

5. STAFF EMPLOYMENT PROCEDURE RULES

Application

- 5.1 The Staff Employment Procedure Rules (Rules) apply to the recruitment and employment of all officers unless otherwise indicated.

Employment Law

- 5.2 The recruitment and employment of officers is subject to compliance with employment law and all applicable legislation.

Appointment, Dismissal and Disciplinary Action

- 5.3 The function of the appointment and dismissal of and taking disciplinary action against, an officer of the Council must be discharged by the Chief Executive (as the Council's Head of Paid Service) or by their nominated officers.
- 5.4 Rule 5.3 shall not apply to appointment, disciplinary action or dismissal in relation to the Statutory Officers detailed above under section 3.

Recruitment

Candidate's Declarations of Relationships with Councillors or Officers

- 5.5 All applicants for appointment as an officer must declare in writing whether they are a relative or partner of a current councillor or officer of the Council.
- 5.6 An applicant related to, or the partner of, a councillor or an officer of the Council will not be appointed without the approval of the Chief Executive and may be approved on such conditions as are necessary and proportionate, to avoid or mitigate the risk of any actual or perceived conflict of interest arising from the candidate's appointment.

Prohibition on Seeking Councillor Support for Appointment

- 5.7 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 Rule 5.7 is included in all recruitment information.
- 5.8 Councillors will not seek to support for any applicant for any appointment with the Council or seek to otherwise influence the decision to appoint.
- 5.9 Councillors shall not provide written references for an applicant in respect of any appointment with the Council.

Appointment on Merit

- 5.10 In accordance with section 7 of the Local Government and Housing Act 1989, all officers shall be appointed on merit, except that the appointment of political assistants

under section 9 of the Local Government and Housing Act 1989 may have regard to the applicant's political activities or affiliations.

Dismissal and Disciplinary Action Against Officers Below Deputy Chief Officers

- 5.11 The Senior Appointments and Pay Committee, Council and councillors shall not be involved in the dismissal of, or disciplinary action taken against, any officer below the level of Deputy Chief Officer, except where a councillor can provide evidence as a witness of fact in the proceedings.
- 5.12 Notwithstanding Rule 5.11, 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 action or dismissal.

Annual Pay Policy Statement

- 5.13 Section 38 of the Localism Act 2011 Act requires the Council to prepare and publish a pay policy statement for the following financial year. The statement will set out the Council's policies relating to the remuneration of Chief Officers and its lowest paid officers; and the relationship between the remuneration of its Chief Officers and that of its employees who are not Chief Officers.
- 5.14 The annual pay policy statement will be adopted by the Council before the end of March in each year. The Council may amend the statement in-year.