

Article 7 – Officers of the Council

This article sets out that the Council will have a *Head of Paid Service* who, alongside the Directors is in charge of the Council's staff (called Officers) and works with *Councillors*, especially the *Leader of the Council* to carry out the aims and objectives of the Council.

The article also sets out other senior staff posts and indicates which senior staff posts also have additional roles such as the *Monitoring Officer* and the *Section 151 Officer*. The article provides links to the functions of these three roles. All three roles exist in every district, county and unitary council.

The *Head of Paid Service* (carried out by the *Director of Corporate Resources*) is responsible for reporting to the Council on how staff are organised and deployed in the Council.

The *Monitoring Officer* is responsible for reporting the actual or potential breach of a legal requirement to the *Council Meeting* or *Cabinet* and for dealing with complaints of alleged breaches of the Code of Conduct by *Councillors*.

The *Chief Finance Officer* (carried out by the – *Head of Finance and Resources*) is responsible for reporting the actual or potential misspending of money to the *Council Meeting* or *Cabinet*.

7.1 Management structure

(a) General

The Council may employ such *Officers* as it considers necessary to carry out its functions.

(b) Senior Officers –Management Team (S)

The Council will employ persons in the following posts, jointly with Bolsover District Council, who will have the functions set out in the *Functions Scheme*:-

- (i) Joint Director of Corporate Resources
- (ii) Joint Director of Environment and Enforcement
- (iii) Heads of Service
 - Head of Corporate Governance and Monitoring Officer
 - Head of Partnerships and Transformation
 - Head of Planning
 - Head of Streetscene
 - Head of Environmental Health

In addition to the posts above the council directly employs a Director of Growth and Economic Development, and a Section 151 Officer whose responsibility relates solely to North East Derbyshire District Council.

- (c) Head of Paid Service, Monitoring Officer and Chief Finance Officer (Section 151 Officer)
- (i) The *Joint Director of Corporate Resources* will be the *Head of Paid Service*.
 - (ii) The *Head of Finance & Resources* will be the *Chief Finance Officer (also referred to as the Section 151 Officer)*.
 - (iii) The *Joint Head of Corporate Governance* will be the *Monitoring Officer*.
 - (iv) The *Head of Paid Service, Chief Finance Officer and Monitoring Officer* will have the functions set out in the *Functions Scheme*.
 - (v) The *Head of Paid Service* cannot be the *Monitoring Officer*, but may be the *Chief Finance Officer* if a qualified accountant.
 - (vi) The Council will provide the *Head of Paid Service*, the *Monitoring Officer* and the *Chief Finance Officer* with such *Officers*, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

7.3 Conduct

Officers will comply with the *Officer Code of Conduct* and the *Protocol on Officer/Member Relations*.

7.4 Employment

The recruitment, selections and dismissal of *Officers* will comply with the *Officer Employment Rules*.

7.5 JEmployment and Appeals Committee (the JEAC)

- (a) There will be an Employment and Appeals Committee four Councillors.
- (b) The membership shall comprise the Leader of the Council, the Deputy Leader, a Cabinet Member and the Leader of the Largest Minority Group or their appointed substitute. Substitutes if called upon will replace an existing Member for the duration of an employment procedure in its entirety. At its conclusion, appointment reverts to the Member originally appointed. The Members and Substitutes shall be appointed at the Annual Meeting. The rules of proportionality shall apply to this Committee.
- (c) The Employment and Appeals Committee will meet as a Committee in relation to all appointments of the Management Team which includes the Statutory Officers and other Chief Officers/Deputy Chief Officers (employed by the Council under Joint Negotiating Committee (JNC) terms and conditions).

- (d) The Joint Employment and Appeals Committee will have the roles and functions as set out in the Functions Scheme.