

PART 4 - PROCEDURAL RULES

SECTION J

OFFICER EMPLOYMENT RULES

1. Recruitment and appointment

1.1 Declarations

- (a) 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.
- (b) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant Director or an officer nominated by him/her.

1.2 Seeking support for appointment

- (a) Subject to paragraph (c), 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.
- (b) Subject to paragraph (c), no councillor will seek support for any person for any appointment with the Council.
- (c) Nothing in paragraphs (a) and (b) above will 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 (Chief Executive), Directors and Heads of Service

Where the Council proposes to appoint the Head of Paid Service (Chief Executive), Directors and Heads of Service and it is not proposed that the appointment be made exclusively from among 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 1 to be sent to any person on request.
3. **Appointment of Head of Paid Service (Chief Executive)**
- (a) The Full Council will approve the appointment of the Head of Paid Service (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 Executive.
 - (b) The Full Council may only make or approve the appointment of the Head of Paid Service (Chief Executive) where no well-founded objection, as determined by the Monitoring Officer, has been made by any Member of the Executive.
4. **Appointment of Monitoring Officer and Section 151 Officer (Chief Finance Officer)**
- (a) The Full Council will approve the appointment of the Monitoring Officer and Section 151 Officer (Chief Finance Officer).
 - (b) The Full Council may only make or approve the appointment of the Monitoring Officer and Section 151 Officer (Chief Finance Officer) where no well-founded objection, as determined by the Monitoring Officer, has been made by any Member of the Executive.
5. **Appointment of Directors and Head of Service**
- (a) A committee or sub-committee of the Council will appoint Directors and Heads of Service. That committee or sub-committee must include at least one Member of the Executive.
 - (b) An offer of employment as a Director or Head of Service will only be made where no well-founded objection, as determined by the Monitoring Officer, from any Member of the Executive has been received.
6. **Other appointments**
- (a) **Officers below Head of Service**

Appointment of officers below Heads of Service level is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by councillors.
 - (b) **Deputy Monitoring Officer and Deputy Section 151 Officer**

The appointment of the Deputy Monitoring Officer is the responsibility of the Monitoring Officer and the appointment of the Deputy Section 151 Officer is the responsibility of the Section 151 Officer.

7. **Disciplinary action**

(a) **Suspension**

The Head of Paid Service, Monitoring Officer and the Section 151 Officer may be suspended by the Council 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 the Head of Paid Service, Monitoring Officer and the Section 151 Officer except in accordance with a recommendation in a report made by a designated independent person by the Secretary of State.

(c) **Officers below Head of Service**

Councillors will not be involved in the disciplinary action against any officer below Head of Service level 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.

8. **Dismissal**

Councillors will not be involved in the dismissal of any officer below Head of Service level 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.

