

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, Directors* and Statutory Officers*

Where the Council proposes to appoint a Head of Paid Service, 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 of the Head of Paid Service, 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 Appointments Panel
- 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 Appointments Panel 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 appointment of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

3.1 Dismissal of Head of Paid Service, Chief Finance Officer and Monitoring Officer

- a) The Council will approve the dismissal of the head of Paid service following the recommendation of such a dismissal by the Disciplinary, Grievance and Dismissal Panel.
- b) The Council may only make or approve the dismissal of the Head of Paid service where:

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- i) no objection has been made by any member of the Cabinet or
 - ii) if any objection is made the Disciplinary, Grievance and Dismissal Panel 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 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 Appointments Panel will appoint Directors.
- (b) The procedures in (a) above will not apply to the appointment, 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, 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 Appointments Panel or the Chief Executive is satisfied that the objection is not material or well founded.

5. Dismissal of Directors

The Disciplinary, Grievance and Dismissal Panel will dismiss Directors.

The Dismissal of 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 Disciplinary, Grievance and Dismissal Panel or the Chief Executive is satisfied that the objection is not material or well founded.

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- a) The procedures in paragraph 5 above will not apply to the dismissal 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 dismiss that Chief Executive in consultation with the Alexandra Palace and Park Board or its appointed Panel.

6. 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 Monitoring Officer.

7. 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 to which the post has been allocated under section 7 of the Local Government and Housing Act 1989 employees of a local authority must be appointed on merit. However, Section 9 provides an exception to this principle. This section advises that the appointment of each political assistant is down to the political group each post (political assistant) is to represent. The appointee can take account of the candidate's political activities during the selection process, although the posts are 'politically restricted' (as described above).
- (c) The appointment of Political Assistants must be conducted in accordance with the Council's procedures and statutory requirements. The maximum level of remuneration is determined by the Local Government (Assistants for Political Groups) (Remuneration) (England) Order 2021.
- (d) An appointment of a Political Assistant is dependent on the Council passing a resolution in support of the principle of appointing Political Assistants and subject to the following standing order relating to such appointments(as set out in Section 9(5) of the Act):
 - A prohibition on the making of an appointment until the Council has allocated a post of Political Assistant to each group that qualifies for one;
 - A prohibition on the allocation of a Political Assistant's post to a group which does not qualify for one;
 - A prohibition on the allocation of more than one Political Assistant post to any one group.

8. Disciplinary action

- a) The Disciplinaries, Grievance and Dismissal Panel will take forward disciplinary, conduct and capability decisions relating to the Head of Paid Service, Section 151 Officer and Monitoring Officer, and determining whether these officers should be suspended in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.
- b) The Disciplinaries, Grievance and Dismissal Panel will hear and decide substantive grievances either about or from the Head of Paid Service. The Monitoring Officer will decide whether or not the grievance is substantive.
- c) 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.
- d) 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 form an Independent Panel to advise on such matters as set out in the Local Authorities (Standing Orders)(England) Regulations 2001.
- e) 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.
- f) The Disciplinaries, Grievance and Dismissal Panel will exercise functions in respect of Grievance decisions related to Director level direct reports of the Head of Paid Service , if (and only if) referred to the Panel by the Head of Paid Service due to a conflict-of-interest issue.
- g) The above will not apply to disciplinary action concerning the Chief Executive of the Alexandra Palace and Park charity. Instead, the Chief Executive acting in his/her charity capacity will take the disciplinary action in consultation with the Alexandra Palace and Park Board or its appointed Panel.

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9. Dismissal

- a) The Disciplinary, Grievance and Dismissal Panel will exercise functions in respect of the Dismissal (including terms of release) of Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 including conducting case hearings and making decisions in relation to Directors where dismissal of the officer is a possible outcome and will need to consider the views of an independent Panel when considering the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer.
- b) 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.
- c) 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.

10. 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 Council Leadership Team
 - ✦ All Directors and Assistant Directors
 - ✦ The Chief Executive of Alexandra Palace & Park(as appropriate)

"Council Leadership Team " means:

- ✦ Director for Environment and Resident Engagement
- ✦ Director of Placemaking and Housing,
- ✦ The Director of Children's Services
- ✦ The Director for Adults, Health and Communities
- ✦ The Director of Culture Strategy and Engagement
- ✦ The Director for Finance