

Report of the Chief Executive

**Appointments Sub- Committee for Director of City & Environmental Services**

**Summary**

1. This report seeks formal approval to establish an Appointments Sub-Committee for the post of Director of City & Environmental Services and to delegate sufficient powers to that Sub-Committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment. This post was created and approved by Cabinet on 6 December 2011 as part of the Organisational Review 2011.
2. The report is being considered because of the need to plan to fill the vacant substantive post, to enable the new Directorate to operate effectively, and to avoid any further delay. Cabinet approved the recruitment to the post at its meeting of 3 April 2012.
3. The recruitment process will run parallel to the NHS-led recruitment process arranged for a Joint Director of Public Health and Wellbeing (DPHW) with the Vale of York Commissioners Group. When appointed this postholder will be seconded to CYC until the formal TUPE transfer of the post on 1<sup>st</sup> April 2013. It has been agreed by Cabinet that the Cabinet Member for Health, Housing and Adult Social Services represents the Council alongside the Chief Executive to sit on the recruitment panel for the DPHW role.
4. According to the Council's Pay Policy 2012 (approved at Council on 29 March 2012), the Council or this committee should approve any Chief Officer Pay Package over £100,000 in value.

**Background**

5. A current Director has resigned from his post and will leave the Council on 10 June 2012. In line with the Cabinet decisions taken

on 6 December 2011 the postholder took over the new role of Director of City & Environmental Services from 1 April 2012.

6. The Council's Constitution allows for an Appointments Sub-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.
7. It is requested that for the Director of City & Environmental Services Appointments Sub-Committee, that the Sub-Committee be constituted on a 2:1 basis. This will mean that there will be two Labour members, and one Conservative or Liberal Democrat Member. Nominations for these appointments will be coordinated by Democratic Services.
8. Attached at Appendix B are details of the pay package and Conditions of Service for the post of Director of City & Environmental Services. 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 of Director at a salary of £88,080 to £102,766 with access to the standard set of Chief Officer terms and conditions. There are no other enhancements recommended for this role. Any amendment to this position will be brought back to a future meeting of this committee for further review and approval should the salary package be over £100,000 in value.

### **Consultation**

9. Consultation has taken place with the Corporate Management Team and out-going Director as to the need for this appointment. It is requested that the two largest political groups now nominate Members to participate in the Appointments Sub-Committee.

### **Options/Analysis**

10. 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 an Appointments Sub-Committee at this stage would delay any subsequent appointment to the post.

## **Council Plan**

11. Making an appointment to this post will contribute to delivering the Council Plan and its priorities, in particular Get York Moving and Protect the Environment.

## **Implications**

12. The following implications have been considered:
  - **Financial** –There could potentially be some budget pressure in the next financial year if interim arrangements are necessary pending an appointment. The recruitment costs will be funded by the vacancy saving for the period between the existing postholder leaving and the new postholder commencing in the role.
  - **Human Resources (HR)** –The job description for the Director of City & Environmental Services has been subject to the Council's established job evaluation mechanism and a grade of Director has been confirmed for the post. The Appointments Sub-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). A procurement tendering exercise is currently being undertaken to determine which Recruitment Agency from a national framework will undertake the recruitment campaign for the Director of City and Environmental Services. These costs will be funded from savings arising from a period of time that the post is vacant (2-3 months).
  - **Equalities** - There are no equalities implications.
  - **Legal** – The Appointments Sub-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 City & Environmental Services. The proceedings of the Appointments Sub-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 Sub-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 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**

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

### **Recommendations**

14. It is recommended that Staffing & Urgency Committee:
  - i. Notes the intention to recruit to the DPHW and Director of City & Environmental Services concurrently.
  - ii. Notes that the Portfolio Holder for Cabinet Member for Health, Housing and Adult Social Services represents the Council alongside the Chief Executive to sit on the recruitment panel for the DPHW role.
  - iii. Establishes 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 the

Director of City and Environmental Services and select a successful candidate with a view to making an offer of employment subject to the necessary employment procedures.

- iv. Agrees the proposed pay package of the Director of City & Environmental Services, as set out in paragraph 8 of the report.

Reason: To progress appointment to the posts of Director of Public Health & Wellbeing and Director of City & Environmental Services.

### Contact Details

**Author:**

Pauline Stuchfield  
Assistant Director,  
Customers  
& Employees

**Chief Officer Responsible for the report:**

Kersten England  
Chief Executive

**Report  
Approved**



**Date** 10<sup>th</sup> April 2012

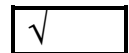
**Specialist Implications Officer(s)**

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

Finance: Patrick Looker, Finance Manager, Communities & Neighbourhoods

**Wards Affected:**

**All**



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

**Background Papers:**

6 December 2011 – Report to Cabinet: Organisation Review 2011

3 April 2012 – Report to Cabinet: Recruitment to the roles of Director of Public Health & Wellbeing and Director of City & Environmental Services

**Appendix:**

- A. Chief Officer recruitment protocol
- B. Conditions of Service -Director of City and Environmental Services