated to Council determining the outcome of a disciplinary matter against the three statutory officers.

DELEGATED POWERS

None.

OFFICER DELEGATION SCHEME

The delegated powers specified in the Cabinet Executive Officer Delegation Scheme shall, so far as they fall within the functions, powers and duties of this body, constitute the delegated powers of this body. Where those delegated powers are specified in the case of the Cabinet Executive as being exercised in consultation with a Portfolio Holder, such delegated powers shall be exercised within this body's functions, powers and duties.