

OFFICER EMPLOYMENT PROCEDURE RULES

(These Rules are subject to and must be read in accordance with the provisions of The Local Authorities (Standing Orders) (England) Regulations 2001)

1. Recruitment and appointment

(a) Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Council; or of the partner of such persons.
- (ii) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.

(b) Seeking support for appointment.

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No Councillor will seek support for any person for any appointment with the Council.

2. Recruitment of Head of Paid Service and Chief Officers

Where the Council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

(a) draw up a statement specifying:

- (i) the duties of the officer concerned; and
- (ii) any qualifications and/or qualities to be sought in the person to be appointed;

- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

3. **Appointment of Head of Paid Service**

The full Council will approve the appointment of the head of paid service following the recommendation of such an appointment by a committee or sub-committee of the Council which has been delegated by Council to deal with the matter.

4. **Appointment of chief officers**

- (a) A committee or sub-committee of the Council will appoint chief officers. That committee or sub-committee must include the Leader and at least one other member of the Cabinet and the Chairman of the Scrutiny Panel or appropriate Policy Group
- (b) An offer of employment as a chief officer shall only be made where no well-founded objection from any member of the Cabinet has been received.

5. **Other appointments**

- (a) **Officers below chief officer.** Appointment of officers below chief officer (other than assistants to political groups) is the responsibility of the chief officer or his/her nominee, and may not be made by Councillors.
- (b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

6. **Disciplinary action**

- (a) **Suspension.** The Head of Paid Service, Monitoring Officer and Finance Director may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.

- (b) **Independent person.** No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person under Regulation 7 of The Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct).
- (c) Councillors will not be involved in the disciplinary action against any officers below chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action. Such disciplinary action will be undertaken by the Head of Paid Service or an officer nominated by him/her.
- (d) Subject to the provisions of The Local Authorities (Standing Orders) (England) Regulations 2001 all actions will be in accordance with both the JNC Conditions of Service for Chief Executives/Chief Officers and the Council's employment policies.

7. Dismissal

- (a) Councillors will not be involved in the dismissal of any officer below chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals. Any dismissal procedure will be undertaken by the Head of Paid Service or by an officer nominated by him/her.
- (b) Notice of the dismissal of any of the officers referred to in Rule 7(c) must not be given otherwise than in compliance with paragraph 6 of Part II to Schedule I of The Local Authorities (Standing Orders) (England) Regulations 2001.
- (c) The officers to which the provisions of Rule 7(b) apply are:-
 - (i) the Head of Paid Service.
 - (ii) a statutory chief officer within the meaning of Section 2(7) of the Local Government and Housing Act 1989 ('the 1989 Act').

- (iii) a deputy chief officer within the meaning of Section 2(8) of the 1989 Act.
- (iv) a person appointed in pursuance of Section 9 of the 1989 Act (assistants for political groups).