

## **Wiltshire Council**

### **Staffing Policy Committee**

**12 September 2024**

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#### **Appointment of Members to Sub-Committees**

##### **Purpose of Report**

1. To appoint the membership of the following Sub-Committees:
  - Senior Officer Employment Sub-Committee
  - Staffing Appeals Sub-Committee
  - Grievance Appeals Sub-Committee

##### **Background**

2. Paragraphs 2.4.4-2.4.15 of Part 3B of the Constitution sets out that the Staffing Policy Committee will establish the sub-committees set out at paragraph 1 of this report, to deal with matters relating to the dismissal or disciplinary action against individual members of staff and staff grievances.
3. It is rare for any of the sub-committees to be required to meet, with no such meetings in 2023/24. However, there is a need to confirm their memberships in the event that they would be required.

##### **Main Considerations**

4. The Senior Officer Employment Sub-Committee is responsible for dismissal and disciplinary action against certain Chief Officer posts set out in the constitution.
5. The Staffing Appeals Sub-Committee is authorised to hear appeals against dismissal or disciplinary action from the Senior Officer Employment Sub-Committee or the Head of Paid Service.
6. The Grievance Appeals Sub-Committee is authorised to hear appeals under stage 2 of the council's grievance procedure.
7. Sub-Committees, like Committees, are required to be politically balanced unless there has been a vote without objection by Full Council setting out otherwise. Accordingly, as each Sub-Committee comprises three Members, these would need to be two Conservatives and one Liberal Democrat.
8. The Senior Officer Employment Sub-Committee and Staffing Appeals Sub-Committee are required to include at least one Member of the Cabinet. Substitutes of the main Staffing Policy Committee may be appointed as Sub-Committee Members.
9. It is also advised that all Members and Substitutes of the Staffing Policy Committee are explicitly confirmed to be able to be substitutes for the Sub-Committee Members, to enable flexibility.

10. Additionally, as the Staffing Appeals Sub-Committee can hear appeals from the Senior Officer Employment Sub-Committee, it is recommended that different Members are appointed to those Sub-Committees.

### **Safeguarding Implications**

11. There are no safeguarding issues arising from this report.

### **Equalities Impact of the Proposal**

12. There are no equalities impacts arising from this report.

### **Risk Assessment**

13. There are no risk issues arising from this report.

### **Financial Implications**

14. There are no financial implications arising from this report.

### **Public Health Impact of the Proposals**

15. There are no public health impacts arising from this report.

### **Environmental Impact of the Proposals**

16. There are no environmental impacts arising from this report.

### **Legal Implications**

17. There are no legal implications.

### **Proposal**

18. To appoint three Members each to the following Sub-Committees:
  - Senior Officer Employment Sub-Committee
  - Staffing Appeals Sub-Committee
  - Grievance Appeals Sub-Committee
19. To agree that all Members and Substitute Members of the Staffing Policy Committee may serve as substitutes for the above sub-committees.

**Kieran Elliott**

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### **Appendices**

Appendix A – Terms of Reference of the Sub-Committees

### **Background Papers**

None

## **Appendix A – Sub-Committee Terms of Reference**

### **(Part 3B of the Constitution)**

2.4.4 The Staffing Policy Committee will establish the following sub-committees to deal with matters relating to the dismissal or disciplinary action against individual Members of staff and staff grievances.

#### Senior Officers' Employment Sub-Committee

2.4.5 This sub-committee is authorised to dismiss and take disciplinary action against the officers categorised below as defined within the associated "Chief Officer posts" document in accordance with the officer employment procedure rules:

- 2.4.5.1 The Head of Paid Service;
- 2.4.5.2 Statutory chief officers;
- 2.4.5.3 Non-statutory chief officers;
- 2.4.5.4 Deputy chief officers;
- 2.4.5.5 Assistants for political groups.

2.4.6 For this purpose, the sub-committee shall comprise at least three Members, at least one of whom shall be a Member of the Cabinet.

2.4.7 This sub-committee is also authorised to consider and respond to grievances raised by officers in the categories listed above under stage two to the Council's grievance procedure. For the determination of such grievances the sub-committee shall comprise at least three Members. There is no requirement for any of those Members to be a Member of the Cabinet.

#### Staffing Appeals Sub-Committee

2.4.8 This sub-committee is authorised to hear appeals against dismissal or disciplinary action:

- 2.4.8.1 By the Senior Officers' Employment Sub-Committee in relation to the senior officers specified above;
- 2.4.8.2 By the Head of Paid Service in relation to other staff.

2.4.9 The Staffing Appeals Sub-Committee has power in the case of an appeal against a warning to:

- 2.4.9.1 Dismiss the appeal;
- 2.4.9.2 Allow the appeal;
- 2.4.9.3 Allow the appeal and substitute a different warning (greater or lesser);
- 2.4.9.4 Dismiss the employee.

2.4.10 The Staffing Appeals Sub-Committee has power in the case of an appeal against dismissal to:

2.4.10.1 Dismiss the appeal;

2.4.10.2 Dismiss the appeal but offer to re-engage the employee in the same or another post with effect from a date to be determined;

2.4.10.3 Allow the appeal and reinstate;

2.4.10.4 Allow the appeal and reinstate with a written or final written warning.

2.4.11 In the case of any appeal against dismissal or disciplinary action in respect of a senior officer as identified above, the Staffing Appeals Sub-Committee shall comprise at least three Members, at least one of whom shall be a Member of the Cabinet.

2.4.12 No Member who was involved in determining a matter which is the subject of an appeal will be appointed to the Staffing Appeals Sub-Committee.

#### Grievance Appeals Sub-Committee

2.4.13 This Sub-committee is authorised to hear appeals under stage two of the Council's grievance procedure.

2.4.14 The Sub-committee shall comprise at least three Members to hear an appeal. There is no requirement for any Member to be a Member of the Cabinet.

2.4.15 No Member who was involved in determining a matter which is the subject of an appeal will be appointed to the Grievance Appeals Sub-Committee.