

## **MAIDSTONE BOROUGH COUNCIL**

### **EMPLOYMENT AND DEVELOPMENT PANEL**

#### **MINUTES OF THE MEETING HELD ON THURSDAY 30 JULY 2009**

**Present:** Councillor Lusty (Chairman), and  
Councillors Daley, FitzGerald, Garland, Hotson, Moss,  
Robertson and Mrs Wilson

#### **REFERRED MATTER**

15. **HR POLICY - DISCIPLINE, CAPABILITY AND GRIEVANCE PROCEDURES**

The Panel considered the report of the Head of Human Resources on the revision of the Council's Grievance, Capability and Disciplinary procedures.

The Panel having considered this matter very carefully felt that option B which was that an appeal against dismissal should be delegated to the Chief Executive who had to consult with the Leader and Leader of the Opposition or their nominated representatives that had attended the appeal hearing should be adopted.

They were informed that this would require a change to the Constitution and that they would need to recommend to the Council that the Constitution be changed to enable this option to be implemented.

The Panel agreed the revised discipline and capability and grievance procedures subject to the necessary changes to reflect their decision to adopt option (b) and in submitting this proposal to the Council also agreed to submit it to the Standards Committee in order that they could evaluate the proposal.

#### **RECOMMENDED:**

1. That the Constitution be amended as follows:-
  - a) The deletion of paragraph (a) of the functions of the Appeals Committee as set out in part 3 of the Constitution and
  - b) The addition of the following to the Terms of Reference of the Chief Executive

"To hear and determine appeals, in consultation with the leader of the Council and the Leader of the Opposition (or their nominated representatives) that had attended the appeal hearing, under either the grievance, capability or disciplinary procedure for all categories of employees except those staff on JNC conditions of service for Chief Officers of Local Authorities."

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