

**SOUTH DERBYSHIRE DISTRICT COUNCIL**

**SENIOR OFFICER APPOINTMENTS PROCEDURE**

**Scope**

This procedure relates to the appointment of Senior Officers, namely Head of Paid Service, Corporate Directors and Heads of Service.

**Legislative Background**

The appointment to these positions is covered by the provisions of The Local Authorities (Standing Orders) (England) Regulations 2001 SI No. 3384. The Regulations provide that:

- Members may only be involved in the appointment of senior officers.
- Members will have the opportunity to raise objections to the decision about the appointments.
- All appointments of staff below the level of Heads of Service should be conducted at officer level.
- The appointment of the Head of Paid Service will require a decision by Full Council.

**Procedure**

1. When the need arises for the Council to appoint a Head of Paid Service, Corporate Director or Head of Service, the Council should appoint a Recruitment and Selection Panel of Elected Members. The Panel will consist of five members. The members will be chosen from the Finance and Management Committee together with the Chair or Deputy Chair of the employing committee. At least one member of the Panel should be a representative of the minority party to ensure political balance. The Panel will also include appropriate Officers who will be asked for their comments before a decision is made but who will not have voting rights on any decision.
2. The authority to delegate the appointment to a Panel should be sought in the case of :
  - ◆ Head of Paid Service, from Full Council;
  - ◆ Corporate Directors and Heads of Service, from the Finance and Management Committee.

3. The report to Full Council, or Finance and Management Committee should seek approval for:

- ◆ Filling the vacancy
- ◆ The size and composition of the Panel (including political balance) and including the authority to make substitute arrangements if required.

4. The Head of Human Resources will prepare a timetable for the recruitment process and the Head of Legal and Democratic Service will then confirm the timetable with the Elected Members of the Panel. This should include dates for shortlisting applications, interview dates and, in the case of Head of Paid Service, the date when the recommendation for appointment will go before Full Council for approval.

The Panel at its first meeting will agree;

- ◆ Procedures for shortlisting
- ◆ The selection procedure, criteria and methods of assessment.
- ◆ Procedures for making an appointment (including dates for interviews & assessment centre).
- ◆ Establishing the convention for making appointments (see paragraph 8). This would normally be a majority vote of the members of the Panel. Officers would attend in an advisory capacity only.

5. The Officers advising the panel will be responsible for determining the recruitment campaign in line with the availability of the Panel; drafting recruitment material to include advert, job description and person specification and all other related recruitment material.

6. Where a post has been advertised the Panel shall agree a shortlist of applicants based on the criteria outlined in the person specification and completed in line with the agreed timetable. The Panel, acting under delegated powers, should agree the final shortlist of candidates. All Elected Members, in the appointment for Head of Paid Service, and in all other cases the other members of the Finance and Management Committee, should be informed, in writing, that the shortlisting has taken place and provided with an opportunity to view all shortlisted applications. Time will have been allocated for this within the previously agreed timescale.

7. The Panel will have been delegated the responsibility for appointment. However any decision made regarding the appointment of a Head of Paid Service, has to be approved by Full Council.

8. Minutes of the meetings should be prepared and included in the Council Minute Book including noting whether an appointment has been made.

9. All meetings of the Panel should be arranged by the Head of Legal and Democratic Services.

## **PROCESS**

### **Selection Panel**

<b>Post</b>	<b>Panel Members (5) plus Advisors</b>	<b>Members able to raise objections</b>
Head of Paid Service	Members from the Council, Head of HR & independent support if appropriate.	All Members of the Council
Corporate Directors	Members from Finance & Management Committee, Chair of appropriate Committee, Head of Paid Service and Head of HR.	All members of Finance and Management Committee
Heads of Service	Members from Finance & Management Cttee, Chair of appropriate Committee, Head of Paid Service, Corporate Director and Head of HR.	All members of Finance and Management Committee

#### **1. Shortlist**

The proposed shortlist of candidates will be produced by the Officers acting as advisors to the Panel. This will be completed in line with the Councils Recruitment and Selection Procedure and Equal Opportunities Policy. The proposed shortlist will be presented by the Officers to a meeting of the Panel for approval. All applications received will be made available to the Panel.

In addition the selection process and methods of assessment will also be submitted for approval to the Panel.

#### **2. Invitation to Interview**

The agreed list of candidates will then be invited to attend a two-day selection process, by the Head of Human Resources. This will include outlining any tests that will be undertaken and, if appropriate, any supporting documentation that will be required. If the candidate is required to submit a report and/or prepare a presentation, they should be informed of the subject matter at the time of invitation to interview.

*Note- this may include informing candidates that progression to the second stage of the process will be dependent on their performance at the initial assessment centre.*

#### **3. Interview Questions**

A structured interview format will be used at the second stage of the selection process. The appropriate Officers will propose a list of standard questions based on the competencies outlined in the person specification. These should be agreed ahead of the meeting but, by the very latest, on the first day of the selection process.

The Panel will share questions with any member able to ask supplementary questions relevant to the main question, where appropriate. It is important to remember that consistency within each interview is required to enable a fair assessment of all candidates.

#### **4. Papers for the Panel.**

All members of the Panel will be provided with application forms and all associated papers for each of the candidates prior to the selection event. This will be provided by the Head of Legal and Democratic Services within the agreed timescales.

#### **5. Selection Day One – Assessment Centre**

Candidates will receive a presentation about SDDC and the post and will be given the opportunity to ask questions. This presentation should be made by either the Head of Paid Service, or appropriate member of the Corporate Management Team, supported by the Head of Human Resources. For Head of Paid Service appointments this would normally be undertaken by the Chair of the Panel, the Head of Human Resources or independent advisor if being used.

Candidates will then take part in a range of exercises relevant to the service and the post for which they have applied. These may include in-tray exercises, observed group exercise, technical assessment and report writing. The assessment of observed exercises will be undertaken by the Head of Paid Service and/or Corporate Director and the Head of Human Resources. Additional members of the Corporate Management Team and any independent advisors may be included as observers, if required. Each exercise should be scored individually and the results recorded.

The scores of all exercises will then be considered by the Panel, who will then determine the final shortlist of candidates to progress forward to the second day.

Any Officers present will be asked for their views and comments, prior to the final shortlist being agreed, but will not take part in decision making.

The Head of Paid Service and/or Corporate Director will inform the shortlisted candidates and also those who have been unsuccessful on this occasion. The Head of Human Resources should also be present.

#### **6. Selection Day – Formal Interview**

Selected candidates will be interviewed separately by the Panel in accordance with the agreed framework.

The Panel may require the candidate, at the start of the interview, to make a presentation. This should have been requested in line with the agreed schedule and assessment criteria, and notified to the candidate at invitation to interview.

Each Member on the Panel will individually score the candidates presentation and answers to questions that are asked.

After all the candidates have been interviewed, the Officers on the Panel will be asked to give their comments on the candidates and their performance.

Members of the Panel will debate each candidate and the successful candidate will be determined on a majority decision. Officers will only advise on procedural and employment related matters, the Panel of Members will determine the candidate to be appointed. At this point, any available reference of the chosen candidate will be made known to the Panel.

Following the selection, and determination of offer (including salary and terms and conditions), either the Chair of the Panel, or a nominated Officer will provisionally offer the successful candidate the post. This provisional offer should be in writing and explain that the offer is subject to approval by:

- i) In the case of Head of Paid Service – Full Council
- ii) In the case of Corporate Directors - Finance and Management Committee
- iii) In the case of Heads of Service – Finance and Management Committee.

### **The Appointment**

Before an appointment is confirmed, the following must be done.

- i. The Head of Legal and Democratic Services will notify all Members of the Council (Head of Paid Service appointments), or Members of the Finance and Management Committee for the other appointments, of the decision taken. These Members will be given a maximum of three working days in which to raise any objections to the decision taken.  
If no objections are raised, or the Chair of the Panel considers that they are not material or well founded, the appointment will continue as set out below.  
If an objection is considered to be material and well founded then this would be further discussed with the Panel and a decision will be taken on whether the appointment can continue.
- ii. The Head of Human Resources will take up employment references, which will include one from the current or most recent employer.
- iii. The Head of Human Resources will obtain available start dates from the candidate.
- iv. Occupational Health Forms will be issued and medical clearance sort.
- v. A "CRB" check should be sent for, if appropriate.

- vi. Upon receipt of the information, satisfactory employment references, medical and CRB clearance, contract documentation and the Council's 'Welcome Pack' will be forwarded to the successful candidate.

## **7. Induction**

The induction will be conducted by an appropriate Officer and will follow the Council's standard Induction programme.

It is expected that the appointed Candidate will meet with appropriate Elected Members and Senior Officers during the first week of their induction.

An initial work plan including development actions will be drafted for the appointee and monitored as part of their probation period. Any issues being addressed as part of the review process.

## **8. Role of the HR Department**

- Will confirm administrative arrangements for the preparation and supply of application packs to prospective candidates.
- Will arrange any assessment centre and will organise the supply of occupational testing materials that may be required.
- Upon selection of the successful candidate, and following any appropriate approval being granted, the HR Department will co-ordinate the sending and receipt of required checks and any contract documentation.
- The Head of Human Resources, or representative, will take part in the selection process as stated in this procedure.

## **9. Role of Legal and Democratic Services Department**

- Arrange all meetings of the Panel.
- Circulate all papers ahead of the meeting in accordance with the agreed timescales.
- **Formally record the decision taken by the Panel based on information provided by the Officer acting as an advisor to the Panel.**
- Arrange and book appropriate venues for the assessment centre and interview.
- Provide refreshments, including food, as required.

## Guidance Notes

1. Section 101 of the Local Government Act 1972 sets the basis for all decision making by a Local Authority. (The appointment of a Senior Officer is a 'decision' for the purposes of the Act). The Section provides that a Local Authority can only discharge its functions through the authority itself, a Committee or Sub-Committee, a Joint Committee or through another Local Authority, or through an Officer acting under delegated powers.
2. Having established, therefore, that a Senior Officer appointment must be made in accordance with the above provisions, it is necessary to consider the implications for the Local Government (Access to Information) Act 1985. This made fundamental changes to the rights of the public and press to attend meetings and to have access to documents. All agendas and reports submitted to a Local Authority meeting need to meet the provisions of the Act, specifically to ensure that the exempt provisions are in place to exclude public and press from the interview process.
3. The next significant piece of legislation is Part 1 of the Local Government and Housing Act 1989, which introduced new provisions with respect of Members, Officers and other staff and the procedures of Local Authorities.
4. Section 8 of the 1989 Act authorises the Secretary of State to require Local Authorities to adopt standing orders relating to their staff.
5. The Local Authorities (Standing Order) Regulations 1993 (Statutory Instrument 1993 No. 202), which were issued under this new power require Local Authorities, amongst other things, to make standing orders relating to the appointment of Senior Officers.
6. The regulations provide that these standing orders shall be adopted not later than the first ordinary meeting of the Authority falling on the day on which the regulations came into force, i.e. 1<sup>st</sup> April 1993.
7. 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.

