

## **4.9 EMPLOYMENT RULES**

### **4.9.1 Recruitment and Appointment**

#### **(1) Declarations**

- (a) 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.
- (b) No candidate so related to a Councillor or an officer will be appointed without the authority of the Head of Paid Service or an officer nominated by the Head of Paid Service.

#### **(2) Seeking Support for Appointment**

- (a) Subject to paragraph 4.9.1 (2) (c), 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.
- (b) Subject to paragraph (2) (c), no Councillor will seek support for any person for any appointment with the Council.
- (c) Nothing in paragraphs (a) and (b) above will preclude a Councillor from giving a written reference for a candidate for submission with an application for appointment.

### **4.9.2 Recruitment of Head of Paid Service and Chief Officers**

Where the Council proposes to appoint a Chief Officer and whether or not it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:-

- (a) draw up a statement specifying the duties of the officer concerned and 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 4.9.2 (a) to be sent to any person on request.

#### 4.9.3 Appointment of Head of Paid Service

- (a) The Council meeting will appoint the Head of Paid Service.
- (b) Council may only make or approve the appointment of the Head of Paid Service where no well-founded objection has been made by any Member of the Executive.

#### 4.9.4 Appointment of Chief Officers and Deputy Chief Officers

- (a) The Council meeting will appoint Chief Officers and Deputy Chief Officers.
- (b) An offer of employment as a Chief Officer or Deputy Chief Officer shall only be made where no well-founded objection from any Member of the Executive has been received.
- (c) The appointment of such officers may be delegated.

#### 4.9.5 Other appointments

##### (1) Officers Below Deputy Chief Officer

Appointment of officers below deputy chief officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or that officer's nominee, and may not be made by Councillors. The interview panel for appointments below deputy chief officer level (excluding political assistants) will be as follows:-

SCP4-28	2 Management representatives
SCP29-49	1 Management and 1 HR representative

##### (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.

#### 4.9.6 Disciplinary Action

- (1) A decision on whether to dismiss the Council's Head of Paid Service, Monitoring Officer or Chief Financial Officer must be taken by the Council meeting who must consider any advice, views or recommendations made by a panel comprising at least two or more Independent Persons appointed under Section 28(7) of the Localism Act as well as the conclusions of any investigation into the matter and the representations of the relevant officer.

- (2) Priority on the panel will be given to an Independent Person who has been appointed by the Authority and is a local government elector for Bolsover. Thereafter, priority will be given to any other Independent Persons appointed to the Authority and then an Independent Person who has been appointed by another authority or authorities.
- (3) The Panel may only meet to consider the relevant case 20 working days after it has been selected.
- (4) **Member Involvement;**  
Councillors will not be involved in disciplinary action against any officer below Deputy Chief Officer 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, which allow a right of appeal to Members in respect of disciplinary action.

#### 4.9.7 Dismissal

Councillors will not be involved in the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary and other procedures, as adopted from time to time, will allow a right of appeal to Members in respect of dismissal.