

St Edmundsbury Borough 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 Head of Service 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 him/her.

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 directors

For the purposes of these rules and of Article 11, the term "chief officers" shall mean the Chief Executive and the 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 Joint Committee of the West Suffolk Councils specifically appointed for that purpose. That Joint Committee must include at least one Member of each Cabinet.

4. Appointment of chief officers

- (a) The Joint Officer Appointments Committee will appoint all Directors.
- (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 his/her 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 Joint 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 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 him/her.
- (c) The Joint 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 Joint 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 Joint Officer Appointments Committee will approve the dismissal of a Director.
- (g) Notice of the dismissal of the Chief Executive or any 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 officer below 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 him/her.
- (i) Directors and the Head of Paid Service have a right of appeal against dismissal to a Joint Chief Officer Appeals Committee specifically appointed for that purpose.