

STAFFING & RECRUITMENT RESPONSIBILITIES

Appointments and Restructures



This report sets out the responsibilities for appointment of staff and staffing organisation/structures within the Council. Other than very specific functions in respect of Chief Officers (dismissal and approval) and where the Head of Paid Service considers the need to report to Council on defined matters, staffing responsibilities rest with the Head of Paid Service.

Appointment of HOPS/S151/MO

This solely applies to the Head of Paid Service (HOPS), Monitoring Officer and Chief Finance Officer (S151) as their appointment may only be made by full Council.

COAP only has responsibility for “undertaking the selection, appointment and dismissal processes for any staff where so required by law”.

| Steps (in order) | Responsible Officer / body | Comments |
|--|----------------------------|--|
| Draw up the Person Specification and Job Description (Chief Officer) | HOPS or delegate | Scheme of Delegation Employment Standing Orders COAP Terms of Reference Falls to HOPS as not reserved to Council or COAP and not prohibited from being HOPS in law. |
| Made arrangements for the post to be advertised | HOPS or delegate | Scheme of Delegation Employment Standing Orders COAP Terms of Reference Falls to HOPS as not reserved to Council or COAP and not prohibited from being HOPS in law. |
| Shortlisting | HOPS or delegate | Scheme of Delegation Employment Standing Orders COAP Terms of Reference Falls to HOPS as not reserved to Council or COAP and not prohibited from being HOPS in law. |

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| Interviewing of shortlisted candidates | Officers & COAP | There is no legal requirement as to who 'interviews' but final selection for appointment must be by recommendation of COAP – therefore there is an interview process culminating in COAP forming its recommendation. |
| Selection of preferred candidate and formalising offer to be recommended and made to candidate | COAP | s112 LGA 72 (setting terms of appointment) is delegated to COAP for Chief Officers |
| Notify Candidate to Cabinet (including terms) | Service Director for Human Resources and Organisational Development | Required in law (Sched. 1 of The Local Authorities (Standing Orders) (England) Regulations 2001) Appointment of Proper Officers |
| Recommendation of Candidate to Council (including terms) | COAP's recommendation via report to full Council | Required in law (Sched. 1 of The Local Authorities (Standing Orders) (England) Regulations 2001) |
| Appointment confirmation (including terms) | Full Council | Required to be Full Council (Sched. 1 of The Local Authorities (Standing Orders) (England) Regulations 2001) |

Appointment of all other Chief Officers & Deputy Chief officers

Chief Officers for these purposes are:

1. The statutory Director of Children's Services
2. The statutory Director of Public Health
3. The statutory director of social services
4. Posts that (not included above) directly responsible to the HOPS
 - a. Strategic Director for Place
 - b. Strategic Director of Customer and Corporate Services
 - c. Assistant Chief Executive

Deputy Chief Officers for these purposes as the posts that report to any Chief Officer (unless they have been included under the exemption agreed by Council) and which is not administrative in nature. This is therefore all posts at a Service Director level.

| Steps (in order) | Responsible Officer / body | Comments |
|--|-----------------------------------|--|
| Draw up the Person Specification and Job Description (chief officer) | HOPS or delegate | Scheme of Delegation Employment Standing Orders COAP Terms of Reference Falls to HOPS as not reserved to Council or COAP and not prohibited from being HOPS in law. |
| Made arrangements for the post to be advertised | HOPS or delegate | Scheme of Delegation Employment Standing Orders COAP Terms of Reference Falls to HOPS as not reserved to Council or COAP and not prohibited from being HOPS in law. |
| Shortlisting | HOPS or delegate | Scheme of Delegation Employment Standing Orders COAP Terms of Reference Falls to HOPS as not reserved to Council or COAP and not prohibited from being HOPS in law. |
| Interviewing of shortlisted candidates | COAP | There is no legal requirement as to who 'interviews' but final selection for appointment must be by COAP – therefore there is an interview |

| | | |
|--|---|---|
| | | process culminating in COAP making an appointment. |
| Selection of preferred candidate and formalising offer to be made to candidate | COAP | s112 LGA 72 (setting terms of appointment) is delegated to COAP for Chief Officers |
| Recommendation of Candidate to Cabinet | Service Director for Human Resources and Organisational Development | Required in law (Sched. 1 of The Local Authorities (Standing Orders) (England) Regulations 2001) Appointment of Proper Officers |
| Appointment confirmation | COAP | Required to be Council or a committee of it (The Local Authorities (Standing Orders) (England) Regulations 2001). Delegated to COAP. |

Appointment of all other staff:

This is a matter for the HOPS of any other officer to who they delegate (See Article 10, Scheme of Delegation and Employment Standing Orders)

Restructuring:

Other than the appointment and dismissal of Chief Officers all other staffing functions are a matter for the Head of Paid Service (HOPS). The HOPS must, where they think it is appropriate to do so, report to Full Council on any proposals concerning:

- a. The manner in which functions are discharged
- b. The number of staff required for the discharge of the functions
- c. The organisation of the Council's staff (structure)
- d. The appointment and proper management of staff.

(Local Government Housing Act 89 s4 and Art. 10 of the constitution)

Council must consider the report within 3 months of its issue. Whilst a committee could consider it before Council its formal consideration cannot be delegated. It is not a matter within the Terms of Reference of COAP.

HOPS has restructuring authority subject only to:

- Any other legal requirements e.g. separation of specific duties
- Subject to any appointment to a Chief Officer post needing to be taken in accordance with the processes outlined above
- Subject to the need to dismiss a Chief Officer, which must be done by COAP and/or Council as appropriate.
- Subject to the HOPS considering it is a matter that requires a report to be made to Council where it falls within a. to d. above.

HOPS may rearrange and restructure so as to move service areas between Chief Officers. There is no need for the HOPS to seek approval unless:

- they consider that it is appropriate to report to Council; or
- there is an need to appoint an individual to a new/unoccupied Chief Officer post; or
- there is an need to dismiss an individual form a Chief Officer post