

West Suffolk Council

Officer Employment Procedure Rules

All procedures in this Section shall be subject to the provisions of the Local Authorities (Standing Orders) (England) Regulations 2015 or any legislation that amends or replaces them, and all other relevant Regulations.

1. Recruitment and appointment

1.1 Declarations

- (a) The Council will require any candidate for appointment as an employee to state in writing whether they are related to or closely connected with an existing councillor or employee of the Council or the spouse or partner of such persons.
- (b) A candidate who does not disclose such a relationship may be disqualified from consideration, and if appointed, may be liable to dismissal.
- (c) Every Member and Officer of the Council will inform the Director concerned when they become aware of an application by a relative.
- (d) No candidate so related or connected to a Councillor or an Officer will be appointed without the authority of the Head of Paid Service or an Officer nominated by them.

1.2 Seeking support for appointment

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. Recruitment of chief executive and strategic directors

For the purposes of these rules and of Article 11, the term "chief officers" shall mean the Chief Executive and the Strategic Directors.

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; and

- (iii) The requirement in 1.1 (a) above;
- (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.

3. Appointment of chief executive

Before an offer of appointment is made, the Council will approve the appointment of the Chief Executive following the recommendation of such an appointment by a Committee of the Council specifically appointed for that purpose. That Committee must include at least one Member of the Cabinet.

4. Appointment of chief officers

- (a) The Officer Appointments Committee will appoint all Strategic Directors. For this purpose, the Council's Independent Persons do not need to be invited to the Officer Appointment Committee.
- (b) An offer of employment as a Chief Officer shall only be made where no well-founded objections from any Member of the Cabinet has been received.

5. Other appointments

- (a) **Officers below Chief Officer level**
Appointment of officers below Chief Officer level is the responsibility of the Chief Executive or their nominee and may not be made by Councillors.
- (b) **Assistants to political Groups**
Appointment of an assistant to a political Group shall be made in accordance with the wishes of that political Group.

6. Disciplinary action

Disciplinary action for the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer shall take place in accordance with Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2015. The Officer Appointments Committee shall be the "Panel" referred to in Schedule 3:

- (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 unless the Investigator recommends the suspension should continue beyond that point.

- (b) Councillors will not be involved in any other disciplinary action against any officer below Chief Officer level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Such disciplinary action will be undertaken by the Head of Paid Service or an Officer nominated by them.
- (c) The Officer Appointments Committee will make recommendations to Council for the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer and Council must approve that dismissal before notice is given to that person.
- (d) The Officer Appointments Committee shall approve any disciplinary action, short of dismissal, against the Head of Paid Service, Chief Finance Officer or Monitoring Officer.
- (e) Subject to the provisions of The Local Authorities (Standing Orders) (England) Regulations 2015, all actions will be in accordance with both the JNC Conditions of Service for Chief Executives/Chief Officers and the Council's employment policies.
- (f) The Officer Appointments Committee will approve the dismissal of a Strategic Director.
- (g) Notice of the dismissal of the Chief Executive or any Strategic Director or assistant to a political group must be given to Cabinet in accordance with paragraph 6 of Part II to Schedule I of the Local Authorities (Standing Orders) (England) Regulations 2015.
- (h) Councillors will not be involved in the dismissal of any other officer below Strategic Director level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Any dismissal procedure will be undertaken by the Head of Paid Service or by an officer nominated by them.
- (i) Strategic Directors, the Head of Paid Service, the Section 151 Officer and the Monitoring Officer have a right of appeal against dismissal to a Chief Officer Appeals Committee specifically appointed for that purpose.