

EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD ON 18TH MAY 2017

Item 7 – Review of Constitution

It was moved by Councillor Hussain,
Seconded by Councillor Munawar,

“That

Contract Procedure Rules – Part 4.6

- (a) That the proposed revisions to sections 16.46 – 16.47 and 16.48 – 16.67 of the Contract Procedure Rules as set out in Appendix 1 (A) be approved.

Arrangements for the Dismissal of Head of Paid Services, Monitoring Officer and Chief Finance Officer

- (b) That the following new committees and delegations be approved:
- 1) That the existing Statutory Officers’ Disciplinary Panel be abolished.
 - 2) That an Investigating and Disciplinary Committee be established to deal with disciplinary matters relating to the relevant officers. This Committee to be a politically balanced committee of five Members only one of whom is to be a member of the Executive (not the Leader or Commissioner with responsibility for Human Resources or Finance).
 - 3) That an Appeals Committee be established to deal with disciplinary matters short of dismissal relating to the relevant officers. This committee is to be a politically balanced committee of five Members only one of whom is to be a member of the Executive. (not the Leader or Commissioner with responsibility for Human Resources or Finance).
 - 4) That an Independent Panel comprising three people appointed under section 28 Localism Act 2011 be established to advise Council in the event of a recommendation from the Independent Disciplinary Committee to dismiss a relevant Officer.
 - 5) That Investigating and Disciplinary Committee have delegated responsibility for the suspension of “the relevant officers.” In the event of the need for urgency, this function to be delegated to the Monitoring Officer following consultation with the Leader in the case of the suspension of the Chief Executive and delegated to the Chief Executive following consultation with the Leader in the case of the suspension of the Monitoring Officer or the Chief Finance Officer.

- 6) That In the case of a complaint against a relevant officer, the decision whether to refer the matter to the Investigating and Disciplinary Committee will be delegated to the Monitoring Officer following consultation with the Leader in the case of a complaint against the Chief Executive and delegated to the Chief Executive following consultation with the Leader in the case of a complaint against the Monitoring Officer or the Chief Finance Officer.
- 7) That the relevant officers will be given the same right to be accompanied at any disciplinary hearing as all Slough employees. This does not automatically include the right to be accompanied by a legal representative.
- 8) That the Monitoring Officer be tasked with producing a revised disciplinary procedure for the relevant officers based on the model procedure produced by the Joint Negotiating Committee for Local Authority Chief Executives for approval by the Employment and Appeals Committee.
- 9) That, thereafter the Employment and Appeals Committee will not have responsibility for the discipline of the relevant officers.
- 10) That the revised Officer Employment Procedure Rules set out at Appendix 2 (C) be approved.

Local Code of Conduct for Employees

- (c) That the revised Local Code of Conduct for Employees as set out at Appendix 3(B) be approved.

Article 12 – Officer Roles and Statutory Functions

- (d) That the revised Article 12 as set out at Appendix 4 be approved.
Review of Whistleblowing Policy
- (e) That the proposed revised Whistleblowing code as set out at Appendix 5 be approved and that it be renamed 'Confidential Whistleblowing Code'.

Motions to Council

- (f) That Procedure Rule 14.1 be amended to read

'14.1 Notice

- a. Except for motions which can be moved without notice under Rule 15, written notice of every motion, signed by at least two Members, must be delivered to the Head of Democratic Services not later than noon on the ninth working day before the date of the meeting. At any one Ordinary meeting:
 - Only one motion may be proposed by any Political Group,
 - Or, in the case of no group, an individual member,
 - And one cross-party motion proposed by any member (on a first come first served basis).

The wording of a motion can be submitted by email, and in this case, one member may submit the wording and another e mail in support of the motion must be received by the noon deadline. E mails must be from a source that validates the identity of the sender.'

- (g) That the Monitoring Officer and Head of Democratic Services be authorised to amend the current published Constitution to reflect Council Structures, legislative requirements and other administrative amendments as necessary."

The recommendations were put to the vote and carried unanimously.

Resolved –

Contract Procedure Rules – Part 4.6

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