

# Officer Employment Procedure Rules

## 1. GENERAL

- 1.1 Members of the Strategic Management Team are responsible to the Council for the management, training, welfare, health and safety and discipline of the employees under their direction. He/she shall act in accordance with the Council's Personnel Policies and Procedures. He/she shall liaise closely with the Head of Personnel and Support Services over the interpretation and application of these matters.
- 1.2 The Head of Service responsible for Human Resources (HR) shall be responsible for monitoring that the Council's Personnel Policies and Procedures are being implemented and Officers are acting within their terms. He/she shall also keep the Council informed of all significant developments in the personnel field.
- 1.3 Members of the Strategic Management Team shall ensure that the Head of Service responsible for HR is supplied with all the information necessary for corporate monitoring systems on human resource management and the Chief Finance Officer, with the information necessary for maintaining the payroll.
- 1.4 Terms and conditions of employment are set out in individual contracts of employment and the Council's Personnel Policies and Procedures.

## 2. RECRUITMENT AND APPOINTMENT

### 2.1 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 or Officer of the Council; or of the partner of such persons.
- (ii) No candidate so related to a Councillor or an Officer will be appointed without the authority of the Chief Executive or an Officer nominated by him/her.

### 2.2 Seeking Support for Appointment

- (i) 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) No Councillor will seek support for any person for any appointment with the Council.

## 3. RECRUITMENT OF HEAD OF PAID SERVICE, DIRECTORS AND CHIEF OFFICERS

- 3.1 Where the Council proposes to appoint the Head of Paid Service or a Chief Officer the Council will:
  - (i) 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
  - (ii) make arrangements for a copy of the statement of duties qualifications or duties to be sought in the person to be appointed to be sent to any person on request.

**4. APPOINTMENT OF HEAD OF PAID SERVICE, CHIEF FINANCE (S151) OFFICER AND MONITORING OFFICER**

4.1. The full Council will approve the appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer, following the recommendation of such an appointment by the Employment Committee of the Council. That Committee must include at least one Member of the Executive.

4.2. The full Council may only make or approve these appointments where no well-founded objection has been made in accordance with Rule 8.

**5. APPOINTMENT OF CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS (HEADS OF SERVICE)**

5.1. The Employment Committee of the Council will appoint Chief Officers and Deputy Chief Officers (Heads of Service), taking into account the advice of the Head of Paid Service. That Committee must include at least one Member of the Executive.

**6. OTHER APPOINTMENTS - OFFICERS BELOW DEPUTY CHIEF OFFICERS (HEADS OF SERVICE)**

Appointment of Officers other than those listed in Rules 4 and 5 (and assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.

**7. DISCIPLINARY ACTION/DISMISSAL**

7.1. No disciplinary action (except suspension for the purpose of investigating the alleged misconduct occasioning the action) may be taken by, or on behalf of, the Council against the Head of Paid Service, Monitoring Officer or Chief Finance Officer other than in accordance with the recommendation in a report made by a designated independent person under Regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.

Any suspension of Officers for the purpose of investigating an alleged misconduct occasioning the action must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

7.2. An Employment Committee of the Council will consider and recommend to Council dismissal in relation to the Head of Paid Service, Chief Finance Officer or Monitoring Officer. The Employment Committee will consider and determine such action in relation to Chief Officers and Deputy Chief Officers (Heads of Service) subject to appeal to full Council.

7.3. Dismissal shall only be approved where no well-founded objection has been received in accordance with Rule 8.

7.4. Disciplinary action (including first, second and final warnings) will be dealt with as indicated in the attached Schedule.

7.5. Councillors will not be involved in the dismissal or disciplinary action against any Officer other than those list in Rules 4 and 5 (and assistants to political groups) 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. NOTIFICATION OF PROPOSED APPOINTMENT/DISMISSAL OF HEAD OF PAID SERVICE, CHIEF FINANCE (S151) OFFICER AND MONITORING OFFICER**

8.1 The Proper Officer will notify every Member of the Executive of:

- (i) the name of the person concerned;
- (ii) any other particulars relevant to the appointment or dismissal; and
- (iii) the date by which objections must be made.

8.2 An Executive Member wishing to make an objection must notify the Executive Leader in sufficient time to enable the Leader to lodge an objection in accordance with the rules set out at paragraph 8.3 below.

8.3 Objections must be material and well founded and must be made by the Executive Leader on behalf of the Executive to the Proper Officer in writing within 5 working days unless specifically extended.

**9. CONDUCT OF EMPLOYEES**

9.1 Employees should adopt high standards of personal conduct at work and should do nothing which would bring the Council into criticism or disrepute. They must follow the Council's codes of conduct and regulations stated in the Constitution and elsewhere.

9.2 Only the Communications Unit, the Chief Executive, Directors and Heads of Service, in consultation with the Communications Unit, may talk to the press, or otherwise make public statements on behalf of their Departments unless otherwise designated under the Emergency Plan.

**10. CONDITIONS OF EMPLOYMENT**

10.1 All employees of the Council must be engaged on Contracts of Employment agreed by the Head of Service responsible for HR and in accordance with the Council's approved Terms and Conditions of Employment.

10.2 The Head of Service requiring variations from standard Conditions of Employment shall, in the first instance, refer the matter to the Head of Service responsible for HR who shall advise on the procedure to be followed.

10.3 The Heads of Service shall follow the Council's approved consultation policy for any changes to terms and conditions of employment or the working conditions of staff.

10.4 The Head of Service responsible for HR shall be informed of all occasions where an officer is planning to make such changes. If a meeting is convened under the consultation policy where a full time trade union officer may be in attendance, the Head of Personnel and Support Services must also be invited.

## **11. DEPARTMENTAL STRUCTURE**

- 11.1 The Head of Service considering variations to the approved Human Resource Plans or structure of their operating unit(s) shall, at the earliest opportunity, discuss the proposals with the Head of Service responsible for HR who will advise on the procedure to be followed.
- 11.2 The Head of Service responsible for HR shall be notified immediately of all changes to staffing in order that the necessary processes and documentation may be undertaken.

## **12. TRAINING AND DEVELOPMENT**

- 12.1 The Head of Service shall be responsible for the training and development of employees under his/her direction in order to meet the needs of the Council and those of the employee, within the resources made available for the purpose. He/she shall liaise closely with the Head of Service responsible for HRs in the execution of this responsibility.
- 12.2 The Chief Executive or Head of Paid Service shall be responsible for monitoring the business benefit provided through the training and learning opportunities afforded for all employees and that employees have the skill necessary to deliver the Council's services.

## **13. DISCIPLINE, PERFORMANCE AND GRIEVANCES**

- 13.1 The Chief Executive and Heads of Service of each Department shall deal with conduct, performance and grievance matters in accordance with the agreed Policies and Procedures and the attached schedule.
- 13.2 The Head of Service responsible for HR shall be informed of all grievances formally raised by employees and of all cases where any Officer is planning to take disciplinary or capability action.
- 13.3 The Head of Paid Service, Monitoring Officer and Chief Finance Officer in addition to the Head of Service responsible for HR will be informed where disciplinary action is planned in cases of misappropriation by an employee of funds and/or property belonging to the Council or any other form of gross misconduct.

## **14. HEALTH AND SAFETY POLICY**

All employees are required to follow the principles of Health and Safety as set out in the Council's Policies and Procedures which forms part of the Council's Conditions of Employment. Members of the Strategic Management Team are responsible for the maintenance of the policy within their Departments and shall liaise closely with the Head of Service responsible for HR in the execution of this responsibility.

## **15. EQUAL OPPORTUNITIES AND DIGNITY AT WORK**

- 15.1 Reigate and Banstead Borough Council are committed to providing a working environment in which any employee, volunteer or client/customer:
- is treated with dignity, respect, courtesy and fairness and is free from harassment, bullying or victimisation.

- does not experience any form of discrimination on any basis including his or her colour, race, creed, sex, gender orientation, marital status, age, HIV status or disability. This list is not exhaustive, and the policy aims to exclude any forms of unfair discrimination, on whatever basis.
- 15.2 The Council is also committed to ensuring that its services are available to all members of the Community.
- 15.3 Members of the Strategic Management Team are responsible for ensuring that the policy is implemented and that all employees observe their responsibilities towards each other and service delivery.

## OFFICER EMPLOYMENT RULES – RESPONSIBILITY FOR FUNCTIONS

OFFICER	APPOINTMENT	DISCIPLINARY / DISMISSAL	APPEAL AGAINST DISCIPLINARY / DISMISSAL
Head of Paid Service Chief Finance Officer Monitoring Officer	COUNCIL (on recommendation of Employment Committee)	COUNCIL (on recommendation of Employment Committee following recommendation of Independent Person)	Right to make representations to Council
Chief Officer / Head of Service	Employment Committee (taking into account the advice of the Head of Paid Service)	Employment Committee	COUNCIL
Other Employees	Head of Service or Officer(s) nominated by him/her	Head of Service or Officer(s) nominated by him/her	Head of Paid Service or Officer(s) nominated by him/her