

H4 OFFICER EMPLOYMENT PROCEDURE RULES

1. Recruitment and Appointment

1.1 Declarations

- 1.1.1 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.
- 1.1.2 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

- 1.2.1 Subject to paragraph 1.2.3, the Council will disqualify any applicant who directly or indirectly canvasses the support of any councillor or officer for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- 1.2.2 Subject to paragraph 1.2.3, no councillor or officer will canvass support for any person for any appointment with the Council.
- 1.2.3 Nothing in paragraphs 1.2.1 and 1.2.2 above will preclude a councillor or officer from giving a written reference for a candidate for submission with an application for appointment except where the councillor or officer is a member of the appointment panel in that case.

2. Recruitment of Head of Paid Service and Directors

- 2.1 Where the Council proposes to appoint the Head of Paid Service or a Director and it is not proposed that the appointment be made exclusively from among their existing officers, the Appointments Sub-Committee will:
 - 2.1.1 Draw up a statement specifying:-
 - 2.1.1.1 the duties of the officer concerned; and
 - 2.1.1.2 any qualifications or qualities to be sought in the person to be appointed.
 - 2.1.2 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;

- 2.1.3 Make arrangements for a copy of the statement mentioned in paragraph 2.1.1 to be sent to any person on request;
- 2.1.4 Either interview all qualified applicants for the post, or select a short list of such qualified applicants and interview those on the short list; and
- 2.1.5 Where no qualified person has applied, make further arrangements for advertisement in accordance with paragraph 2.1.2 above.

3. Appointment or Dismissal of Head of Paid Service, Directors, Chief Finance Officer and Monitoring Officer

3.1 Appointments

- 3.1.1 Only the full Council shall approve (or otherwise) the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointments Sub-Committee. The Appointments Sub-Committee must include at least one member of the Executive.
- 3.1.2 The Appointments Sub-Committee will appoint Directors and the Chief Finance Officer and Monitoring Officer as designated in Part H1 of the Constitution.
- 3.1.3 Before the Sub-Committee makes an offer of an appointment, the Monitoring Officer shall notify every member of the Executive of:-
 - 3.1.3.1 the name of the proposed appointee;
 - 3.1.3.2 the particulars relevant to the appointment; and
 - 3.1.3.3 the period within which objections to the appointment can be made.
- 3.1.4 The Sub-Committee may make an offer provided that:-
 - 3.1.4.1 the Leader on behalf of the Executive within the period raises no objection, or indicates that the Executive has no objection; or
 - 3.1.4.2 the Sub-Committee decides that any objection received from the Leader within the period is not material or is not well founded.

3.2 *Dismissals*

- 3.2.1 The full Council shall approve (or otherwise) the dismissal of the Head of Paid Service following the recommendation of such dismissal by the Appointments Sub-Committee and subject to compliance with the provisions of paragraph 5.
- 3.2.2 The responsibility for dismissal of Directors and Assistant Directors rests with the Head of the Paid Service or his/her nominee.
- 3.2.3 Before full Council (in the case of the Head of Paid Service) or the Head of the Paid Service or his/her nominee (in the case of Directors) determines to issue a notice of dismissal, the Monitoring Officer shall notify every member of the Executive of:-
 - 3.2.3.1 the name of the person proposed to be dismissed;
 - 3.2.3.2 any other particulars relevant to the proposed dismissal; and
 - 3.2.3.3 the period within which objections to the dismissal can be made.
- 3.2.4 The Sub-Committee or the Head of Paid Service or his/her nominee may determine to issue a notice of dismissal, provided that:
 - 3.2.4.1 the Leader on behalf of the Executive within the period indicates that the Executive has no objections, or raises no objection; or
 - 3.2.4.2 the Sub-Committee or the Head of Paid Service or his/her nominee as appropriate decides that any objection received from the Leader within the period is not material or is not well founded.

4. Other Appointments/Dismissals

- 4.1 **Officers below Director.** Appointment of officers below Director level (other than the Chief Finance Officer and Monitoring Officer and assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee (and may not be made by Councillors) subject to compliance with the provisions of paragraph 3.1.3 and 3.1.4 in the case of Assistant Directors.

Dismissal of officers below Director level is the responsibility of the Head of Paid Service, subject to compliance with paragraph 5 in respect of the Chief Finance Officer and Monitoring Officer and with the provisions of paragraphs 3.2.3 and 3.2.4 in respect of Assistant Directors.

4.2 Assistants to political groups.

- a. **No appointments shall be made for the purposes of providing assistance to members of political groups to which members of Central Bedfordshire Council may belong under section 9 of the Local Government and Housing Act 1989, unless the Council has allocated a post to each of the groups which qualify for one, subject to a maximum of three such posts being available at any one time.**
- b. **The allocation of such a post to a political group which does not qualify for one is prohibited.**
- c. **The allocation of more than one such post to any one political group is prohibited.**
- d. **Any appointments of an assistant to a political group shall be made in accordance with the wishes of that political group.**

5. Disciplinary Action

- 5.1 **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.
- 5.2 **Independent person.** No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.
- 5.3 Councillors will not be involved in any disciplinary action (including dismissal) against any officer below Assistant 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.