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## **Staffing Matters & Urgency Committee**

**1 June 2009**

Report of the Chief Executive

### **Appointments Committee for Assistant Director of Commissioning and Partnerships post (Housing and Adult Social Services)**

#### **Summary**

1. This report seeks formal approval to establish an Appointments Committee for the post of Assistant Director of Commissioning and Partnerships (Housing and Adult Social Services) 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 report is being considered because of the need to plan to fill the substantive post which is being covered on an interim basis and thus to enable the Housing and Adult Social Services Directorate to operate effectively, and to avoid any further delay.

#### **Background**

3. The previous post-holder retired in January 2009. A decision was made to fill the post on an interim basis for 6 months to give an opportunity to discuss more integrated arrangements for strategic commissioning with the NHS in North Yorkshire and York (NHS in NY&Y formerly known as the Primary Care Trust). It has now been agreed with the new management team at NHS in NY&Y that the objectives of integration can be achieved through 'virtual team' working on joint plans without the need to appoint a joint post at Chief Officer level.
4. Given the importance of joint commissioning and partnership working to the achievement of the council's aims for health and social care it is important to make a permanent appointment to this post as soon as possible as the post-holder will play a crucial part in shaping the future working arrangements.
5. 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.
6. It is requested that for the Assistant Director of Commissioning and Partnerships Appointments Committee, that 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

7. Consultation has taken place internally within the council and with senior management at the NHS in North Yorkshire and York as to the need for this appointment. It is requested that the three largest political groups now nominate members to participate in the Appointments Committee,

## Options

7. There are no alternative options for Members to consider, other than simply not proceeding with the recruitment to the post. The failure to create an Appointments Committee at this stage would delay any subsequent appointment to the post.

## Corporate Priorities

8. Making an appointment to this post will contribute to delivering the Corporate Strategy – particularly in relation to the themes of Health and Inclusion.

## Implications

9. The following implications have been considered:
  - **Financial** – The Housing and Adult Social Services Directorate will bear the cost of this post within current resources.
  - **Human Resources (HR)** – The job description for the Assistant Director of Commissioning and Partnerships was agreed by this committee in October 2008 as part of a restructuring of the senior management in HASS and has been subject to the Council's established job evaluation mechanism. 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 (Appendix 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 Assistant Director of Commissioning and Partnerships. 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**

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

### **Recommendations**

11. It is recommended that Council:
  - i.* Establishes an Appointments Committee consisting of five members, two from Liberal Democrat, two from Labour and one Conservative, to be nominated by the respective group leaders.
  - ii.* The Appointments 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 post of Assistant Director of Commissioning and Partnerships to be made.

## Contact Details

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**Chief Officer Responsible for the report:**

Bill Hodson  
Director of Housing and Adult Social Services

**Report Approved**

**Date** 21/05/09

**Specialist Implications Officer(s)**

Legal: Quentin Baker, Head of Civic, Democratic & Legal Services  
Human Resources: Angela Wilkinson, Head of HR & OD  
Finance: Rachel Harrison, Finance Manager

**Wards Affected:**

All

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

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None.

**Appendix:**

A. Chief Officer recruitment protocol