



Council**21 May 2009**

Report of the Head of Human Resources & Organisational Development

Appointments Committee for the Post of Chief Executive

Summary

1. This report seeks formal approval to establish an Appointments Committee for the post of Chief Executive and to delegate sufficient powers to that committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.
2. The Council's Chief Executive, who is also the Head of Paid Service, has signalled his intention to resign from his post. He will serve three months' notice and will leave the Council at a date to be agreed in July 2009. This report is being considered because of the need to appoint a successor to ensure continued, effective leadership of the Council and satisfy the statutory requirement to have in post a Head of Paid Service.

Background

3. Standing Order 40 (c) (1) of the Council's Constitution requires that an Appointments Committee, including at least one member of the Executive, interviews all qualified applicants for Chief Officer posts or selects a shortlist of such applicants and interviews those on this shortlist.
4. It is requested that for the Chief Executive Appointments Committee, the Committee be constituted on a 2:2:1 basis. This will mean that there will be two Liberal Democrat members, two Labour members and one Conservative member.

Consultation

5. Consultation has taken place with the Leader of the Council and the current Chief Executive regarding appointment to the post of Chief Executive. It is requested that the three largest political groups now nominate members to participate in the Appointments Committee,

Options

6. There are no alternative options for Members to consider, other than simply not proceeding with the recruitment to the post and appointing an existing officer to take on the statutory responsibilities of Head of Paid Service. The failure to create an Appointments Committee at this stage would delay any subsequent appointment to the post and mean that potentially a new Chief Executive would not be in post until January 2010. This would put the organisation at significant risk in terms of continuity and leadership.

Corporate Priorities

7. Making an appointment to this post will contribute to delivering the Corporate Strategy by supporting the Council's values and all of the improvement statements.

Implications

8. The following implications have been considered:
 - **Financial** – The Chief Executive's Department will bear the cost of recruitment to this post from within current resources.
 - **Human Resources (HR)** –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 A).
 - **Equalities** - There are no equalities implications.
 - **Legal** – The Appointments Committee is created pursuant to S.102 (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 of Chief Executive. 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 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).

- **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

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

Recommendations

10. It is recommended that Council:
- Establishes an Appointments Committee consisting of five members, two from Liberal Democrat, two from Labour and one Conservative, as nominated in Annex C to the report on the allocation of and appointment to places on the agenda for this meeting;
 - The Appointments Committee be authorised to conduct the final interviews and recommend a successful candidate to full Council, and make an offer of employment subject to the necessary employment procedures and any appropriate Council approvals required under the Constitution.

Reason: To allow appointment to the post of Chief Executive and Head of Paid Service to be made.

Contact Details

Author:

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Chief Officer Responsible for the report:

Angela Wilkinson
Head of Human Resources & Organisational
Development

Report Approved

Date *Insert Date*

Specialist Implications Officer(s)

Legal: Glen McCusker, Senior Solicitor
Human Resources: Angela Wilkinson, Head of HR & OD
Finance: Patrick Looker, Finance Manager

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None.

Annexes:

Annex A - Chief Officer recruitment protocol

Annex A Chief Officer* Recruitment Process - Officer / Members decisions

* A Chief Officer is defined as an officer who is employed under the Joint Negotiating Committee for Chief Officers of Local Authorities Terms & Conditions.

Key Recruitment & Selection decision stages	Officer Decision / Member Decision
1. Develop proposal to create a new or amend an existing Chief Officer post	Officer decision: Chief Executive or Director
2. Establish a new temporary or permanent Chief Officer post	Member decision
3. Develop and agree Job description & Person Specification	Officer decision
4. Confirm the grade of the post	Officers to implement job evaluation outcomes within Chief Officer pay structure
5. Agree recruitment budget	Officers decision subject to budgetary provision
6. Commence recruitment activity	Officer proposal subject to Member decision
7. Establish Appointments Committee	Officer proposal subject to Member decision
8. Confirm method to source applicants i.e. advert, use of search / consultancy services	Appointments Committee subject to proposal from Officers (Chief Executive or Director and Head of Human Resources or nominated substitute). Proposal to include recommendation on advertising media and a recommendation to use external recruitment consultants or run in-house and if so, what services to use. Options include search, response handling, technical assessment, long-listing, shortlisting, support at final stage or a combination therein. Criteria to be considered are: <ul style="list-style-type: none"> i. Grade and salary in relation to the market; ii. Current employment market situation; iii. Design of post and likelihood of direct skills match; iv. Technical expertise being sought; v. Ability to conduct technical assessment in-house; vi. CYC capacity to handle in-house.
9. Long-list applicants	Officer decision in accordance with job description and person specification
10. Interview long listed applicants / conduct selection tests / assessment centre	Officer panel or recruitment consultant
11. Short list applicants	Officer decision in accordance with job description and person specification
12. Informal reception event(s) for short listed candidates (not part of the recruitment process)	Officer decision in consultation with Appointments Committee to determine invitees
13. Final selection process	Appointments Committee, advised by Officers (Chief Executive or relevant Director and Head of Human Resources, or nominated substitute) and recruitment consultants (if appropriate)
14. Determine salary of role to be offered	Appointments Committee, subject to Council pay policy and within job evaluated range for post

15. Agree appointment	Appointments Committee subject to Standing Orders (objections from the Executive)
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