

Draft Officer Employment Procedure Rules

1. Recruitment and appointment

(a) Declarations

- (i) The Authority 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 Member or officer of the Authority; 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 Fire Officer or an officer nominated by him/her.

(b) Seeking support for appointment.

- (i) The Authority will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the Authority. The content of this paragraph will be included in any recruitment information.
- (ii) No Member will seek support for any person for any appointment with the Authority.

2. Appointments to be advertised

Where the Authority proposes to employ any officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Authority 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 (a) to be sent to any person on request.

3. Appointment of certain officers

- 3.1 The full Authority shall approve the appointment of the Chief Fire Officer/Chief Executive (Head of Paid Service), following the recommendation of such an appointment by a committee, before an offer of appointment is made to him/her.
- 3.2 The appointment of the Deputy Chief Fire Officer, Treasurer and Monitoring Officer shall be made by the Appointments Committee (provided that this shall not preclude the Chief Fire Officer from temporarily designating any officer as Deputy Chief Fire Officer in accordance with the needs of the Service).

4. Other appointments

(a) Officers

Appointment of officers other than those mentioned in paragraph 3.1 above (other than assistants to political groups) is the responsibility of the Head of the Paid Service or his/her nominee, and may not be made by Members of the Authority.

(b) Assistants to political groups.

Appointment of an assistant (if any) to a political group shall be made in accordance with the wishes of that political group.

5. Disciplinary action

- a) Disciplinary action means any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the Authority be recorded on the Officer's personal file, and includes proposals for dismissal for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed terms unless the Authority has undertaken to renew such a contract.
- b) Members of the Authority will not be involved in the disciplinary action against any officer other than the Chief Fire Officer/Chief Executive, Deputy Chief Fire Officer, Treasurer and Monitoring Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Authority'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.

7. Dismissal

- (a) Members of the Authority will not be involved in the dismissal of any officer other than the Chief Fire Officer/Chief Executive, Deputy Chief Fire Officer, Treasurer and Monitoring Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Authority's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.
- (b) Subject to 7(c), disciplinary action against and dismissal of the Chief Fire Officer/Chief Executive, Deputy Chief Fire Officer, Treasurer and Monitoring Officer shall be the responsibility of the Discipline Panel. The appropriate line manager of the officer concerned or the Panel may suspend that officer pending any appropriate investigations or hearings. The Chief Fire Officer/Chief Executive may only be suspended in accordance with Standing Order 9.6(1) (Urgent Decisions Procedure) and as though references therein to the Chief Fire Officer were a reference to the Monitoring Officer.
- (c) No notice of dismissal shall be given to the Chief Fire Officer/Chief Executive, Deputy Chief Fire Officer, Treasurer or Monitoring Officer unless the dismissal is first approved by a meeting of full Authority and the procedure set out in 7(d)-(e) is complied with.

- (d) A Discipline Panel will be established which will include two Independent Persons as full voting members of that Panel. 'Independent Persons' are those appointed by the Authority under Section 28(7) of the Localism Act 2011 and their remuneration, allowances or fees for the membership of the Panel must not exceed that payable in respect of their role under that section.
- (e) The Discipline Panel must be appointed at least 20 working days before the Authority meeting which is to consider whether or not to approve a proposal to dismiss the officers referred to in 7(c). Before the taking of a vote at such an Authority meeting on whether or not to approve such a dismissal, the Authority should take in to account:
- i) any advice, views or recommendations of the Discipline Panel;
 - ii) the conclusions of any investigations into the proposed dismissal; and
 - iii) representations from the relevant officer.