

Disciplinary Processes

Report of the Clerk to the Fire Authority

For further information about this report please contact the Clerk to the Fire Authority, Anthea Lowe, on 01952 383219.

1 Executive Summary

The purpose of this report is to seek approval from the Fire Authority to introduce a disciplinary process for dealing with senior officers with those officers being anyone at Deputy Chief Fire Officer rank and above, confirm the Terms of Reference for the Personnel Panel as set out at paragraph 3.2 of this report and to ensure that there is clarity as to the process which will be adopted for disciplinary matters in relation to all other staff within the service.

2 Recommendations

It is recommended that the Fire Authority:

- a) Approves the disciplinary process document attached at Appendix A to this report to apply to all officers at Deputy Chief Fire Officer and above with immediate effect;
- b) Approves the Terms of Reference for the Personnel Panel attached at Appendix B;
- c) Appoints Members to the Appeals Panel as required under the NJC Conditions of Service and the disciplinary process for senior officers;
- d) Approves the Terms of Reference for the Appeals Panel attached at Appendix C;
- e) Approves the Terms of Reference for the Independent Panel attached at Appendix D; and
- f) Reaffirms the disciplinary process attached at Appendix E to apply to all other staff.

3 Background

The Fire Service has an established disciplinary processes in place for officers which is attached at Appendix E to this report. Members will see that this applies to all officers but is silent about senior Executive Officers. For the purpose of this report, senior Executive Officers refers to those at the level of Deputy Chief Fire Officer and above.

The disciplinary process for Chief Fire Officers is set out in the National Joint Council (NJC) Terms and Conditions for Chief Executives. However, there is no similar process for DCFOs and, given that the only line manager for a

DCFO is the CFO, it is considered appropriate to include the role of DCFO in the process for Executive officers. This makes provision for disciplinary matters to be dealt with by an investigation and disciplinary committee (known as the Personnel Panel at Shropshire & Wrekin Fire Authority) for these senior officers with the membership of the Personnel Panel being drawn from the membership of the Fire Authority.

The attached process at Appendix A sets out, in more detail, how the process for senior officers should work with Appendix B setting out the Terms of Reference of the Personnel Panel, Appendix C setting out the Terms of Reference for the Appeals Panel and Appendix D setting out the Terms of Reference for the Independent Panel – all of these are required under the Model Procedure contained in the NJC Conditions of Service and in the attached process document.

Members are also asked to appoint three Members to the politically balanced Appeals Panel.

It is intended that the existing process, attached at Appendix E, continues to be used for all other officers.

4 Financial Implications

There are no direct financial implications associated with the provisions contained in this report.

5 Legal Comment

The proposals contained within this report incorporate the provisions of the NJC Terms and Conditions for Chief Executives, which are set out within the contractual provisions of Executive Officers at CFO and DCFO level. It is also a matter of good governance for the Fire Authority to ensure that policies and procedures are up to date and reflect organisational needs.

6 Appendices

The following appendices are provided:

Appendix A – Disciplinary Process for Senior Executive Officers;
Appendix B – Terms of Reference for Personnel Panel;
Appendix C – Terms of Reference for Appeals Panel;
Appendix D - Terms of Reference for Independent Panel; and
Appendix E – Disciplinary Process for all other staff

7 Background Papers

There are no background papers associated with the proposals contained in this report.