

63. Disciplinary Action

1. In the following paragraphs,
 - (a) “the 2011 Act” means the Localism Act 2011;
 - (b) “chief finance officer”, “disciplinary action”, “head of the authority’s paid service” and “monitoring officer” have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
 - (c) “independent person” means a person appointed under section 28(7) of the 2011 Act;
 - (d) “local government elector” means a person registered as a local government elector in the register of electors in the City of London Corporation’s area in accordance with the Representation of the People Acts;
 - (e) “the Panel” means a committee appointed by the Court of Common Council under section 102(4) of the Local Government Act 1972 for the purposes of advising the Court of Common Council on matters relating to the dismissal of relevant officers of the City of London Corporation;
 - (f) “relevant meeting” means a meeting of the Court to consider whether or not to approve a proposal to dismiss a relevant officer; and
 - (g) “relevant officer” means the Town Clerk, Chamberlain or Monitoring Officer, as the case may be.
2. A relevant officer may not be dismissed by the City of London Corporation unless the procedure set out in the following paragraphs is complied with.
3. The Court of Common Council must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
4. In paragraph 3 “relevant independent person” means any independent person who has been appointed by the Court of Common Council or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Court of Common Council considers appropriate.
5. Subject to paragraph 6, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 3 in accordance with the following priority order,
 - (a) a relevant independent person who has been appointed by the Court of Common Council and who is a local government elector;
 - (b) any other relevant independent person who has been appointed by the Court of Common Council;
 - (c) a relevant independent person who has been appointed by another authority or authorities.
6. The Court of Common Council is not required to appoint more than two relevant independent persons in accordance with paragraph 5 but may do so.
7. The Court of Common Council must appoint any Panel at least 20 working days before the relevant meeting.

8. Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the Court of Common Council must take into account, in particular—
 - (a) any advice, views or recommendations of the Panel;
 - (b) the conclusions of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.
9. Any remuneration, allowances or fees paid by the City of London Corporation to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the 2011 Act.
10. Officers shall ensure that any action to consider the dismissal of a relevant officer shall comply with the provisions contained within the City of London Corporation's Statutory Officer Disciplinary Procedure.