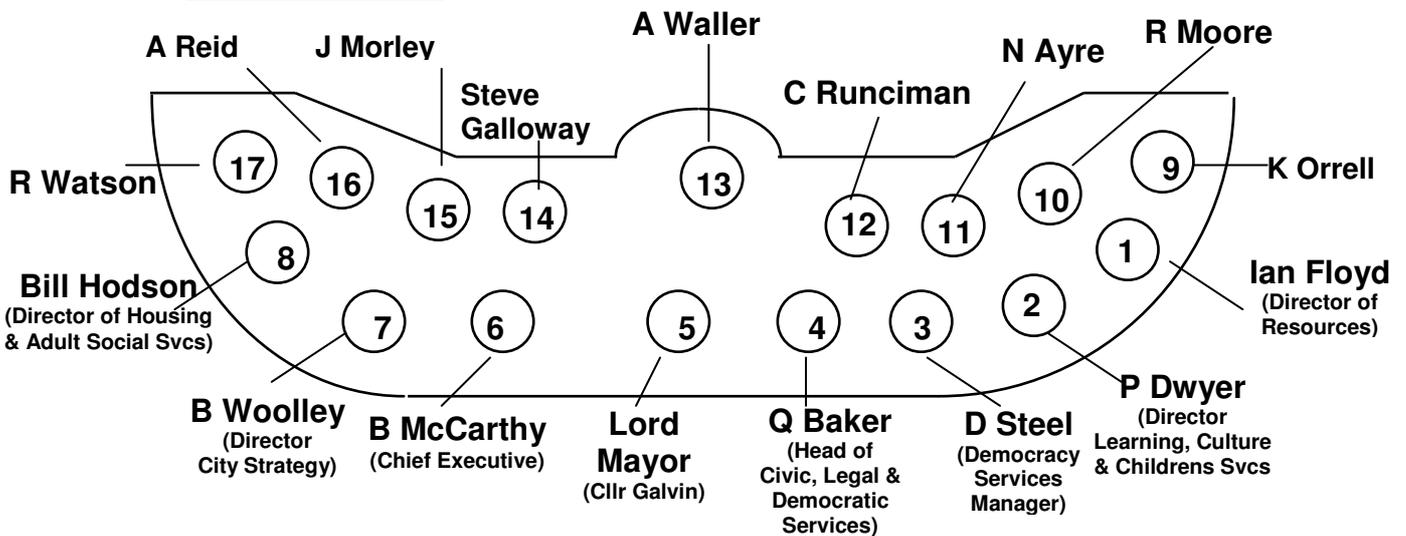
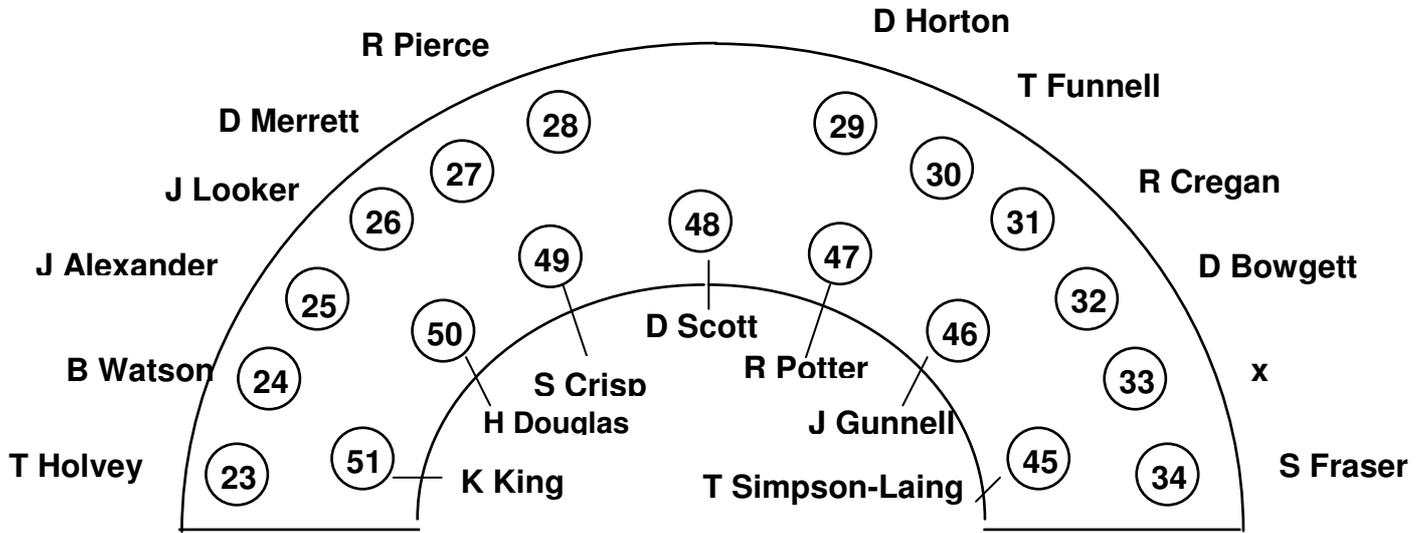


CITY OF YORK COUNCIL SUMMONS

All Councillors, relevant Council Officers and other interested parties and residents are formally invited to attend an extraordinary meeting of the **City of York Council** at the **Guildhall, York**, to consider the business contained in this agenda on the following date and time:

Wednesday, 22 July 2009 at 4.30 pm

COUNCIL CHAMBER



A G E N D A

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Exclusion of Press and Public

To consider excluding the press and public from the meeting during consideration of the report at agenda item 6 (Equal Pay Update – Executive Recommendation), on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, which is classed as exempt under paragraph 5 of Schedule 12A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Public Participation

It is at this point in the meeting that members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the remit of Council may do so. Anyone who wishes to register, or requires further information, is requested to contact the Democracy Officer for this meeting. Contact details are listed at the foot of this agenda. The deadline for registering is **5:00pm on Tuesday 21 July 2009.**

4. Ratification of Appointment of Chief Executive (Pages 1 - 8)

To consider a report which asks Council formally to ratify the appointment of a new Chief Executive, following the conclusion of the appointment process on 14 July 2009.

Note: the above report was published with this agenda on 16 July 2009.

5. Chief Executive - Interim Arrangements (Pages 9 - 12)

To consider a report which seeks Council approval for the appointment of an Acting Chief Executive, Head of Paid Service and Proper Officer for elections, pending the arrival of a permanent new post-holder.

6. Equal Pay Update - Executive Recommendation

To consider the recommendation made by the Executive at their meeting on 23 June 2009 in respect of a report on the Equal Pay Update. This recommendation was originally brought to the meeting of Full Council held on 9 July and was referred back to the next meeting of the Executive (on 21 July) with a request that they provide a report to Council explaining the basis of their recommendation.

[A printed copy of the original (exempt) report to the Executive meeting on 23 June has been circulated to Council Members with the agenda, together with the Executive's (exempt) recommendation from that meeting. The recommendation from the Executive meeting on 21 July is to follow.]

7. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer for this meeting:

Name: Fiona Young

Contact details:

- Telephone – (01904) 551027
- E-mail – fiona.young@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.



Council**22nd July 2009**

Report of the Head of Human Resources & Organisational Development

Ratification of Appointment of Chief Executive**Summary**

1. This report seeks formal ratification of the appointment of a Chief Executive.

Background

3. Article 4 of the Constitution, paragraph 1 point viii states that confirming the appointment of the Chief Executive is one of the roles and responsibilities of Council.

Consultation, Recruitment and Selection Process

4. The conditional offer of the post of Chief Executive has been made following a recruitment process which concluded with a member appointment panel on Tuesday 14th July. The member appointment panel was unanimous in its decision. Personal details of the successful candidate are included at Annex 1. The salary scale for the Chief Executive role is at Annex 2.

Options

6. There are no alternative options for Members to consider.

Analysis

7. The ratification of the appointment will allow the post to be filled permanently without delay.

Corporate Priorities

8. Ratifying the appointment of the Chief Executive is essential to our Corporate Priorities relating to improving organisational effectiveness:
 - Improve our focus on the needs of customers and residents in designing and providing services;
 - Improve leadership at all levels to provide clear, consistent direction to the organisation;

- Improve the way the Council and its partners work together to deliver better services for the people who live in York;
- Improve efficiency and reduce waste to free-up more resources.

Implications

9. The following implications have been considered:

- **Financial** – The Council will bear the cost of this post within current resource.
- **Human Resources (HR)** – The ratification of the post is in line with the constitutional requirements.
- **Equalities** – There are no equalities implications.
- **Legal** – The Local Authorities (Standing Orders) Regulations 2001 stipulate the procedure to be adopted in the selection and appointment of the authority's Chief Executive. These regulations include the requirement that the offer of appointment be ratified by Full Council before it is conveyed to the selected candidate.
- **Crime and Disorder** – There are no 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

10. There are no known risks associated with the recommendations of this report.

Recommendations

11. Members are asked to agree:

- That the offer of the post of Chief Executive be ratified.
- Reason: To enable the Council to operate effectively, and to avoid any further delay.

Contact Details

Author:
Angela Wilkinson
Head of HR & OD

Chief Officer Responsible for the report:
Angela Wilkinson
Head of HR & OD

Report Approved Date 15th July 2009

Specialist Implications Officer(s)

Legal: Quentin Baker, Head of Civic, Democratic & Legal Services
Finance: Patrick Looker, Finance Manager

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None.

Annexes

Annex 1 – Details of successful candidate

Annex 2 – Salary scale for Chief Executive

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Annex 1

Details of the successful candidate.

Name:	Kersten England
Current role:	Group Director Safer and Stronger Communities; Calderdale Council
Current Salary:	£111,000
Proposed Salary upon appointment:	£130,000

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Annex 2

Salary scale for Chief Executive

5 point scale with increments £3,750 apart as follows:

- 130,000
- 133,750
- 137,500
- 141,250
- 145,000

A performance element is applied to the salary scale with 50% of each increment point being reserved for achievement of objectives.

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Full Council**22 July 2009****Report of the Head of Human Resources and Organisational Development****Chief Executive – Interim Arrangements****Summary**

1. The current Chief Executive and Head of Paid Service leaves the Council's employ on 16 August 2009. The post holder is also the Electoral Registration Officer and Returning Officer for the City of York. This report seeks Council approval for the appointment of an Acting Chief Executive, Head of Paid Service and Proper Officer for elections, pending the arrival of a permanent new postholder. It also seeks approval to put in place related backfill arrangements.

Background

2. The Council is currently recruiting a new Chief Executive. The final selection process is due to take place on 13 and 14 July. If Council decides to make an appointment it is likely that the successful candidate will need to give notice of up to three months. This means that the earliest a permanent postholder could take up post is likely to be mid/late October 2009.
3. It is a statutory requirement that the Council has a Head of Paid Service, Electoral Registration Officer and Returning Officer. At City of York Council, as is usual, these functions are combined with that of Chief Executive. To meet the legal obligations it is therefore proposed to appoint an Acting Chief Executive, Head of Paid Service and Proper Officer for elections from 17 August 2009 until such time as a permanent postholder takes up post.

Consultation

4. Appropriate consultation on interim management arrangements has taken place.

Options

5. Two options for interim arrangements were considered:
 - 5.1 to recruit an appropriately qualified external consultant to act as Chief Executive and Head of Paid Service for the interim period.
 - 5.2 an internal acting up arrangement. Expressions of interest can be sought from existing staff within an appropriate ringfenced pool. Officers recommend that the most appropriate ringfence should be the current Deputy Chief Executive (who is also the Director of City Strategy).

Analysis of the options

- 5.3 Option 1. This was discounted because it would not provide continuity of leadership and could not be justified in terms of cost when an internal appointment was possible.
- 5.4 Option 2. The Deputy Chief Executive is well placed to discharge the responsibilities of Chief Executive and to provide stability and continuity of leadership in the interim period.
- 5.5 The recommended option is to appoint the Council's Deputy Chief Executive/Director of City Strategy as Acting Chief Executive and Head of Paid Service for the interim period

Corporate Priorities

- 6. Appointment of a suitable internal candidate would ensure the necessary continuity, focus and momentum for delivery of corporate priorities.

Implications

- 7. The following implications have been considered:

7.1 Financial

The current salary range for the Chief Executive is £130,000 – £145,000 per annum. It is proposed that an Acting Chief Executive be appointed at the bottom of the salary range, at £130,000 per annum. On the assumption that the acting arrangements would be in place for 3 months, this would generate a saving of £4,350 compared with the current salary costs for the Chief Executive.

Backfilling arrangements in City Strategy would also have financial implications. Proposals would be brought forward by the Director in consultation with the Executive Member for City Strategy and on the understanding that any costs must be contained within existing budgets.

7.2 Human Resources

Appointing the Director of City Strategy as Acting Chief Executive and Head of Paid Service would require backfilling arrangements to be put in place within City Strategy, subject to HR policy and appropriate member approval.

7.3 Equalities

These arrangements are in accordance with the Council's employment policies and practices.

7.4 Legal

There is no legal requirement for the Council to appoint a Chief Executive but there is a legal requirement to appoint a Head of Paid Service, Electoral Registration Officer and Returning Officer. The Local Authority (Standing Orders)(England) Regulations 2001 require that the appointment of the Head of Paid Service is made by full Council.

7.5 Crime and Disorder

There are no crime and disorder implications.

7.6 Information Technology (IT)
There are no IT implications.

7.7 Property
There are no property implications.

7.8 Other
There are no other implications.

Risk Management

8. There are no known risks associated with the recommendations of this report.

Recommendations

9. It is recommended that Council:

9.1 appoints the Director of City Strategy as Acting Chief Executive and Head of Paid Service from 17 August 2009 until such time as a permanent postholder takes up post;

9.2 appoints the Acting Chief Executive and Head of Paid Service on a salary of £130,000 per year;

9.3 subject to approval of 9.1 above, appoints the Acting Chief Executive as Electoral Registration Officer and Returning Officer for the City of York;

9.4 authorises the Director of City Strategy, in consultation with the Executive Member for City Strategy, to put in place any necessary backfilling arrangements within the Directorate, subject to HR policy, appropriate member approval and any costs arising being managed within existing budgets.

Contact Details

Author:
Angela Wilkinson

Chief Officer Responsible for the report:
Angela Wilkinson

Report Approved Date Insert Date

Report Approved Date Insert Date

Specialist Implications Officer(s)
Human Resources and Equalities: Angela Wilkinson, Head of HR & OD
Legal: Glen McCusker, Senior Solicitor
Finance: Patrick Looker, Finance Manager

Wards Affected:

All

For further information please contact the author of the report

Background Papers:
None.