

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 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 head of paid service and chief officers**

Where the council proposes to appoint 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 paragraphs (1) and 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 or sub-committee of the council. That committee or sub-committee must include at least one member of the executive.
- (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 executive.

4. **Appointment of chief officers**

- (a) A committee or sub-committee of the council will appoint chief officers. That committee or sub-committee must include at least one member of the executive.
- (b) An offer of employment as a chief officer shall only be made where no well-founded objection from any member of the executive has been received.

5. **Other appointments**

- (a) **Officers below chief officer.** Appointment of officers below chief officer (other than assistants to political groups) is the responsibility of the head of paid service or his/her nominee, and may not be made by councillors. The head of paid service will consult the Chair of the Chief Officers Appointments Panel before making an appointment of deputy Chief Officers.
- (b) **Appointment of political assistants**
 - (i) The council may appoint up to three posts to provide assistance to the members of any political group to which members of the council belong to discharge any of their functions as members of the council.
 - (ii) Each post shall first be allocated to a political group in accordance with Section 9 of the Local Government and Housing Act 1989, and will then fall to be filled from time to time in accordance with the wishes of that group. No post shall be allocated to a political group that does not qualify for one.
 - (iii) No appointment shall be made to any such post until the council has allocated a post to each political group that qualifies for one. No more than one post shall be allocated to any one political group.

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.
- (c) Councillors will not be involved in the disciplinary action against any officer below chief officer 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 chief officer 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.