

PART 4

Officer Employment Procedure Rules

References:

Chapters 8 and 9, DETR Guidance

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 relative of an existing councillor or officer of the Council;
 - (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant Corporate Head of Department 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 Corporate Head of Department 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 (2)(a) to be sent to any person on request.

3 Appointment of Head of Paid Service

- (a) The full council will approve the appointment of the head of paid service following the recommendation of such an appointment by a committee of the Council comprising the Leader of the Council, Leader of the Minority Group, one other councillor nominated by the Leader of the Minority Group, a Lead Councillor on the Cabinet and one other councillor nominated by the Leader of the Council. Any councillor who cannot attend may appoint a substitute.
- (b) The full Council may only make or approve the appointment of the head of paid service where no well-founded objection has been made by any member of the Cabinet.

4 Appointment of Chief Officers and Corporate Heads of Department

- (a) A committee of the Council (the "Appointments Panel") will appoint any Chief Officer or Corporate Head of Department. The composition of that Panel will vary depending on the appointment under consideration and will be as follows:

Director of Finance – Leader, Lead Councillor for Housing, Lead Councillor for Community, Leader or one other councillor nominated by the Leader of the Minority Group, a member of the Minority Group.

Director of Planning and Environmental Services – Leader, Lead Councillor for Environment, Lead Councillor for Planning, Leader or one other councillor nominated by the Leader of the Minority Group, a member of the Minority Group.

Corporate Head - Housing Services – Leader, Lead Councillor for Housing, Leader or one other councillor nominated by the Leader of the Minority Group.

Corporate Head - Legal and Democratic Services, Corporate Head - Internal Services – Three members of Employment Committee (composition to be politically proportionate)

Corporate Head – Communities and Enterprise – Leader, Lead Councillor for Community, Leader or one other councillor nominated by the Leader of the Minority Group.

Any councillor who cannot attend may appoint a substitute.

- (b) An offer of employment as a Chief Officer or Corporate Head of Department shall only be made where no well-founded objection from any member of the executive has been received.

5 Other Appointments

Officers below Corporate Head of Department. Appointment of officers below Corporate Head of Department are the responsibility of the head of paid service or his/her nominee, and cannot be made by councillors.

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 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 as required by the Local Authority Standing Orders Regulations 1993. (The designated independent person shall be such person as is agreed between the authority and the relevant officer, or in default of such agreement, appointed by the Secretary of State).
- (c) Councillors will not be involved in the disciplinary action against any officer below Corporate Head of Department 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.

7 Dismissal

Councillors will not be involved in the dismissal of any officer below Corporate Head of Department 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.