PART 4 – RULES OF PROCEDURE

OFFICER EMPLOYMENT AND DISCPLINARY PROCEDURE RULES

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1. RECRUITMENT AND APPOINTMENT (DECLARATIONS)

1.1 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.

1.2 No candidate so related to a Councillor, or an officer will be appointed without the authority of the Head of Paid Service or an officer nominated by that person.

2. SEEKING SUPPORT FOR APPOINTMENT

2.1 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.

2.2 No councillor will seek support for any person for any appointment with the Council.

3. RECRUITMENT AND APPOINTMENT OF CHIEF OFFICERS

3.1 Chief Officers are those posts designated as such in Article 10 of the Council's Constitution.

3.2 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 in line with employee recruitment policies and practices; and

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

4. APPOINTMENT OF HEAD OF PAID SERVICE, MONITORING OFFICER, S151 OFFICER ('STATUTORY OFFICERS') AND CHIEF OFFICERS

4.1 The Appointments Board will recommend to the Council on the appointment of the Head of Paid Service and the Chief Executive.

4.2 The other Statutory Officers will be appointed by the Appointments Board.

4.3 Appointment of Directors below the Chief Officer, will be appointed by the Appointments Board.

For clarity the Directors which are appointed under rule 4.3 are:

- Director of Finance
- Director of Legal and Governance
- Director of Neighbourhood Services and Communities
- Director of Strategy and Improvement
- Director of Place, Planning and Growth

5. OTHER APPOINTMENTS

5.1 **Other Officers**

5.1.1 Appointment of all other officers or, assistants to political groups, is the responsibility of the Chief Officer or their nominee and may not be made by councillors.

5.2 **Assistants to Political Groups**

5.2.1 Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

6. DISCIPLINARY ACTION

6.1 **Head of the Paid Service, Monitoring Officer and S151 Officer and Chief Officers not in a statutory role**

6.1.1 The dismissal of or taking disciplinary action against the Head of the Paid Service, Monitoring Officer and S151 Officer, and a Chief Officer not in a statutory role, shall be exercised by the Council through its Investigating and Disciplinary Committee (and Panel). Any of those Officers may be suspended whilst an investigation takes place into the particular allegation. That suspension will be on full pay and terminate no later than two months from the day on which the suspension takes effect unless the Designated Independent Person appointed in connection with the investigation

directs that the suspension should be continued beyond that point or should be otherwise varied in some way.

6.2 **Dismissal of Officers, and the involvement of Independent Persons.**

6.2.1 No decision to dismiss may be taken by the Council in respect of any of the above officers except in accordance with a recommendation of the Council's Investigating and Disciplinary Panel constituted in accordance with the Local Authorities (Standing Orders) England (Amendment) Regulations 2015 and including at least two Independent Persons appointed by the Council under appointed under the Localism Act 2011. No notice of dismissal shall be given to any of those officers unless the dismissal is first approved by a meeting of full Council.

7. OTHER STAFF

7.1 Councillors will not be involved in the disciplinary or dismissal action against any officer not in a Statutory role except where such involvement is necessary for any investigation or inquiry into alleged misconduct. In all other respects such action will be taken by the Head of Paid Service or an officer nominated by them. The Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to Councillors in respect of disciplinary or dismissal action.