

Protected Officer Panel

(1:1:1; 3 suitably-trained members (one of whom must be a member of the Executive but must not be responsible for the services under the direction of the protected officer(s) involved) and 2 Independent Persons appointed under the Localism Act 2011

Terms of Reference

Overview

In accordance with the Officer Employment Procedure Rules (OER) and the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, to consider matters relating to the disciplining and potential dismissal of the Head of Paid Service, Monitoring Officer and Chief Financial (s151) Officer. The Full Council must make the final decision on dismissal of any of these officers.

Functions

The Full Council has delegated the following functions to the Protected Officer Panel:

- (a) To determine whether potential conduct/capability issues in relation to the Head of Paid Service, Monitoring Officer and Chief Financial (s151) Officer require formal investigation and whether the relevant officer should be suspended, or continue to be suspended, in the interim period.
- (b) To approve the appointment of a suitably-qualified investigator to prepare a full report.
- (c) To review the results of the investigation and determine what, if any, disciplinary action is appropriate, after taking into account any representations of the relevant officer and/ or their representative.
- (d) To determine any appropriate action short of dismissal.
- (e) To refer any proposal to dismiss the relevant officer to the Full Council.
- (f) To notify the executive of any proposed dismissal and seek any material or well-founded objection to the dismissal prior to the Full Council meeting.
- (g) Upon confirmation by the Full Council of any decision to dismiss to issue the formal notice of dismissal to the relevant officer.