

Adopted 19th May 2025

Next review May 2027

SHRIVENHAM PARISH COUNCIL & VISCOUNTESS BARRINGTON'S TRUST
Disciplinary and Grievance Committee
Terms of Reference

Responsibilities

The Disciplinary and Grievance (D&G) Committee is appointed by, and solely responsible to Shrivvenham Parish Council.

The Committee has delegated powers to manage the entire Grievance process and to instigate disciplinary action as necessary.

Specific responsibilities are:

- a) To hear and adjudicate upon any formal grievance issue raised by staff under the Council's Grievance Procedure.
- b) To hear and adjudicate upon appropriate disciplinary cases as set out in the Council's Disciplinary Procedure, making sanctions if required.
- c) To consider any allegation of misconduct, capability or breakdown of trust against any Officer or Council member.
- d) To report any allegations of misconduct of a Council member to the Monitoring Officer.
- e) To authorise an investigation in relation to matters referred to above in accordance with the Council's statutory obligations.
- f) To decide whether the matter can be dealt with by informal resolution or other appropriate procedures or that there is no case to answer.
- g) To report to the Council on any issues, including disciplinary action, arising from steps taken above, in accordance with the Council's statutory obligations.
- h) To convene Appeals Panels where required
- i) To hear and decide appeals

Membership

The D&G Committee shall comprise four members of the Parish Council and the Clerk to the Council. Membership of the Committee will include the Chair of the Viscountess Barrington's Trust and the Chair of the Parish Council.

If the grievance is against any appointed member of the Committee, the committee shall appoint a suitable substitute.

Quorum

All four Council members of the D&G Committee are required to constitute a quorum.

Operating Protocol:

- 1. Without exception, the meetings will be governed by the Parish Council's Standing Orders.
- 2. The Committee will meet as and when required.
- 3. Allegations or complaints falling within the remit of the Committee will normally be sent to the Chairman of the Committee who will ensure circulation to other members of the Committee.

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4. It is for the Committee to undertake an initial, but not detailed, investigation having regard to facts and to seek further information as necessary, including clarification from the claimant about how the matter might be resolved.
5. It is for the Committee to consider and decide whether:
 - a) The matter requires any further formal action, or
 - b) The matter is suitable for informal resolution or other action/procedure and therefore resolved, or
 - c) The matter should be the subject of a formal investigation and appoint a Designated Independent Person (DIP).
 - d) The appointment of a DIP must be agreed between the Committee and the subject of the complaint. In the event of failure to agree, the Council will ask the Monitoring Officer to make an appointment. It is essential that this stage is progressed expeditiously particularly if suspension from duty has been exercised, as there is a two-month time limit on suspension.
 - e) The Committee will provide terms of reference to the appointed DIP and may consider and recommend to the Council an appropriate remuneration.
 - f) The DIP has the power to direct the Council to terminate any suspension of the Officer, to extend the suspension beyond the two-month limit, or to vary the terms of the suspension.
 - g) The DIP reports to the Council, through the Committee. The complainant will be given a further opportunity to state their case before a decision is made. The Committee is required to report to the Council on any issues arising from the process it has operated, including disciplinary action, in accordance with the Council's statutory obligations. The Committee will notify the complainant and keep them advised at all relevant stages.
 - h) The timescale for an investigation should be agreed between the Committee and the complainant.
6. An allegation or complaint must be considered by the Committee, meetings of which are subject to the Council's Standing Orders.
7. The business of the Committee will be conducted in private session due to the confidentiality and sensitivity of the subject matter.
8. Private sessions of this Committee should proceed only with the appointed Members and required support Officers present.
9. In the light of the above, and the potential for further consideration, investigation, and report to the Council, and the potential conflicts of interest, arrangements for meetings of the Committee need to remain flexible with the appointment of substitutes.
10. The fairness and integrity of the process must be maintained at all times.
11. It is essential that the Committee's work is confined to the Members of the Committee only at the time, and circulation of papers will be restricted accordingly.