

SECTION 10 - OFFICER EMPLOYMENT PROCEDURE RULES

1. RECRUITMENT AND APPOINTMENT

Declarations

- 1.1 The Council will include a statement in application forms for the employment of Officers requiring any candidate for appointment as an Officer to state in writing whether they are related to, or have a professional or personal connection with, a Councillor or Senior Officer of the Council.

"Related" means:

- (i) husband or wife or partner;
- (ii) parent or child (natural or adoptive);
- (iii) grandparent or grandchild (natural or adoptive);
- (iv) brother or sister;
- (v) uncle or aunt
- (vi) nephew or niece;
- (vii) in-laws

or if any of these relationships are known to apply to the partner of the candidate.

"Senior Officer" means any Council Officer on Scale J or above.

- 2.1 No candidate so related or connected to a Councillor or a Senior Officer will be appointed without the authority of the relevant Director, or an Officer nominated by him/her.

Seeking support for appointment

- 2.3 The Council will disqualify any applicant who fails to disclose such a relationship or connection referred to in Rule 1.1. An applicant will also be disqualified if there is any attempt to improperly influence the recruitment and selection process. The content of this paragraph will be included in the application forms for the employment of Officers.

3 RECRUITMENT OF OFFICERS

- 3.1 The recruitment of Officers will follow the procedures established for the recruitment process as amended from time to time.
- 3.2 No Officer or Member shall be involved in the recruitment process without first having been trained in the appropriate procedures.

4 APPOINTMENT OF HEAD OF PAID SERVICE

- 4.1 The Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a committee of the Council. That Committee must include at least one Member of the Cabinet.
- 4.2 Before an offer of appointment as the Head of Paid Service is made the Human Resources Manager must notify every Cabinet Member of:
- a) the name of the person to whom the Council wishes to make the offer;
 - b) any other particulars relevant to the appointment; and
 - c) The period within which any objection to the making of the offer is to be made by the Leader on behalf of the Cabinet to the Human Resources Manager.
- 4.3 An offer of appointment can be made if:
- a) the Leader has within the period referred to in 3.2 (c) above stated that there is no Cabinet objection to the appointment; or
 - b) no objection from the Leader has been received within the period referred to in 3.2 (c); or
 - c) the appointing body is satisfied that any objections received from the Leader within the period referred to in 3.2 (c) are not material or are not well founded.

5 APPOINTMENT OF DIRECTORS

- 5.1 Where the Council proposes to appoint a Director, it shall:
- a) draw up a statement specifying the duties of the Officer concerned and 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;
 - c) make arrangement for a copy of the statement mentioned in paragraph a) to be sent to any person on request;
 - d) where a post has been advertised in accordance with paragraphs a) – c) above, interview all qualified applicants for the post, or select a short list of such qualified applicants and interview those included on the short list
 - e) where no qualified person has applied, the Council shall make further arrangements for advertisement in accordance with paragraphs(a) - (c) above; and
 - f) the Chief Executive will appoint Directors. That Panel must include at least one Member of the Cabinet.
- 5.2 Before an offer of appointment as a Director is made the Chief Executive must notify every Cabinet Member of:
- a) the name of the person to whom the Council wishes to make the offer;
 - b) any other particulars relevant to the appointment; and
 - c) the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Cabinet to the Chief Executive.
- 5.3 An offer of appointment can be made if:

- a) the Leader has within the period referred to in 4.2 (c) above stated that there is no Cabinet objection to the appointment; or
- b) no objection from the Leader has been received within the period referred to in 4.2 (c); or
- c) the Chief Executive is satisfied that any objections received from the Leader within the period referred to in 4.2 (c) are not material or are not well founded.

6 OTHER APPOINTMENTS

Officers below Director

- 6.1 Appointment of Officers below a Director (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and will not be made by Councillors. However, the statutory designations of Monitoring Officer and Chief Finance Officer (Statutory Officers) must be approved by the Council on the recommendation of the Head of Paid Service.

Political assistants to political groups

- 6.2 There should be no appointment of a political assistant to a political group until the Council has allocated a post to each of the groups (not exceeding three in total) which qualify for one. A political group qualifies for a political assistant if:
- a) the Membership of that group comprises at least one-tenth of the Membership of the Council;
 - b) the number of the other groups (if any) which are larger than the group does not exceed two; and
 - c) where the number of the other groups which are the same size as or larger than that group exceeds two, the Council have determined that that group should be a group to which a post is allocated; or
 - d) where only one group has a Membership that comprises one-tenth or more of the Membership of the Council the group qualifying for a post shall be that group and one other group which shall be the one with the next largest Membership or, in a case in which there is more than one group with the next largest Membership, such one of those groups as may be determined by the Council.
- 6.3 An appointment of a political assistant to a political group shall be made in accordance with the wishes of that group.
- 6.4 There shall be no allocation of a political assistant to a political group which does not qualify for one under paragraph (a) above.
- 6.5 No more than one political assistant may be allocated to any one political group.

7 DISCIPLINARY ACTION

- 7.1 Any Officer of the Council who is designated as the Head of Paid Service, or Chief Finance Officer or Monitoring Officer (a relevant officer) may not be dismissed unless the following procedure has been complied with:
- 7.2 At least 20 days before the Council Meeting which will consider whether or not to consider a proposal to dismiss a relevant officer, the Council must:
- Appoint a Committee for the purposes of advising it on matters relating to the dismissal of relevant officers of the Council.
 - Appoint to that Committee at least two Independent Persons in accordance with paragraph 5 of Schedule 3 to the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).
- 7.3 Any remuneration, allowances or fees paid by the Council to an Independent Person appointed to the Panel shall not exceed the level of remuneration, allowances or fees payable at the time in question to that Independent Person in respect of their role under the Localism Act 2011.
- 7.4 Before the taking of a vote on whether or not to approve such a dismissal, the Council must take into account, in particular:
- Any advice, views or recommendations of the Committee;
 - The conclusions of any investigation into the proposed dismissal; and
 - Any representations from the relevant officer.
- 7.5 In order to facilitate the above procedure the Head of Paid Service, Monitoring Officer or Chief Finance Officer may be suspended for the purpose of investigating the alleged misconduct and any such suspension shall be on full pay.
- 7.6 Subject to the Procedures on Statutory Officers, Councillors will not be involved in the disciplinary action against, or dismissal of, any Officer below Directors 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 and dismissals.