

Agenda Item 96.

TITLE Chief Executive Discipline, Capability and Grievance Policy & Procedure

FOR CONSIDERATION BY Personnel Board on 13 March 2019

WARD None Specific

DIRECTOR Deputy Chief Executive - Graham Ebers

OUTCOME / BENEFITS TO THE COMMUNITY

Enhanced confidence within the community that the Council is a fair and reasonable employer.

RECOMMENDATION

That Personnel Board approve:

- 1) The newly drafted Chief Executive Disciplinary, Capability and Grievance Policy and Procedure.
- 2) Terms of reference for the Grievance Committee that will be required to be formed as a result of adopting this policy and procedure.
- 3) The amended terms of reference for the Investigating and Disciplinary Committee and Appeals Committee to reflect the new policy and procedure.

SUMMARY OF REPORT

This report outlines the reasons for requiring this policy.

Background

Recent experience has demonstrated that the current Constitution does not provide sufficient checks and balances when making decisions as to whether to suspend senior officers. It also highlighted the need to either adopt the JNA Chief Executive Handbook for dealing with disciplinary, capability and grievance issues for Head of Paid Service, Section 151 Officer and Monitoring Officer, or develop a procedure of our own.

Analysis of Issues

While using the JNA Chief Executive Handbook last year we found several occasions where the policy was either unworkable, or unclear. We therefore concluded (and at the recommendation of the Investigating and Disciplinary Committee) that at the end of the process, we will develop our own Policy and Procedure (see Attachment 1).

On 4 February Constitution Review Working Group agreed with proposed amendments to Section 11 of the constitution, which were approved at Council on 21 February 2019 and as a consequence of this, Personnel Board are now asked to review the attached policy and approve.

As a result of adopting this policy and procedure there will be a requirement to have a Grievance Committee. Attachment 2 is the proposed terms and reference that are identical to those of the Appeal Committee and Investigating and Disciplinary Committee which have also been amended to reflect that we will have our own Policy and Procedure.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council continues to face severe financial challenges over the coming years as a result of reductions to public sector funding and growing pressures in our statutory services. It is estimated that Wokingham Borough Council will be required to make budget reductions of approximately £20m over the next three years and all Executive decisions should be made in this context

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil	Y	N/A
Next Financial Year (Year 2)	Nil	Y	N/A
Following Financial Year (Year 3)	Nil	Y	N/A

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

N/A

Reasons for considering the report in Part 2

N/A

List of Background Papers

Attachment 1 – Chief Executive Disciplinary, Capability & Grievance Policy and Procedure

Attachment 2 – Grievance Committee terms of reference

Attachment 3 – Investigating and Disciplinary Committee terms of reference

Attachment 4 – Appeal Committee terms of reference

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