

Joint Negotiating Committee for Chief Executives of local authorities

To: Chief Executives in England (Wales and N Ireland for information)
(copies for Monitoring Officer and HR Director)
Members of the Joint Negotiating Committee

20 May 2025

Dear Chief Executive,

Structures required to manage model disciplinary procedure

As Councils prepare to enter a new civic year and will soon be making appointments to various committees, we write to remind colleagues of the requirements set out in the *Model Disciplinary Procedure and Guidance* in the [JNC Chief Executive Conditions of Service Handbook](#) ([log in](#) required).

There have been instances in the past of some councils not having the appropriate structures and standing committees in place in order that potential disciplinary issues¹ can be quickly considered.

It is imperative that all councils in England should establish:

- An Investigating and Disciplinary Committee (IDC) (*see JNC Handbook para 1.2.2*)
- An Appeals Committee (*see para 1.2.3*)
- An Independent Panel (*see para 1.2.4*)

As set out in the model disciplinary procedure, the JNC maintains a list of trained and validated independent investigators to undertake investigations. The JNC also provides training for elected members and for members of the independent panel. For further details please contact info@local.gov.uk

In England, the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) and in Wales, the Local Authorities Standing Orders (Wales) Regulations 2006 provide a degree of protection for chief executives against

¹ The statutory protections referenced in this letter also apply to the Monitoring Officer and s151 Officer. The [JNC Chief Officer Conditions of Service Handbook](#) provides that the model disciplinary procedure can be used as a reference guide in circumstances where disciplinary action against the Monitoring Officer or s151 Officer is contemplated.

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unwarranted political interference in their role as heads of paid service of local authorities.

In England, the Regulations require that the council takes into account any advice, views or recommendations of an independent panel before a chief executive can be dismissed, for any reason other than redundancy, permanent ill-health or the expiry of a fixed term contract unless the authority has undertaken to renew that fixed term contract.

In Wales, the regulations require that a Designated Independent Person is required to investigate and make a recommendation in the event of disciplinary action being taken against the chief executive on the grounds of misconduct or if there is any other proposal to dismiss the chief executive for any reason other than redundancy, permanent ill-health or the expiry of a fixed term contract unless the authority has undertaken to renew that fixed term contract.

The considerations and the management of these different types of disciplinary action and potential dismissal therefore will vary.

Yours faithfully,

Naomi Cooke

Kathryn Hall

Joint Secretaries