

PART 4-8

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 closely connected to any 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 them.

(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.
- (iii) Nothing in paragraphs (i) and (ii) shall 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 the Head of Paid Service, or 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 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 (a) to be sent to any person on request.

3. Appointments

Head of Paid Service

- (a) The Full Council will approve the appointment of the Head of Paid Service following the recommendation of the Senior Officer

Appointments Panel that will comprise of the Leader and Deputy Leader of the Council, Leader of the Major Opposition Group or their nominee plus relevant Cabinet Portfolio Holder related to the appointment and one other Member from a Minor Opposition Group.

- (b) The Council may only 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 Other Chief Officers

- (a) The Senior Officer Appointments Panel will appoint Chief Officers.
- (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

Appointment of officers below Chief Officers are the responsibility of the Head of Paid Service or their nominee and may not be made by Councillors.

The appointment process for other senior key officer roles will involve consultation and input with lead Members, at the discretion of the Chief Executive.

6. Disciplinary Action

- (a) The Head of Paid Service, Monitoring Officer and Section 151 Officer (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 unless there are exceptional circumstances which are agreed by the Cabinet.
- (b) 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 an independent person designated under Regulation 2 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, (as amended).
- (c) Councillors will not be involved in the disciplinary action against any officer shown in section 7 below 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. Dismissals

7.1 Head of Paid Service, Section 151 Officer (Chief Finance Officer), Monitoring Officer

The Head of Paid Service, Section 151 Officer (Chief Finance Officer) or Monitoring Officer may not be dismissed by the Full Council unless the procedure set out in the following paragraphs is complied with:

- (a) The authority shall appoint the Independent Panel at least 20 working days before the relevant meeting.
- (b) The Independent Persons appointed by the Full Council under Section 28 (7) of the Localism Act 2011 shall comprise the Independent Panel.
- (d) Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority shall take into account, in particular:
 - (i) any advice, views or recommendations of the Independent Panel;
 - (ii) the conclusions of any investigation into the proposed dismissal; and
 - (iii) any representations from the relevant officer.
- (e) Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Independent Panel shall 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.

7.2 Any Other Director Post or Post Reporting Directly to the Chief Executive

The Senior Officer Appointments Panel will consider appeals against dismissal from these posts. To comprise of five Members as identified in 3(a) above.

7.3 Other Employees

Councillors will not be involved in the dismissal of any officer below the Chief Officers (save for those in 7.2 above) 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.