

F. Staff Employment Procedure Rules

1 General

- 1.1 The Shadow Council has limited powers in connection with the employment and designation of staff. It relies upon staff resources provided by all of the West Northamptonshire local authorities to carry out its work. These Rules must therefore be read in that context.
- 1.2 Staff within the organisation are employed, appointed, designated or engaged on behalf of the whole Shadow Council and not by parts of the organisation or individuals.
- 1.3 The employment, appointment, designation or engagement of all staff will be in compliance with the law and any policies and practices of the Shadow Council.
- 1.4 Generally (except for certain senior staff appointments) the function of the appointment and dismissal of, and taking disciplinary action against a member of staff of the Shadow Council must be discharged on behalf of the authority by the Interim/Appointed Head of Paid Service or by an Officer nominated by him/her.

2 Recruitment and Appointment of Staff

- 2.1 Subject to the provisions of these Procedures, the recruitment, designation and appointment of staff will be conducted in accordance with the law and the Shadow Council's policies and procedures.
- 2.2 Any candidate for any designation or appointment with the Shadow Council who knows that he/she is related to a Shadow Councillor or employee of the Shadow Council shall, when making their application, disclose, in writing, that relationship to the Central Implementation Team Lead Officer for Human Resources. A person who deliberately fails to disclose such a relationship shall be disqualified from designation or appointment and, if designated or appointed, shall be liable to dismissal.
- 2.3 Every Shadow Councillor and employee of the Shadow Council shall disclose to the Central Implementation Team Lead Officer for Human Resources any relationship known to him/her to exist between him/herself and any person he/she knows is a candidate for a designation or appointment by the Shadow Council.
- 2.4 Any candidate for designation or appointment who directly or indirectly seeks the support of a Shadow Councillor or officer of the Shadow Council in any designation or appointment shall be disqualified and, if designated or appointed, shall be liable to dismissal. A Shadow Councillor shall not solicit for any person in respect of any designation or appointment with the Shadow Council, but may give a written testimonial of a candidate's ability, experience or character.

- 2.5 Persons shall be deemed to be related to a candidate or officer if they are a spouse, partner (i.e. member of a couple living together) parent, parent-in-law, grandparent, child, stepchild, adopted child, grandchild, child of partner, brother, sister, uncle, aunt, nephew or niece or the spouse or partner of any of the preceding persons.
- 2.6 In the case of a dispute under paragraph 2.5 above about the status of a relationship in relation to an appointment, the Central Implementation Team Lead Officer for Human Resources will rule and such ruling will be applied.
- 2.7 The Central Implementation Team Lead Officer for Human Resources will ensure that the provisions of these Rules are reflected, as appropriate, in application forms or in any accompanying detailed procedures for each post, following advertisement.

3 Responsibility for Human Resources Matters

- 3.1 Subject to any matters reserved to the Shadow Council, the Shadow Executive Committee is responsible for the development of corporate personnel policies and for determining and monitoring such policies and for the operational implementation of those policies, including the development of practices and procedures to support those policies.

4 Responsibility of the Senior Appointments Committee

- 4.1 The responsibilities of the Senior Appointments Committee are set out in Part 3 of this Constitution.
- 4.2 Subject to the provisions of these Rules, the Committee is also responsible for hearing and determining appeals under the Shadow Council's employment-related policies, the suspension of sick pay and the review and determination of matters relating to any fixed term contracts. In determining these matters the Committee will have regard to the appropriate provisions of this procedure. The Committee may agree to discharge some of these functions through a Sub-Committee.
- 4.3 The Shadow Executive Committee Member with responsibilities for individual Departments and the associated resources is required to ensure that corporate personnel policies and procedures are applied by the Shadow Council, including training, matters relating to discipline, workforce performance management, and grievance (other than determining appeals).

5 Appointment of the Head of Paid Service

- 5.1 The appointment of the Head of Paid service is subject to specific requirements as set out below.
- 5.2 Where the Shadow Council proposes to appoint to the Head of the Paid

Service, the Senior Appointments Committee will oversee the arrangements for filling the vacancy. For this purpose the Committee shall include at least one member of the Shadow Executive Committee in its membership.

- 5.3 The Senior Appointments Committee shall:
- (a) draw up a statement specifying the duties of the officer concerned and any qualifications or guidelines 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;
 - (c) make arrangements for a copy of the statement mentioned above to be sent to any person on request;
 - (d) where a post has been advertised as required above, the Committee will select from the applications a short list of qualified candidates and will then interview those included in the short list.
- 5.4 Following the interview of candidates, the Committee will come to a view as to the most suitable person for the position.
- 5.5 The Committee must advise the Central Implementation Team Lead Officer for Human Resources of:
- (a) the name of the person in question; and
 - (b) any other particulars which the Committee consider are relevant to the appointment.
- 5.6 Within two clear working days of receiving the notification in paragraph 5.5 above, the Central Implementation Team Lead Officer for Human Resources will notify each member of the Shadow Executive Committee of:
- (a) the information notified under paragraph 5.5 above; and
 - (b) the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Shadow Executive Committee to the Central Implementation Team Lead Officer for Human Resources; such period shall not exceed five clear working days.
- 5.7 An offer of appointment must wait until:
- (a) the Leader has, within the period of the notice under paragraph 5.6 above, notified the Committee through the Central Implementation Team Lead Officer for Human Resources that neither he/she nor any member of the Shadow Executive Committee has any objection to the making of the offer; or

- (b) the Central Implementation Team Lead Officer for Human Resources has notified the Committee that no objections have been received by him/her within the period of the notice under paragraph 5.6 above; or
- (c) the Committee is satisfied that any objection received from the Leader within the notice period is not material or is not well founded. In this regard, where necessary, the advice of the Interim/Appointed Monitoring Officer should be sought.

5.8 Where following the above procedure there are no objections to the proposed appointment or any objections are not up-held, the Committee will recommend that person for appointment at the next meeting of the full Shadow Council or at a specially convened meeting of the Shadow Council. If the Shadow Council approve the recommendation, then a formal offer of appointment can be made.

5.9 Where following the interviews the Committee are of the view that there is no suitable candidate, it will re-advertise the post.

5.10 Where the Shadow Council do not approve the recommendation of the Committee, it shall indicate how it wishes to proceed.

6 Appointment/dismissal of Interim/Appointed Head of Paid Service, Statutory Chief Officers, Non-Statutory Chief Officers and Deputy Chief Officers

The requirements of the Local Authorities (Standing Orders) (England) Regulations 2001 (“the Regulations”) will be followed in respect of those posts which fall within the definitions of Head of Paid Service, Statutory Chief Officer, Non-Statutory Chief Officer and Deputy Chief Officer.

7 Appointments/dismissal of other officers

Where any appointments are made to positions other than those referred to in paragraph 6 above, or where such persons are dismissed, these shall be the responsibility of the Head of Paid Service, or another Officer to whom he/she has delegated that responsibility.