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REPORT TO:	FINANCE & MANAGEMENT COMMITTEE	AGENDA ITEM:
DATE OF MEETING:	29 <sup>TH</sup> APRIL 2004	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	DAVID CLAMP (EXT 5729)	DOC:
SUBJECT:	SENIOR OFFICER APPOINTMENTS PROCEDURE	REF: DC1
WARD(S) AFFECTED:	NONE	TERMS OF REFERENCE: FM05

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### **1.0 Recommendations**

- 1.1 That the Committee approves the procedure outlined in appendix A that will be followed for any appointments to posts of Divisional Managers (proposed under the senior management restructure that these posts be retitled Heads of Service), Directors or the Head of Paid Service.
- 1.2 That the existing practice of delegating appointments below this level i.e. Heads of Service (see above), to officers should continue.

### **2.0 Purpose of Report**

2.1 The purpose of this report is to

- outline the roles of Members involved in the appointment of senior officers
- provide a recruitment procedure that reflects the Council's existing Policy
- takes into account The Local Authorities (Standing Orders) (England) Regulations 2001
- promotes best practice and consistency with appointments
- enables adherence to the Council's Equal Opportunity Policy

### **3.0 Detail**

- 3.1 The Local Authorities (Standing Orders) (England) Regulations came into force in November 2001. They were designed to achieve a number of policy aims and provide clarity on the involvement of Elected Members in the appointment and dismissal of Senior Officers
- 3.2 Under the Regulations, councillors may take part in the appointment, dismissal or disciplinary action in respect of;
  - The Head of Paid Service
  - Statutory Chief Officers (S151 Finance Officer)

- Non-statutory chief officers (who report direct to Head of Paid Service or to the council) – Members of Corporate Management Team for the Council and the Monitoring Officer
- Deputy Chief Officers (officers who report direct to a chief officer) – Divisional Managers for the Council
- Political assistants – none at the Council
- Mayor's Assistant – none at the Council

- 3.3 The Regulations provide that the appointment should be undertaken by a Council Committee currently Finance and Management or appointed sub-committee. For the Head of Paid Service this should be undertaken by the Full Council or appointed sub-committee.
- 3.4 The Regulations enable members of the Finance and Management Committee to raise objections against senior officer appointments only on the grounds that they are material and well founded. Following an appointment, every member of the Committee will be notified of the proposal and given 3 days to respond.
- 3.5 Notification of an offer will then only be made where the Chair of the Committee has confirmed that no objections has been raised or where objections have been raised, the Chair is satisfied that they are not material or well founded. It is advised that the Committee's right under these Regulations are merely to make representations. It does not provide a right to change a decision to appoint.
- 3.6 For an objection to be valid it must be both material and well founded. This is intended to apply such that any matter raised is based clearly on facts and not suspicion or hearsay. It must also be material to the process followed and the post involved and duties required to be undertaken.
- 3.7 The appropriate Council Committee – Finance and Management at present or Full Council for the Head of Paid Service, should formally record all Senior Officer appointments. It should include a note to confirm the existence or not of any objections raised and the decision taken.
- 3.8 It is noted that different arrangements would apply for an appointment to the post of Head of Paid Service – see appendix A.

#### **4.0 Financial Implications**

- 4.1 None arising directly from the report

#### **5.0 Corporate Implications**

- 5.1 The revised procedure will form part of the Councils recruitment process and the Officer employment procedure rules for Senior Officer appointments.

#### **6.0 Community Implications**

- 6.1 None

#### **7.0 Conclusions**

- 7.1 Compliance with the Regulations will ensure consistency and transparency with the recruitment of Senior Officers.

- 7.2 This procedure will also clarify the role of Elected Members and their rights of representations.

## **8.0 Background Papers**

8.1 Councils Recruitment and Selection Procedure

8.2 The Local Authorities (Standing Orders) (England) Regulations 2001.

