

Officer Employment Procedure Rules

1. Recruitment and Appointment

1.1 Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing the name and job title of any relative, friend or acquaintance employed by Cambridgeshire County Council.
- (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by them.

1.2 Seeking support for appointment

- (i) Subject to paragraph 1.2(iii), 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 1.2(iii), no councillor will seek support for any person for any appointment with the Council.
- (iii) Nothing in paragraphs 1.2(i) and 1.2(ii) above will preclude a councillor from giving a written reference for a candidate for submission with an application for appointment.

2. Recruitment of Chief Executive, Executive Directors, and Statutory Roles

2.1 Where the Council proposes to appoint a Chief Executive, executive director, or any other statutory role and it is not proposed that the appointment be made exclusively from among their existing officers, the Staffing and Appeals Committee will:

- (a) Draw up a statement specifying:
 - (i) The duties of the officer concerned;
 - (ii) Any qualifications or qualities to be sought in the person to be appointed;
 - (iii) The terms and conditions; and
 - (iv) The remuneration package.
- (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.

- (c) Make arrangements for a copy of the statement mentioned in paragraph 2.1(a) to be sent to any person on request.

3. Appointment of Chief Executive, Monitoring Officer and Section 151 Officer

- 3.1 The Full Council will approve the appointment of the Chief Executive, Monitoring Officer and Section 151 Officer following the recommendation of such an appointment by the Staffing and Appeals Committee.
- 3.2 The Full Council may only make or approve the appointment of the Chief Executive, the Monitoring Officer or the Section 151 Officer where no well-founded objection has been made by any member of the Staffing and Appeals Committee.

4. Appointment of Executive Directors and Statutory Roles

- 4.1 The Staffing and Appeals Committee of the Council will appoint executive directors and statutory roles, excluding the Chief Executive, Monitoring Officer and Section 151 Officer.
- 4.2 An offer of employment as an executive director or any other statutory role shall only be made subject to satisfactory references and pre-employment checks.
- 4.3 For the purposes of these Procedure Rules, executive directors are those named in Article 11 of the Constitution. Statutory roles, other than the Chief Executive, Section 151 Officer and Monitoring Officer, include:
 - (i) Director of Adult Social Services;
 - (ii) Director of Children’s Services;
 - (iii) Director of Public Health; and
 - (iv) Chief Education Officer.

- 4.4 Where a reorganisation affects the structure/numbers of executive directors and/or statutory posts, posts in the new structure will be filled in line with the enabling process agreed at the time. Any competitive interviews will be carried out by the Staffing and Appeals Committee in accordance with the enabling process.

5. Other Appointments

- 5.1 Officers below executive director level.

The appointment of officers below executive director level (other than the identified statutory roles and assistants to political groups) is the responsibility of the Chief Executive as the Head of Paid Service or their nominee, and may not be made by councillors.

5.2 Assistants to Political Groups

Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group and in line with legislative requirements.

6. Dismissal and Disciplinary Action

6.1 In the case of dismissals, the Staffing and Appeals Committee will hear the case against the Chief Executive as Head of Paid Service, Monitoring Officer and Section 151 Officer concerned, and the hearing will be conducted in accordance with the Council's Disciplinary Procedure.

6.2 In the following paragraphs:

- (i) "the 2011 Act" means the Localism Act 2011;
- (ii) "Section 151 Officer", "disciplinary action", "head of the authority's paid service" and "monitoring officer" have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
- (iii) "independent person" means a person appointed under section 28(7) of the 2011 Act;
- (iv) "local government elector" means a person registered as a local government elector in the register of electors in the authority's area in accordance with the Representation of the People Acts;
- (v) "the panel" means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;
- (vi) "relevant meeting" means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and
- (vii) "relevant officer" means the Section 151 Officer, head of the authority's paid service or monitoring officer, as the case may be.

6.3 A relevant officer may not be dismissed should the authority not comply with the procedure set out in the following paragraphs.

6.4 The authority must invite relevant independent persons to be considered for appointment to the panel, with a view to appointing at least two such persons onto the panel.

6.5 In paragraph 6.4, "relevant independent persons" means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.

- 6.6 Subject to paragraph 6.7, the authority must appoint to the panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 6.4 in accordance with the following priority order:
- (i) A relevant independent person who has been appointed by the authority and who is a local government elector;
 - (ii) Any other relevant independent person who has been appointed by the authority;
 - (iii) A relevant independent person who has been appointed by another authority or authorities.
- 6.7 An authority is not required to appoint more than two relevant independent persons in accordance with paragraph 6.6 but may do so.
- 6.8 The authority must appoint any panel at least twenty working days before the relevant meeting.
- 6.9 Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular—
- (i) Any advice, views or recommendations of the panel;
 - (ii) The conclusions of any investigation into the proposed dismissal considered by the Service Appeals Sub-Committee acting as the Investigating and Disciplinary Committee (IDC); and
 - (iii) Any representations from the relevant officer.
- 6.10 Any remuneration, allowances or fees paid by the authority to an independent person appointed to the panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the 2011 Act.

7. Appointment, Dismissal and Management of all other Employees

- 7.1 The appointment, dismissal and management of employees (except the Head of Paid Services, Monitoring Officer and Section 151 Officer) including disciplinary action will be carried out by properly authorised officers of the Council in line with the Recruitment and Selection Policy, other employment policies and procedures agreed by the Council and in compliance with statutory obligations.
- 7.2 Councillors will not be involved in the disciplinary or dismissal of any officer below executive director level 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 dismissals.