

Report of the Interim Head of Paid Service

**Update regarding the appointment of Assistant Director Housing and Community Safety**

**Summary**

1. SMU agreed in January to set up an appointment subcommittee for the recruitment to the Assistant Director (AD) Housing and Community Safety. The post holder left the authority in February 2020.
2. The recruitment process was followed and the appointment sub committee appointed a candidate who was due to start with the authority on 7 September, however as a result of changes in personal circumstances the candidate withdrew prior to commencement.
3. The sub committee appointed by SMU in January met again to consider the options available for filling the post.
4. This report provides the detail on the three options considered by the sub-committee and its recommendation.
5. This report seeks approval to:
  - Agree with the recommendations of the sub-committee to recruit to the Assistant Director Housing & Community safety but to do so on an interim basis.
  - The interim opportunity to be advertised internally only.
  - Agree that the current established Appointments Sub-Committee continue with the process. That this committee delegates sufficient powers to the Sub-Committee enabling them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

**Background**

6. The report considered by the committee on 20 January 2020 provides a lot of information as to the background to the original post.

7. At this current time the corporate management team structure is in a transitional period. The Chief Operating Officer model is being implemented, as agreed by this committee on 24 August 2020.
8. A further report is being considered by the committee today following the resignation of the Corporate Director of Health, Housing & Adults Social Care. (CD HHASC)
9. This transitional period and additional measure of the resignation of the CD HHASC has influenced the discussion and recommendation.
10. A copy of the job description is attached at Annex A

### **Options and analysis considered by the Chief Officer Appointments Sub-Committee**

#### **Option 1 – To offer the post to the second candidate**

11. If the job remains exactly the same, permanent AD, then the appointing committee can go back to the first interview process, as its within 6 months and offer to candidate number 2.
12. The panel considered this option however they felt that whilst the role is currently the same they are mindful of the SMU request for the Chief Operating officer to review the chief officer structure in coming months. In addition with the resignation of the CD HHASC, there is the proposal for this post to report into another Director post for an interim period. Due to the uncertainties the committee did it feel it appropriate to offer the next candidate as the role was not going to be exactly as advertised.

#### **Option 2**

13. The panel could consider going back out to external advertisement if they feel the time since last advert is significant enough to consider the market place again.
14. The HHR advised that due to the transitional state of the chief officers, ie the implementation of the Chief Operating Officer (COO) Model, the interim arrangements to cover the vacancy at corporate director and the planned review of chief Officers by the COO, it would not be the best time to attract candidates.

15. The panel considered this and agreed that it would not be the best time to recruit externally and for the same reasons as detailed above in paragraph 12.

### **Option 3**

16. The third option is to recruit and appoint to an Interim AD for Housing and Community Safety. This would be a new recruitment and selection process, offered internally for expression of interest. Short listing carried out against the AD job description and as a panel, interview short listed candidates. The offer would be made on the performance at that interview only.
17. It is expected that the interim position will be initially for a 3 months period and no longer than 6 months. During this time the Chief Operating Officer will propose and consult on the permanent chief officer structure.
18. The panel felt that this was the most appropriate option and enabled internal staff the opportunity for development during this interim period.
19. This approach would enable the COO in their review to identify the permanent solution and report back to SMU within the overall structure.

### **Remuneration Package**

20. Attached at Annex B are details of the pay package and Conditions of Service for the post of Assistant Director. The Committee is asked to confirm the pay package for this post which will be offered as part of the recruitment process. It is set at a job evaluated grade for Assistant Director with a salary of £73,488 to £81,643 with access to the standard set of Chief Officer Terms and Conditions. There are no other enhancements recommended for this role.

### **Appointments Committee**

21. The council's Constitution allows for an Appointments Committee, including at least one member of the Executive, to interview applicants for a post and to determine who should be offered the vacant post.
22. It is requested that the Appointments Committee shall be made up of one member from each of the main parties. The details of the process for each post will be approved by the Appointments Committee.

23. The Chief Officer appointments sub-committee, which led the last process, would like to progress with this process, if agreed by SMU committee.
24. For information the appointments sub-committee was;
  - Cllr Craghill (Chair)
  - Cllr Waller
  - Cllr Pavlovic

### **Consultation**

25. Consultation has taken place with the Corporate Management Team as to the need for this appointment. It is requested that the committee now confirm their nominations to participate in the Appointments Committee.

### **Council Plan**

26. Making an appointment to these posts will contribute to delivering the Council Plan and its priorities.

### **Implications**

27. The following implications have been considered:
  - **Financial** – The Assistant Director post is within the pay range £73.5k to £81.6k. Including on costs this totals £96.4k to £107.2k for a full year. The cost of the post and associated recruitment costs will be managed within existing departmental budgets.
  - **Human Resources (HR)** – The job description for the Assistant Director roles have been subject to the Council's established job evaluation mechanism and a grade established for the post. The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers.
  - **Equalities** - There are no equalities implications.
  - **Legal** – The Appointments Committee is created pursuant to S.102 (1)(c) of the local Government Act 1972 and its terms of reference are to exercise the functions of the Council in relation to the selection and appointment of the successful applicant in respect of the Assistant Director posts. The proceedings of the Appointments Committee are likely to be held mainly in exempt session due to the nature of the information that it will be considering.

In circumstances where the appointing committee agrees, without any member voting against, S.17 of the Local Government & Housing Act 1989 provides that the distribution of seats on a sub-committee need not comply with the political balance requirements contained in Part 1 of that Act.

The process of appointing officers of this level is regulated by the Local Authority (Standing Orders) (England) Regulations 2001. Amongst other things, these regulations require that an appointment committee must include at least one member of the Cabinet and further, that no formal offer of appointment may be made until all members of the Cabinet have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

- **Crime and Disorder** – There are not crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are no other implications.

### **Risk Management**

28. The risk of no or delayed appointment could risk delivery against the Council Plan and its priorities.

### **Recommendations**

29. It is recommended that Staffing Matters and Urgency Committee:

- Approve the filling of this post on an interim basis as recommended by the appointments sub-committee.
- The remuneration package for the Assistant Director posts at a job evaluated salary of £71,521 to £79,459.
- Establish an Appointments Sub-Committee consisting of three members, one from each main party (1 Liberal Democrat 1 Labour and 1 Green) to include a member of the Executive.
- The Appointments Sub-Committee be authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures

Reason: To allow an interim appointment to the Assistant Director posts to be made.

## Contact Details

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**Chief Officer Responsible for the report:**

Ian Floyd - Interim Head of Paid Service

**Report  
Approved**



**Date** 09/09/2020

## Specialist Implications Officer(s)

Legal: Janie Berry – Director of Governance

Finance: Patrick Looker - Finance Manager

HR: Kay Crabtree, HR Manager (Performance and Change)

## Wards Affected:

All

**For further information please contact the author of the report**

## Annex:

A. Job Description –Assistant Director

B. Conditions of Service – Assistant Director