

**NORTH YORKSHIRE COUNTY COUNCIL**

**APPOINTMENT SELECTION COMMITTEE**

**CHIEF EXECUTIVE'S EMPLOYMENT CONTRACT**

**28 APRIL 2010**

**1.0 Purpose**

- 1.1 To outline the changes required to the Chief Executive's employment contract which will reflect the updated Joint Negotiating Committee for Local Authority Chief Executive's Handbook (2009).

**2.0 Background**

- 2.1 The Joint Negotiating Committee (JNC) have recently updated their guidance for Local Authority Chief Executive's. This includes model procedures, including guidance on the procedure to follow for disciplinary matters involving the Chief Executive and other conditions of service, such as annual leave and performance appraisal. The JNC commend the guidance and encourages it's incorporation into Chief Executives' contracts of employment.

**Summary of changes/additions to the Chief Executive's employment contract**

- 2.2 To incorporate the JNC guidance the following conditions of service require consideration for inclusion in the Chief Executive's employment contract:
- Procedure for conducting the Chief Executive's performance appraisal
  - Procedure for disciplinary matters involving the Chief Executive
  - Whole time service
  - Returning officer
  - Local terms and conditions
  - Annual leave
  - Restrictions on re-employment

**3.0 Recommended changes**

**3.1 Performance appraisal**

The Chief Executive's performance appraisal will be conducted by the leader in consultation with members of the executive and other group leaders. This will be added to the Chief Executive's contract and the constitution will be amended to reflect this.

**3.2 Disciplinary matters involving the Chief Executive**

A separate report on Disciplinary matters involving the Chief Executive is scheduled to go to the Executive on the 4 May and full Council on the 19 May and 2010.

**3.3 Whole time service**

The following statement will be added to the Chief Executive's employment contract:

The chief executive must devote his/her whole time service to the work of the council and must not engage in any other business or take up any other additional appointment without the express consent of the council. He/she shall not subordinate his/her duty as chief executive to his/her private interests or put himself/herself in a position where his/her duty and private interests conflict.

### **3.4 Returning officer**

The Chief Executive has the duties of returning officer for North Yorkshire County Council, and this will be stated in the job description. However, in practice the majority of the work is conducted on our behalf by the District Chief Executives who are appointed as deputy returning officers. For this reason, the NYCC Chief Executive does not receive a fee for the duties of returning officer.

### **3.5 Local terms and conditions**

Local terms and conditions, such as car allowance, mileage and relocation expenses will be the same as other employees on NJC terms and conditions. This statement will be included in the employment contract.

### **3.6 Annual leave**

The minimum national entitlement of 30 days plus 8 bank holidays will apply.

### **3.7 Restrictions on re-employment**

The following statement will be added to the Chief Executive's employment contract:

After termination of the Chief Executive's employment he/she:

- Will not divulge any information to any third party which is confidential to the council.
- Will not, without consent the council's, within a period of 12 months take up employment with or provide services for reward to any body:
  - a) If during the Chief Executive's last two years of employment the council have been involved in transactions with that body for which the offer of employment or provision of services could reasonably be regarded as reward.
  - b) That is likely to benefit from commercially sensitive information, which is known to the Chief Executive by virtue of his/her past employment with the council.

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