

Report of the Assistant Director, Governance and ICT

Replacement on Appointments Panel for Chief Executive

Summary

1. At its meeting on 29 March 2016, Staffing & Urgency Committee set up and made appointments to the Appointments Panel for the Chief Executive. This report asks Members to urgently replace the current Council Leader on the Panel due to personal circumstances. The reason for the urgency being due both to those circumstances and to the impending interview date for a permanent Chief Executive of the City of York Council.

Background

2. The role of Chief Executive and Head of Paid Service in York is seen as being vital to secure continued strategic leadership of the council and the achievement our ambitions for the residents of the City. The post is also required to oversee the delivery of the Council Plan, financial strategy and take overall accountability for delivery of statutory and non statutory services
3. The Council has been operating with an Acting or Interim Chief Executive since July 2015 and to ensure organisational stability and continuity of strategic leadership and direction, recruiting a permanent postholder is essential.
4. In March this year, this Committee agreed the recruitment arrangements for a new Chief Executive, including the establishment of an Appointments Panel, in accordance with the Council's constitutional arrangements for recruiting and appointing Chief Officers.
5. The Panel currently comprises Councillors Steward (as Council Leader), Aspden (as Deputy Leader and an Executive Member) and Looker (Leader of the Main Opposition). Interviews are scheduled to take place over a 2 day period 19-20 May 2016. The final appointment of a Head of Paid Service, or Chief Executive must statutorily be made at a full Council meeting. The Appointments Panel will therefore select and recommend an appropriate appointee to Council.

Analysis

6. Due to ill health the current Leader will not now be able to take part in the interview process and sit on the Appointments Panel. As a result, this Committee needs to consider replacing Councillor Steward on it.
7. As the Appointments Panel meets shortly and interview arrangements have already been put in place, an urgent meeting of this Committee has had to be convened to agree a replacement.
8. It is therefore proposed that Councillor Carr replace Councillor Steward on the Appointments Panel for recruiting a new Chief Executive.

Consultation

9. In accordance with the usual processes for replacing appointees to Council bodies, the relevant Group have been consulted on putting forward a replacement.

Options

10. The Committee has the option either to approve or propose alternatives to the replacement proposed in this report, but one Member of the Panel at least must lawfully be an Executive Member.

Council Plan 2015-19

11. Having appropriate procedures in place to make appointments to the Council's Committees and bodies and in this case, specifically relating to the appointment of a Chief Executive contributes to ensuring the Council delivers the core priorities set out in its Council Plan, effectively.

Implications

12. There are no known implications in relation to the following in terms of dealing with the specific matters before Members:
 - Financial
 - Human Resources (HR)
 - Equalities
 - Crime and Disorder
 - Property
 - Other

Legal Implications

13. The Appointments Committee is created pursuant to S.102 (1)(c) of the Local Government Act 1972 and its terms of reference are to shortlist for, interview and recommend for appointment to the position of Head of Paid Service.

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.

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 Executive and further, that no formal offer of appointment may be made until all members of the Executive have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days). Full Council must also approve the appointment before an offer of appointment is made.

The Council is statutorily obliged to make appointments to committees, advisory committees, sub Committees and certain other prescribed bodies in accordance with the political balance rules. These rules may only be waived where no Member votes against the proposal.

Risk Management

14. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations in this report, other than the potential risk to the Panel of not being able to undertake its role adequately or proceed, if a replacement for the current Leader is not made, given his current circumstances.

Recommendations

15. Staffing Matters and Urgency Committee is asked to consider and agree to replacing Councillor Steward on the Appointments Panel for the Chief Executive, with Councillor Carr.

Reason: In order to ensure the Appointments Panel is established properly under the Council's constitutional and recruitment arrangements.

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**Chief Officer Responsible for the
report:**

Andy Docherty
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**Report
Approved**



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Specialist Implications Officers

Not applicable

Wards Affected: Not applicable

All



For further information please contact the author of the report

Background Papers

Report to Staffing & Urgency Committee – 29 March 2016 – appointment
arrangements for Chief Executive

<http://modgov.york.gov.uk/ieListDocuments.aspx?CIId=120&MIId=8795&Ver=4>

Annexes

None