

<b>Officer Employment Procedure Rules</b>
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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 CHIEF EXECUTIVE, CHIEF POLICY AND PARTNERSHIPS OFFICER, MONITORING OFFICER AND CHIEF FINANCE OFFICER (TO BE KNOWN AS CHIEF OFFICERS)**

Where the Council proposes to appoint one of the above, 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) where the Council proposes to appoint one of the above (i.e. any Chief Officer), the Council 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 through simultaneous internal and external advertising.

(c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

3. **APPOINTMENT OF CHIEF EXECUTIVE**

(a) The full Council must approve, before the offer is made, the appointment of the Chief Executive following the recommendation of such an appointment by a committee or sub-committee of the Council. That committee or sub-committee must include at least one member of the Cabinet.

(b) The Monitoring Officer, as proper officer shall, before an offer is made, notify every member of the Cabinet of the name of and any particulars relevant to the appointment of the person to whom the Council wishes to make an offer of appointment of Chief Executive.

- (c) The Leader on behalf of the Cabinet may within 3 working days beginning with the day on which such notification is received inform the Monitoring Officer, as proper officer of any objection that he/she or any member of the Cabinet has to the making of such an offer.
- (d) The full Council may only make or approve the appointment of the Chief Executive where no objection has been received within the 3 day period referred to in (c) above or it is satisfied that any objection received is not material or well-founded.

4. **APPOINTMENT OF CHIEF POLICY AND PARTNERSHIPS OFFICER, MONITORING OFFICER, CHIEF FINANCE OFFICER AND OTHER HEADS OF SERVICE**

- (a) A committee or sub-committee of the Council, advised by the Chief Executive or his/her nominee, will be responsible for appointing the above officers. That committee or sub-committee must include at least one member of the Cabinet (preferably the relevant Portfolio Holder).
- (b) The Monitoring Officer, as proper officer shall, before an offer is made, notify every member of the Cabinet of the name of and any particulars relevant to the appointment of the person to whom it is proposed to make an offer of appointment of any of the above posts.
- (c) The Leader on behalf of the Cabinet may within 3 working days beginning with the day on which such notification is received inform the Monitoring Officer, as proper officer of any objection that he/she or any member of the Cabinet has to the making of such an offer.
- (d) An offer of appointment to any one of the above posts may only be made where no objection has been received within the 3 day period referred to in (c) above or the appointer is satisfied that any objection received is not material or well-founded.

5. **OTHER APPOINTMENTS**

Appointment of officers other than those stated in 4 above is the responsibility of the Chief Executive or his/her nominee, and may not be made by councillors.

6. **DISCIPLINARY ACTION**

- (a) **Suspension.** The Chief Executive, 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 unless it is in accordance with a recommendation in a report made by a designated independent person whose appointment has been agreed with the officer in question and the Council, or in default of such agreement, nominated by the Secretary of State.
- (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 that designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.
- (c) Councillors will not be involved in the disciplinary action against any officer other than those stated in 3 and 4 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 disciplinary action.

**7. DISMISSAL OF CHIEF EXECUTIVE, CORPORATE DIRECTORS, CHIEF POLICY AND PARTNERSHIPS OFFICER, MONITORING OFFICER, CHIEF FINANCE OFFICER AND OTHER HEADS OF SERVICE**

- (a) The full Council must approve, before notice is given, the dismissal of the Chief Executive following the recommendation of such dismissal by a committee or sub-committee of the Council. That committee or sub-committee must include at least one member of the Cabinet.
- (b) A committee or sub-committee of the Council, advised by the Chief Executive or his/her nominee, may dismiss a Corporate Director, Chief Policy and Partnerships Officer, Monitoring Officer or Chief Finance Officer. That committee or sub-committee must include at least one member of the Cabinet. The Chief Executive or his/her nominee(s) may dismiss any other Head of Service.
- (c) The Monitoring Officer, as proper officer shall, before notice of dismissal of any of the above posts is given, notify every member of the Cabinet of the name of and any particulars relevant to the dismissal of the person it is proposed to dismiss.
- (d) The Leader on behalf of the Cabinet may within 3 working days beginning with the day on which such notification is received inform the Monitoring Officer, as proper officer of any objection that he/she or the Cabinet has to the dismissal.
- (e) The full Council may only make or approve the dismissal of the Chief Executive where no objection has been received within the 3 day period referred to in (d) above or it is satisfied that any objection received is not material or well-founded.
- (f) Notice of any dismissal of the posts of Corporate Director, Chief Policy and Partnerships Officer, Monitoring Officer and Chief Finance Officer or other Head of Service may only be made where no objection has been received within the 3 day period referred to in (d) above or the dismisser is satisfied that any objection received is not material or well-founded.

**8. OTHER DISMISSALS**

Councillors will not be involved in the dismissal of any officer other than those stated in 3 or 4 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.

(Note: The appointment and dismissal and the taking of disciplinary action against members of staff must be discharged on behalf of the authority by the Chief Executive or his/her nominee.)

**9. DEFINITIONS**

In these Rules: -

- (a) "appointer" means the committee, sub-committee or officer(s) discharging on behalf of the Council the function of appointment of a person as an officer of the Council and
- (b) "dissmisser" means the committee, sub-committee or officer(s) discharging on behalf of the Council the function of dismissal of an officer of the Council.