

Body: Council

Date: 27 May 2015

Subject: Amendment to Officer Employment Procedure Rules

Report Of: Senior Head of Corporate Development and Governance

Ward(s) All

Purpose To seek approval to update the Council's Officer Employment Procedure Rules.

Recommendation: That Council approve the amended Officer Employment Procedure Rules as attached and authorise the Senior Head of Corporate Development and Governance to publish them in the Council's Constitution.

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1.0 Introduction

- 1.1 The Council's Officer Employment Procedure Rules form part of Eastbourne Borough Council's Constitution. The Rules include arrangements for the appointment and dismissal of specified senior officers, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.
- 1.2 The 2001 Regulations have recently been updated, requiring the Council to make the amendments detailed in paragraph 2.1 below no later than the first ordinary meeting of the Council falling after 11th May 2015.

2.0 Amendments to Officer Employment Procedure Rules

- 2.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 require the following changes to the Council's Officer Employment Procedure Rules:
- (i) Dismissals of the monitoring officer or chief finance officer must be approved by the authority before the notice of dismissal is given. (Previously, this requirement applied only to the proposed dismissal of the head of paid service).
 - (ii) There is no longer a requirement for a report from a designated independent person recommending disciplinary action against the head of the paid service, the monitoring officer or the chief finance officer before such action is taken. Instead, there is a new procedure for conducting dismissal hearings for such officers, which requires the Council to appoint at least two relevant independent persons to an advisory panel. Before voting on the dismissal, the

authority must take account of the panel's views, the conclusion of any investigation into the proposed dismissal and any representations from the relevant officer.

2.2 The relevant parts of the Officer Employment Procedure Rules incorporating the above changes are set out in Appendix 1, marked up to show all amendments. Following Council approval, the Monitoring Officer will arrange to publish the amended Procedure Rules in the Council's Constitution.

3.0 Consultation

3.1 No consultation has taken place, since the amendments to the Procedure Rules are a statutory requirement.

4.0 Resource Implications

4.1 None

5.0 Other Implications

5.1 None

6.0 Summary of Options

6.1 Council is invited to approve the recommendation.

7.0 Conclusion

7.1 Council is recommended to approve the amended Officer Employment Procedure Rules and to authorise the Senior Head of Corporate Development and Governance to publish the updated version as soon as possible.

Peter Finnis
Senior Head of Corporate Development and Governance

Appendices:

Appendix 1 – the relevant parts (paragraphs 7 and 8) of the Officer Employment Procedure Rules, incorporating the statutory amendments.

Background Papers:

The Background Papers used in compiling this report were as follows:

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

To inspect or obtain copies of background papers please refer to the contact officer listed above.