

SECTION 7 OFFICER EMPLOYMENT PROCEDURE RULES

1. RECRUITMENT AND APPOINTMENT

1.1 Declarations

- (i) Any applicant for appointment as an officer is required to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin of an existing Councillor or Officer of the Council; or of the partner of such persons.
- (ii) No applicant 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.

1.2 Seeking support for appointment.

- (i) Subject to paragraph (iii) below, 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) Subject to paragraph (iii) below, no Councillor will seek support for any person for any appointment with the Council.
- (iii) Nothing in paragraphs (i) and (ii) above will preclude a Councillor from giving a written reference for an applicant for submission with an application for appointment.

1.3 Appointments on merit

Every appointment of a person as an Officer shall be made on merit subject to the statutory provisions set out in the Local Government and Housing Act 1989 Section 7(2).

1.4 Disclosure of relationship

Every Councillor and every Chief Officer must disclose to the Council any relationship known to exist between him/herself and a candidate for appointment to a post within the authority. Disclosure will be made to the Executive Director: Resources and S151 who will record and report the matter to the Committee or persons dealing with the appointment.

2. RECRUITMENT OF HEAD OF PAID SERVICE AND CHIEF OFFICERS

Where the Council proposes to appoint a 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
 - (i) 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. APPOINTMENT OF HEAD OF PAID SERVICE

The Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Employee Appointments/Disciplinary Committee.

4. APPOINTMENT OF CHIEF OFFICERS/STATUTORY OFFICERS

The Council will approve the appointment of Chief Officers following the recommendation of such an appointment by the Employee Appointments/Disciplinary Committee.

These are mandatory requirements in respect of The Head of Paid Service, Chief Finance Officer and Monitoring Officer (Local Authorities (Standing Orders) (England) Regulations 2001.)

5. APPOINTMENT OF OFFICERS BELOW CHIEF OFFICER:

Appointments below Chief Officer (other than assistants to political groups and Statutory Officers) are the responsibility of the Head of Paid Service or his/her nominee and shall not involve Councillors.

6. DISCIPLINARY ACTION AGAINST HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCE OFFICER

6.1 Suspension

The Head of Paid Service, Chief Finance Officer (S151 Officer) and Monitoring Officer may be suspended by the Employee Appointments/Disciplinary Committee whilst an investigation takes place into any alleged misconduct. That suspension will be on full pay and should be reviewed after it has been in place for two months.

6.2 Disciplinary Action

The process for taking disciplinary action against any of the officers referred to in Officer Employment Rule 6 is set out in the Employee Appointments / Disciplinary Committee.

7. DISCIPLINARY ACTION AGAINST CHIEF OFFICERS (OTHER THAN HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCE OFFICER)

7.1 Suspension

Other Chief Officers may be suspended by the Employee Appointments/Disciplinary Committee whilst an investigation takes place into any alleged misconduct. That suspension will be on full pay and should be reviewed after it has been in place for two months.

7.2 Independent Investigator

No disciplinary action (other than suspension as referred to in 7.1 above) may be taken in respect of any of the Officers referred to in Officer Employment Procedure Rule 7 except in accordance with the process set out in the Terms of Reference of the Employee Appointments/Disciplinary Committee.

8. DISCIPLINARY ACTION AGAINST EXECUTIVE DIRECTORS, DIRECTORS AND ASSOCIATE DIRECTORS

Any disciplinary action taken against or dismissal of an Executive Director, Director or Associate Director will be effected by the Employee Appointments/Disciplinary Committee.

9. DISCIPLINARY ACTION AGAINST, AND DISMISSAL OF, OFFICERS BELOW EXECUTIVE DIRECTORS, DIRECTORS AND ASSOCIATE DIRECTORS

Councillors will not be involved in the disciplinary action against, or dismissal of, any Officer below Executive Director, Director or Associate Director 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. That involvement will be via the Council's Employee Appeals Committee.

10. APPOINTMENT OF ASSISTANTS TO POLITICAL GROUPS

No appointments may be made to any post allocated to a Political Group until the Council has allocated such a post to each of the political groups within the Council which qualify for one.

[NOTE Section 9 of the Local Government and Housing Act 1989 provides the legal provisions for the entitlement of a Political Group to one Assistant.]

The appointment of any Assistant to a Political Group shall be in accordance with the wishes of the relevant Political Group.

11. ASSISTANTS TO POLITICAL GROUPS - GENERAL PROVISIONS

11.1 Access to Information and Advice

Political Assistants will have the same rights of access to information as the Councillors for whom they work. Ordinarily, the Political Assistants will be working for the Leaders of a political group and will seek information on that basis.

Political Assistants should contact the relevant Executive Director, Director or Associate Director, although once working relationships have been established then the contact may become less formal and through departmental contacts.

A Political Assistant may seek advice or a confidential briefing in the same way as a Member of Council.

11.2 Attendance at Council and Committees

Political Assistants, as Officers of the Council, will be subject to the same Rules of Confidentiality that apply generally and be able to attend meetings including those held in exempt (or private) session.

11.3 Day to Day Working Arrangements

Although the Political Assistants are employed within the Chief Executive's Unit, the Leader of the relevant political group will be responsible for their day-to-day working. Travelling and other expenses will be met from the Members' expenses budget following the necessary authorisation from the Political Group Leader. (Expenses claims will be countersigned by the Executive Director: Resources and S151 or another authorised officer in his/her Department).