

# Part Four, Section K

## Officer Employment Procedure Rules

---

### 1. Recruitment and Appointment

#### (a) Declarations

- (i) 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, the Mayor or officer of the Council; or of the partner of such persons.
- (ii) Any candidate who fails to disclose such a relationship will be disqualified from appointment. The content of this paragraph will be included in any recruitment information.
- (iii) No candidate so related to a councillor, the Mayor or an officer will be appointed without the authority of the Assistant Director for Human Resources or an officer nominated by him/her.
- (iv) Every Member and senior officer of the authority who knows of a relationship to a candidate for appointment must report the details to the Assistant Director for Human Resources.

#### (b) Seeking support for appointment.

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor or the Mayor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No councillor or the Mayor will seek support for any person for any appointment with the Council. This rule does not prevent a Member from offering or providing a written reference about a candidate but the Member shall not take part in the appointment process involving that candidate.

**2. Recruitment of Head of Paid Service, ~~and~~ Directors\* and Statutory Officers\***

Where the Council proposes to appoint a Head of Paid Service, ~~or~~ a Director or a Statutory 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;
- (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; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.
- (d) all applicants for the post shall be interviewed, or a short list of the more suitable applicants shall be drawn up and those applicants shall be interviewed.

**3. Appointment and dismissal of Head of Paid Service, dismissal of Chief Finance Officer and Monitoring Officer**

- (a) The Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Staffing and Remuneration Committee.
- (b) The Council may only make or approve the appointment of the Head of Paid Service where:
  - (i) no objection has been made by any member of the Cabinet, or
  - (ii) if any objection is made, the Staffing and Remuneration Committee has declared itself satisfied that the objection is not material or well-founded
- (c) The procedures in (a) and (b) above will apply to the dismissal of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

\*the terms Director and Statutory Officer ~~have~~ the meaning given at Part 3 Section E Section1; 2.01 of this Constitution

#### **4. Appointment of Directors**

- (a) The Staffing and Remuneration Committee will appoint Directors.
- (b) The procedures in (a) above will not apply to the appointment, dismissal or discipline of the Chief Executive of the Alexandra Palace and Park charity. Instead, the Chief Executive acting in his/her charity capacity will take the decisions to appoint, dismiss or discipline that Chief Executive in consultation with the Alexandra Palace and Park Board or its appointed Panel.
- (c) An offer of employment as a Director shall only be made where:
  - (i) no objection has been made by any Cabinet Member, or
  - (ii) if any objection is made, the Staffing and Remuneration Committee or the Chief Executive is satisfied that the objection is not material or well founded.
- (d) The procedures in (a) and (c) above will apply to the dismissal of Directors except that (b) and (c) will apply to the dismissal of the Chief Executive of the Alexandra Palace and Park charity.

#### **5. Member Training**

All Members taking part in appointments or disciplinary proceedings shall undertake appropriate training provided by the Assistant Director for Human Resources in consultation with the ~~Assistant Director of Corporate Governance~~Monitoring Officer.

#### **6. Other appointments**

- (a) Appointment of all other officers (other than assistants to political groups) will be made by the Head of Paid Service or his/her nominee.
- (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.

#### **7. Disciplinary action**

- (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.
- (b) Independent Panel. No other disciplinary action may be taken in respect of any of those officers until the Authority has invited relevant independent persons to

## PART FOUR – RULES OF PROCEDURE

### Section K– Officer Employment Procedure Rules

form an Independent Panel to advise on such matters as set out in the Local Authorities (Standing Orders)(England) Regulations 2001.

- (c) Councillors will not be involved in the disciplinary action against any officer below 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.

### 8. Dismissal

- (a) Independent Panel. In accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001, before the taking of a vote at the relevant meeting on whether to approve or not a dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer, the Council must take into account, in particular:

- (i) any advice, views or recommendations of the Independent Panel;
- (ii) the conclusions of any investigation into the proposed dismissal; and
- (iii) any representations from the relevant officer.

- (b) Councillors will not be involved in the dismissal of any officer below 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 dismissals.

### 9. Definitions

In these Rules:

- "Director " has the meaning given at Part 3 Section E Section 1; 2.01 of this Constitution and shall include the following officers:
  - Members of the Corporate Board
  - All Directors and Assistant Directors
  - The Chief Executive of Alexandra Palace & Park(as appropriate)

"Corporate Board" means:

- The Director for Environment and Neighbourhoods
- The Director for Housing, Regeneration and Planning
- The Director for Children's Services
- The Director for Adults and Health
- The Director for Customers, Transformation and Resources
- The Director for Finance