

Officer Employment Procedure Rules

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 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) Subject to paragraph (iii), 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) Subject to paragraph (iii), no councillor will seek support for any person for any appointment with the Council.
- iii) Nothing in paragraphs (i) and (ii) above will preclude a councillor from giving a written reference for a candidate for submission with an application for appointment.

2. Recruitment of Head of Paid Service and Chief Officers

Where the Council proposes to appoint a Head of Paid Service, chief officer (statutory or non statutory) or a deputy 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 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, Chief Officers and Deputy Chief Officers**

- (a) The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointments Committee (or its sub-committee) of the Council. That Committee or sub-committee must include at least one member of the Cabinet.
- (b) The Appointments Committee (or its sub-committee) of the Council will appoint chief officers and deputy chief officers. That Committee or sub-committee must include at least one member of the Cabinet.
- (c) An offer of employment as Head of Paid Service or as a chief officer or deputy chief officer shall only be made where the Council or the Appointment Committee have notified the Head of People, Performance and Engagement of the name of the proposed appointee and any other relevant particulars and the Head of People, Performance and Engagement has notified every Member of the Cabinet of
 - (1) the name of the proposed appointee and any other relevant particulars and
 - (2) the period in which any objection to the making of the offer is to be made by the Leader of the Council on behalf of the Cabinet to the Head of People, Performance and Engagement and either
 - (i) the Leader has within that period notified the Council or the Appointments Committee (Sub-Committee) that he/she or any other Member of the Cabinet has any objection to the making of the offer
 - (ii) the Head of People, Performance and Engagement has notified the Council or the Appointments Committee (Sub-Committee) that no objection has been received from the leader or
 - (iii) the Council or Appointments Committee (Sub-Committee) is satisfied that any objection received from the Leader within the period is not material or is founded.

4. **Joint Appointments**

- (a) The Council may, under Section 75 of the Health Act 2006 and associated regulations, establish a Joint Selection and Appointment Committee as a Joint Committee with Health Partners, to act as a selection and appointments panel to make joint appointments to officer posts at Chief Officer level and Deputy Chief Officer level within the Council and at an equivalent body within the Health body concerned.
- (b) The Head of People, Performance and Engagement will, subject to the approval of the Cabinet, establish protocols for “Joint Senior Executive Appointments” and for “Professional Practice and Conflict Resolution” that will govern the advertising, recruitment selection and appointments process.

5. **Other Appointments**

- (a) **Officers below Deputy Chief Officer.** Appointment of officers below deputy chief officer (other than Assistants to Political Groups) is the responsibility of the Head of Paid Service 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 Chief Finance Officer 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 Persons Panel.** No other disciplinary action may be taken in respect of any of those officers except in accordance with Standing Order 41 and the procedure referred to in Regulation 6 and Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001.
- (c) Councillors will not be involved in the disciplinary action against any officer below deputy chief officer except where such involvement is necessary for any investigation or enquiry into alleged misconduct.

7. Dismissal of Head of Paid Service, Chief Officers and Deputy Chief Officers

- (a) Councillors will not be involved in the dismissal of any officer below deputy chief officer except where such involvement is necessary for any investigation or enquiry into alleged misconduct.
- (b) In accordance with the provisions of the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, the full Council will be the responsible body for the approval of the dismissal of the Council's Head of Paid Service or Monitoring Officer or Chief Finance Officer
- (c) The process for such dismissal must be conducted in accordance with Standing Order⁴¹ and by the undertaking of the procedure referred to in Regulation 6 and Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001, the Council
- (d) Other than in relation to the Council's Head of Paid Service or Monitoring Officer or Chief Finance Officer a notice of dismissal must not be given to a chief officer (statutory or non-statutory) or deputy chief officer until the Head of People, Performance and Engagement has been notified of the name of the officer proposed for dismissal and any other relevant particulars and the Head of People, Performance and Engagement has notified every Member of the Cabinet of
 - (1) the name of the person proposed for dismissal and any other relevant particulars
 - (2) the period in which any objection to the dismissal is to be made by the Leader of the Council on behalf of the Cabinet to the Head of People, Performance and Engagement and either
 - (i) the Leader has within that period notified the dismisser that he/she or any other Member of the Cabinet has any objection to the dismissal
 - (ii) the Head of People, Performance and Engagement has notified the dismisser that no objection has been received from the Leader or
 - (iii) the dismisser is satisfied that any objection received from the Leader within the period is not material or were founded.