

Report of the Chief Executive

Appointment of Acting Director of City and Environmental Services

Summary

1. The professional service contract of Interim Director of City and Environmental Services will end on the 9th July 2015.
2. This report seeks approval to establish an Appointments Sub-Committee for Chief Officer appointments and to delegate sufficient powers to that Sub-Committee to enable it to conduct the recruitment process, select and appoint an Acting Director of City and Environmental Services, subject to the requirements of the standing orders on appointment.

Background

3. Darren Richardson, Director of City and Environmental Services left the council in June 2014. Interim arrangements were then put in place to cover the key priorities of this role pending a wider review of the senior management arrangements in the council.
4. The completion of the council's senior management review will take until December 2015.
5. During this period there are a number of priorities which need to be progressed to allow the continued achievement of our corporate ambitions for the residents of the City and deliver against our financial strategy. These include;
 - the strategic management and delivery of transport and planning services.
 - working closely with the Director of Communities and Neighbourhood Services and her team on operational matters where they interlink, particularly in respect of the quality of the public realm.
 - maintaining momentum on the development of a Local Plan

- progression of the programme major projects, including York Central and the Community Stadium.
 - leadership of the Council's agenda for transport infrastructure, road, bus and rail and liaison with other bodies (including Make it York) to build this economic sector.
 - Management of resources allocated to City and Environmental Services, including key front line services staff, finance and plant, to maximise effectiveness and further development of the budget strategy for the next four years.
6. To ensure there is capacity and continued strategic leadership to take overall accountability for delivery of these priorities it is recommended that an appointment of an Acting Director of City and Environmental Services is made.
 7. The opportunity to take on these responsibilities could be seen as a development opportunity for existing senior staff and the council does have experienced senior staff that may have the necessary skills to be considered for the opportunity.
 8. To ensure that external candidates can also be considered for the opportunity the post will be advertised on City of York Council Jobs Website, this approach would mean there would be no additional recruitment costs.
 9. The job description for this role is attached at Annex A.
 10. It is proposed that the opportunity will be advertised on the 26th June with a closing date of 10th July and that interviews are held approximately a week after the application closing date.
 11. It is anticipated that the opportunity would be for an approximate of 7 months pending the senior management review.

Remuneration Package

12. Attached at Annex 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 £89,842 to £102,766 with access to the standard set of Chief Officer terms and conditions. There are no other enhancements recommended for this role.
13. It is a requirement for any proposed salary offer which is in excess of £100,000 is agreed by Full Council should that be necessary.

Appointments Committee

14. 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.
15. It is recommended that the appointment sub-committee should consist of three members on a 1:1:1 proportionate basis. This would mean that there would be one Conservative, one Liberal Democrat and one Labour member on the appointment committee.

Consultation

16. Consultation has taken place with the Corporate Management Team.

Options/Analysis

17. There are no alternative options for members on the recruitment process to consider, other than simply not proceeding with the recruitment to the post.
18. An alternative approach would be to go to the external consultant or interim market and fill the post on this basis for this temporary duration but that may incur additional cost.

Council Plan

19. Making an appointment to this post will contribute to the continued delivery of the Council Plan and its priorities.

Implications

20. The following implications have been considered:
 - **Financial** – The salary cost will be managed from within the existing budget and there will be no recruitment costs.
 - **Human Resources (HR)** – The job description for the post has been subject to the Council's established job evaluation mechanism and the grade established for the post and the agreed Council Pay Policy. 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 protocols.
 - **Equalities** - There are no specific 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. 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 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

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

Recommendations

22. It is recommended that the Committee:
 - i. Approve the filling of the post of Acting Director of City and Environmental Services.
 - ii. Advertise this opportunity on the CYC Jobs Website.

- iii. Agree that an Appointments Sub-Committee is established and authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures. The sub-committee should consist of three members, *on a 1:1:1 proportionate basis*. This would mean that there would be one Conservative, one Liberal Democrat and one Labour member on the Appointment Committee.
- iv. Should it be necessary, to recommend to full council approval of the salary package to the appointed person if in excess of £100,000.

Reason: To allow appointment to an Acting Director of City and Environmental Service to be made.

Contact Details

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report:

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 Chief Executive

**Report
 Approved**



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 2015

Specialist Implications Officer(s)

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

Finance: Debbie Mitchell, Corporate Finance Manager

HR: Mark Bennett, Head of HR & OD

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A – Job Description for Director of City and Environmental Services

Annex B – Conditions of Services for Director of City and Environmental Services