

The Chief Executive (National Park Officer)

1 Appointments

- 1.1 Where the Authority proposes to appoint a Chief Executive (National Park Officer) and it is not proposed that the appointment should be made exclusively from among the existing Officers of the Authority, it shall:
- (a) draw up a statement specifying—
 - (i) the duties of the Chief Executive (National Park Officer), and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
 - (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - (c) make arrangements for a copy of the statement mentioned in paragraph (a) above to be sent to any person on request.
- 1.2 Where a post has been advertised as provided in paragraph 1.1(b) above, the Authority (or an Appointment Committee or sub-committee of the Authority for that purpose) shall:
- (a) interview all qualified applicants for the post, or
 - (b) select a short list from amongst such qualified applicants and interview those included on the short list, or
 - (c) where no qualified person has applied or is able to be appointed, make further arrangements for re-advertisement in accordance with paragraph 1.1(b) above.
- 1.3 Every appointment of a Chief Executive (National Park Officer) shall be made by the Authority except that:
- (a) the steps taken under paragraph 1.1 or 1.2 above may be delegated by the Authority to an Appointments Committee or sub-committee of the Authority established for that purpose;
 - (b) the interview, selection and appointment of a Chief Executive (National Park Officer) may be delegated by the Authority to an Appointments Committee or sub-committee of the Authority established for that purpose, or a relevant Joint Committee.
- 1.4 Before making or adopting an appointment of a Chief Executive (National Park Officer) or assigning additional responsibilities to a person holding such an appointment, the Authority shall consult Natural England.

2 Disciplinary Action

- 2.1 No disciplinary action (within the meaning of Part II of the 1993 Regulations) in respect of the Chief Executive (National Park Officer) except action described in paragraph 2.2 below may be taken by the Authority, or by a committee, sub-committee, relevant Joint Committee or

any other person on their behalf, other than in accordance with a recommendation in a report made by a designated independent person under Regulation 3 of the 1993 Regulations.

- 2.2 The action mentioned in paragraph 2.1 above is suspension of the Chief Executive (National Park Officer) by the Authority, or in an urgent case by the Chairman or in his/her absence the Deputy Chairman on behalf of the Authority, for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

3 Investigation of Alleged Misconduct

- 3.1 Where it appears to the Authority that a complaint of misconduct involving the Chief Executive (National Park Officer) ("*the Chief Officer*") requires to be investigated, the Authority shall appoint a person ("*the designated independent person*"), being such person as may be agreed between the Authority and the Chief Officer or, in default of such agreement, appointed by the Secretary of State.

- 3.2 The designated independent person—

(a) may direct—

- (i) that the Authority terminate any suspension of the Chief Officer, or
- (ii) that any such suspension shall continue after the expiry of the period mentioned in Paragraph 2.2 above or the expiry of any period specified in any such previous direction, as the case may be, or
- (iii) that the terms on which any such suspension has taken place shall be varied in accordance with the direction;
- (iv) that no steps (whether by the Authority or any Committee, Sub-committee or Officer of theirs) towards disciplinary action or further disciplinary action against the Chief Officer, other than steps taken in the presence, or with the agreement, of the designated independent person, are to be taken before a report is made under sub-paragraph (d) below;

(b) may inspect any documents relating to the conduct of the Chief Officer which are in the possession of the Authority, or which the Authority has power to authorise him/her to inspect;

(c) may require any Officer of the Authority to answer questions concerning the conduct of the Chief Officer;

(d) shall make a report to the Authority—

- (i) stating his/her opinion as to whether (and if so, the extent to which) the evidence he/she has obtained supports any allegation of misconduct against the Chief Officer, and
- (ii) recommending any disciplinary action which appears to him/her to be appropriate for the Authority to take against the Chief Officer; and

(e) shall no later than the time at which he makes his report under sub-paragraph (d), send a copy of the report to the Chief Officer.

3.3 The Authority shall pay the remuneration of the designated independent person, and reimburse any costs and expenses incurred by him/her in or in connection with the discharge of his/her functions.