

Report – Policy & Resources Committee

Report of Urgent Action Taken: Standing Order 64 (Disciplinary Action)

To be presented on Thursday 9th January 2025

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY OF ACTION TAKEN

1. [Standing Order 64](#) (SO64) sets out the procedure by which elected Members can raise complaints about Statutory Officers, namely: The Town Clerk & Chief Executive (Head of Paid Service); the Chamberlain (Chief Finance Officer); and Comptroller & City Solicitor (Monitoring Officer).
2. The City of London Corporation, like other Local Authorities, is obliged to have this Standing Order in accordance with [The Local Authorities \(Standing Orders\) \(England\) Regulations 2001](#). Regulation 6: *Standing Orders in respect of disciplinary action*, states that:

“No later than the first ordinary meeting of the local authority falling after the day on which these Regulations come into force, a local authority must, in respect of disciplinary action against the head of the authority’s paid service, its monitoring officer and its chief finance officer—

 - (a) incorporate in standing orders the provisions set out in Schedule 3 or provisions to the like effect; and
 - (b) modify any of its existing standing orders in so far as is necessary to conform with those provisions.”
3. In light of S6(b), above, and following consultation with leading Counsel, the City Corporation had been advised that the Court of Common Council’s current SO64, required amendment.
4. In broad terms, the two changes represented necessary clarification of the existing process. These are:
 - i. An explication of the assessment stage, at which the Commissioning Chairs (i.e. the Chairs/Chairmen of the Policy and Resources Committee, Finance Committee and Corporate Services Committee) determine whether the complaint raises a prima facie case of misconduct.
 - ii. a simple administrative clarification to a reference to “the Statutory Officer Review Panel”, which applies consistency and removes any possible confusion.

5. These changes were administrative in nature, but the City Corporation has an obligation under Regulation 6 (outlined above) to ensure its Standing Orders are compliant. If unaddressed, it would have put the three aforementioned Statutory Officers in a compromising position.
6. It was, therefore, considered in the best interests for the City of London Corporation as employer, to seek remediation immediately. The Town Clerk, in consultation with the Chairman and Deputy Chairman approved an amendment to Standing Order 64.

RECOMMENDATION

We **recommend** that the action taken be noted.

DATED this 10th day of December 2024.

SIGNED on behalf of the Committee.

Deputy Christopher Michael Hayward
Chairman, Policy and Resources Committee