

Report of the Chief Executive

**Appointments of Sub-Committee for appointments of Assistant Directors**

**Summary**

1. There are 12 Assistant Director Posts on our establishment and three of these posts are currently vacant, this paper makes proposals to permanently recruit to two and temporarily fill one of these three vacancies.
2. This report seeks formal approval to establish an Appointments Sub-Committee for Chief Officer Appointments and to delegate sufficient powers to those Sub-Committees to enable them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

**Background**

**Remuneration Package**

3. Attached at Annex A 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 which is set at a job evaluated grade for Assistant Director with a salary of £66,068 to £73,401 with access to the standard set of Chief Officer Terms and conditions. There are no other enhancements recommended for these roles.

**Chief Officer posts**

4. In a report to Cabinet on the 6<sup>th</sup> December 2011 it was reported that between 2009 and 2011 senior management posts in the authority had been reduced by 33% at Director Level, 24% at Assistant Director Level and 10% at grades 10-12, achieving a permanent annual saving of £2.293 million per annum. There was a further planned reduction of an Assistant Director post in 2012. Meaning that in 2012 there were 13 Assistant Director's working with the four Directors.

5. Since 2012 there has been further reduction of an Assistant Director Post in City and Environmental Services and there are now a total of 12 Assistant Director Posts.
6. Following the departure in March 2013 of the Director of Adults, Children's and Education Services, an interim arrangement pending a permanent Director was put in place which created an Interim Director of Education, Skills and Children's Services and the post of **Assistant Director Facilities Management, School and Children's Strategy and Planning** has been held vacant since this date.
7. The post of **Assistant Director Education and Skills** has been filled on an interim basis since the substantive post holder left the Council in August 2013.
8. The post of **Assistant Director Transport, Highways and Waste** was created in February 2013 when a report outlining the proposals for the restructure of the City and Environmental Services Directorate was approved by Cabinet. The new structure comprises of two Assistant Director Posts a reduction of one post from the old structure.
9. The Council's Management of Change guidelines for Reorganisation and Redundancies were followed and following an assimilation exercise and redeployment selection process for the new Assistant Director posts an appointment was made subject to a work trial. Following an assessment period the post holder was unable to demonstrate they met the required skills, knowledge and experience to undertake the requirements of the new Assistant Director post and the trial period was terminated leaving the post currently vacant.
10. A report to Cabinet on 1<sup>st</sup> October 2013 gave details of how the council will respond to the feedback it has received from the Local Government Association (LGA) Peer Review, Big York Survey and its Staff Survey and how it will achieve its medium term strategic objectives and financial challenges. The report set out the key objectives of a transformation programme, supported by a transformation team with sufficient capacity to deliver the amount of change required.
11. Given the scale and complexity of transformation and change to be delivered and the significant reduction in capacity at Assistant Director level already achieved since 2009, it is proposed that appointments to all three vacant Assistant posts is required as follows;

### **Assistant Director School Improvement**

12. The role holds responsibility for school improvement and the achievement of Young people in the city. It is a time of significant national policy change and changing relationships between the Local Authority and schools this post cannot be left vacant.
13. It is proposed to fill on a permanent basis the existing substantive post which is currently being covered on an interim basis.

### **Assistant Director Transport, Highways and Waste**

14. This role is crucial to the continuation of the delivery of transformation in the City and Environmental Services Directorate as well as accountability for the achievement of significant budget reductions.
15. It is proposed to fill the existing substantive post. It is likely that to attract a candidate with the right knowledge and skills the post will need to be advertised nationally and external recruitment consultancy support may be necessary.

### **Interim Assistant Director Transformation and Change**

16. To ensure there is sufficient senior level capacity and accountability in the transformation team it is proposed to create an interim Assistant Director for Transformation and Change. The post would be for a two year duration.
17. A new job description for this role has been drafted and evaluated and can be found at Annex C.
18. The post would be funded by continuing to hold the post of Assistant Director Facilities Management, School and Children's Strategy and Planning vacant and therefore redirecting capacity to the Transformation Project. This temporary change is pending a wider review of all Chief Officer roles. It would mean there would continue to be a total of 12 Assistant Director Posts in the Council.
19. This post should be seen as a development opportunity for existing senior staff in the Council and in line with our Workforce Strategy which creates opportunities to support and develop our staff it is proposed that this post is advertised internally for existing Council staff to apply for. This approach will also save on recruitment costs.

## **Appointments Committee**

20. The Council's Constitution allows for an Appointments Committee, including at least one member of the Cabinet, to shortlist and interview applicants for a post and to determine who should be offered the vacant post.
21. It is requested that for each Assistant Director post the Appointments Committee shall be constituted on a 2:1 proportionate basis. This will mean there will be two Labour members, and one Conservative or Liberal Democrat Member. The details of the process for each post will be approved by the Appointments Committee.

## **Consultation**

22. Consultation has taken place with the Corporate Management Team and the outgoing interim Director as to the need for this appointment. It is requested the three largest political groups now nominate members to participate in the Appointments Committee.

## **Options/Analysis**

23. There are no alternative options for Members on the recruitment process to consider, other than simply not proceeding with the recruitment to the post. The failure to create Appointment Committees at this stage would delay any subsequent appointment to the posts.

## **Council Plan**

24. Making an appointment to these posts will contribute to delivering the Council Plan and its priorities, in particular Protecting Vulnerable People; Create Jobs & Grow the Economy; Get York Moving and progress on Core Capabilities.

## **Implications**

25. The following implications have been considered:
  - **Financial** – The recruitment costs will be managed within the 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.

The appointment will be carried out in accordance with the Chief Officer recruitment protocol attached (Annex B).

- **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 vacant post Director of Education, Skills & Children’s Services. 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**

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

## **Recommendations**

27. It is recommended that Council:
- i. Approve the filling of these posts and remuneration package for the Assistant Director posts at a job evaluated salary of £66,068 to £73,401.
  - ii. Establish an Appointments Sub-Committee consisting of three members, two from Labour, and one Conservative or Liberal Democrat, to be authorised to conduct the final interviews for each of the three Assistant Director posts.
  - iii. 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 appointment to the Assistant Director posts to be made.

## **Contact Details**

### **Author:**

Mark Bennett  
Head of Business HR

### **Chief Officer Responsible for the report:**

Kersten England  
Chief Executive

**Report  
Approved**



**Date** 13<sup>th</sup> Dec  
2013

## **Specialist Implications Officer(s)**

Legal: Andrew Docherty, Assistant Director, IT Democratic & Legal Services

Finance: Debbie Mitchell, Corporate Finance Manager

HR: Mark Bennett, Head of Business HR

## **Wards Affected:**

All

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

## **Annexes:**

- A. Conditions of Service – Assistant Director
- B. Chief Officer Recruitment Protocol
- C. Job Description – Interim Assistant Director Transformation and Change