

Part 4.7:

Officer Employment Procedure Rules

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Part 4.7: 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 of the partner of such persons; or whether they are business associate or 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.
- ii) Subject to paragraph (iii), no councillor will seek support for any person for any appointment with the Council.
- iii) a councillor shall not be precluded from giving a written reference for a candidate for submission with an application for appointment.
- iv) The content of i) to iii) will be included in any recruitment information supplied to candidates.

2. Recruitment of Head of Paid Service, Chief Officers, Statutory Officers and Heads of Service¹

Where the Council proposes to appoint a Chief Officer, Statutory Officer or Head of Service 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 (the job description); and
 - ii) any qualifications or qualities to be sought in the person to be appointed (the person specification);
 - iii) the salary scale for the post
- (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;
- (c) make arrangements for a copy of the statement mentioned in paragraph (i) and (ii) to be sent to any person on request.

¹ This process is subject to the Local Authorities (Standing Orders)(England) Regulations 2001

Where a permanent appointment is not made by the route described above, the appointment will be made by recommendation to a meeting of full council.

3. Appointment of Head of Paid Service

Where a post has been advertised as provided in paragraph 2(b), the Personnel Sub Committee of the Policy and Resources Committee on behalf of the Council shall -

- (a) interview all qualified applicants for the post, or
- (b) interview those included on a short list of such qualified applicants, approved by the Chairman and Vice-Chairman of the Personnel Sub Committee.
- (c) Where no qualified person has applied, the Council shall make further arrangements for advertisement in accordance with paragraph 2(b).

The full Council will approve the appointment of the Head of the Paid Service following the recommendation of such an appointment by the Personnel Sub Committee of the Policy and Resources Committee.

4. Appointment of Chief Officers

Where a post has been advertised as provided in paragraph 2(b), the Personnel Sub Committee of the Policy and Resources Committee on behalf of the Council shall -

- (a) interview all qualified applicants for the post, or
- (b) interview those included on a short list of such qualified applicants, approved by the Chairman and Vice-Chairman of the Personnel Sub Committee and the Chief Executive
- (c) Where no qualified person has applied, the Council shall make further arrangements for advertisement in accordance with paragraph 2(b).

5 Definition of "Chief Officer"

For the purposes of this Procedure Rule, the term "Chief Officer" includes:-

- (a) The Head of the Council's Paid Service ie the Chief Executive, designated under Section 4(1) of the Local Government and Housing Act 1989.
- (b) The Monitoring Officer as designated under Section 5 of the Local Government and Housing Act 1989.

- (c) The Chief Finance Officer having responsibility under Section 151 of the Local Government Act 1972 and Section 112 of the Local Government Finance Act 1988; and
- (d) Executive Director of Growth and Infrastructure

The above includes any posts which include the above Statutory Officer roles

6. Appointment of Heads of Service

Where a post has been advertised as provided in paragraph 2(b), a panel of up to six councillors together with the relevant council Chief Officer(s) on behalf of the Council shall –

- (a) interview all qualified applicants for the post, or
- (b) interview those included on a short list of such qualified applicants,
- (c) Where no qualified person has applied, the Council shall make further arrangements for advertisement in accordance with paragraph 2(b).

The councillors will be drawn from the Personnel Sub-Committee and the Chairman and Vice Chairman of any committee that is regularly attended by the relevant Head of Service.

Details of the successful applicant, once they have accepted the post, will be reported by the Chief Executive to the next Personnel Sub-Committee

The starting salary for Heads of Service will be agreed by the Personnel Sub-Committee.

7. Definition of “Head of Service”

For the purposes of this Procedure Rule, the term “Head of Service” means the senior managers of the Council and comprises:-

- (a) Head of Customer and Community Services
- (b) Head of Environmental Services
- (c) Head of Head of Resources
- (d) Head of Economic and Commercial Development
- (e) Head of Planning Services

8. Other appointments

- (a) **Officers below Heads of Service.** The appointment of Officers below Heads of Service (other than assistants to political groups where employed) 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.

9. Any changes to the agreed arrangements for Chief Officers should be reported by the Monitoring Officer to all Members as quickly as possible (and at the latest within three working days)

10. Disciplinary action

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

(b) **Independent Panel.** No other disciplinary action may be taken in respect of any of those Officers except by the full Council in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. These include consideration by full Council of:

- any advice, views or recommendation from an Independent Panel
- the conclusions of any investigation into the proposed disciplinary action
- any representations from the officer concerned.

(c) An Independent Panel established under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 shall consist of three Members

11. Dismissal

Councillors will not be involved in the dismissal of any officer below Chief Officer level except where such involvement is necessary for any investigation or inquiry into alleged misconduct. The Council's disciplinary, capability and related procedures, as adopted, may allow a right of appeal to Members in respect of dismissals.

12. Access to Records

The Chief Executive, Chief Finance Office and Monitoring Officer shall at all times have access to all records of the Council and its Officers.

13. Appointment of Officers

All appointments to the Council's establishment shall be made on merit, in line with the council's recruitment and selection policies.

Amended by Council 9 Jan 12 – Min 337; amended by Council 13 July 2015 – Min 60; amended by Council 8 November 2017; Amended by Council 22 July 2019 – Min 111