

GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 25 August 2021 at 1.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Ash Ashbee (Chair); Councillors Albon, R Bayford, Everitt, Rev. S Piper, Rawf, D Saunders, M Saunders, Wing and Wright

149. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Ovenden.

150. DECLARATIONS OF INTEREST

There were no declarations of interest.

151. GRIEVANCE POLICY FOR STATUTORY OFFICERS

Ms Estelle Culligan, Director of Law and Democracy introduced the report and gave a summary of the proposals contained in the committee report. The recommendations were modelled around the JNC Model Grievance Procedures and advised that the committee agree to set up Grievance Committee and Grievance Appeals Committees for Statutory Officers.

Members made comments and asked questions as follows:

- Members welcomed the report being presented to the committee;
- Appointment of members to the proposed Grievance and Grievance Appeal Committees should be consistent with the approach used for appointing members to the IDSC sub committees;
- Members ought to be mindful of the council constitutional rule that no member shall be a chair of more than one committee;
- Membership to committees should ensure continuity for specific matters up to conclusion of those matters;
- There should be training for any Members who are appointed to the proposed committees;
- This means the approach to appointing members to the committee should ensure the retention and continuity of skills to undertake the work of these committees;
- Was there a threshold for grievances to go to the grievance committee?
- One member suggested that more members ought to be trained in order to create a pool of skilled Members.

Ms Culligan responded to Member comments as follows:

- Membership should be drawn from Full Council;
- A pool of Members could be set up to call upon when needed;
- Membership should not be any Member who is already on the IDSC or IDSC Appeals Sub Committee;
- Providing training to members is a good idea. However there should be sufficient numbers to make it viable;
- The policy has a filtering process and it is based on the JNC Model Grievance Procedure. Ordinarily the Monitoring Officer is the receiving officer who conducts the filtering.
- If the case is against the Monitoring Officer, or s/he is otherwise conflicted, then the Deputy Monitoring Officer and/or the HR Manager with the assistance from a

Monitoring officer of a neighbouring local council would conduct the filtering process;

- External legal advice would still be sought as is appropriate;
- The receiving officer would engage in the informal process first to resolve the grievance and if that fails then engage in the formal process, which would involve the Grievance Committee;

Councillor David Saunders proposed, Councillor Bayford seconded and Members agreed the following:

1. To adopt the Grievance Policy for Statutory Officers;
2. To recommend to Council that it appoints the relevant Grievance and Grievance Appeal Committees;
- 3 To adopt Option 1 in the committee report which states that the composition of the committees is as proposed in the model JNC Grievance Policy. The structure and terms of reference of the two committees are as detailed below:

Grievance Committee

- i. 5 councillors to be appointed by the Council;
- ii. Must be politically balanced;
- iii. Councillors must not be members of the Investigations and Disciplinary sub-committee (IDSC) or IDSC Appeals sub-committee;
- iv. The terms of Reference are to hear grievances raised by and against statutory officers at the formal stage, to make recommendations and to reach a conclusion.

Grievance Appeals Committee

- i. 3 councillors to be appointed by the Council to include a member of the Executive;
- ii. Must be politically balanced;
- iii. Councillors must not be members of the Grievance Committee;
- iv. Councillors must not be members of the Investigations and Disciplinary sub-committee (IDSC) or IDSC Appeals sub-committee;
- v. The terms of Reference are to hear appeals against decisions of the Grievance Committee, to make recommendations and to reach a conclusion.

152. UPDATE ON COSTS OF GRIEVANCE AND DISCIPLINARY PROCEDURES

Ms Estelle Culligan introduced the report and gave an update of the costs for processing the grievance and disciplinary procedures to date.

Councillor Bayford proposed, Councillor Alboin seconded and Members agreed that since the report contained updated costs, it should forward the report to Cabinet.

Thereafter the committee noted the report.

153. EXCLUSION OF PUBLIC AND PRESS

Councillor Ashbee proposed, Councillor David Saunders seconded and the committee agreed that the public and press be excluded from the meeting for agenda items 6 and 7 as they contain exempt information as defined in Paragraphs 1, 2, 4 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

154. MINUTES OF PREVIOUS MEETING

Councillor David Saunders proposed, Councillor Wright seconded and Members agreed the minutes as a correct record of the General Purposes Committee meeting that was held on 22 April 2021.

155. REPORT TO GENERAL PURPOSES COMMITTEE

Members considered the report and agreed the way forward.

Meeting concluded: 2.03 pm