

Report of the Chief Executive to the meeting of Staffing Committee to be held on 10 September 2014

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Subject:

- Appointment process for the position of the Chief Executive
- Appointment process for the position of the Strategic Director of Regeneration and Culture
- Appointment process for the position of the Strategic Director of Environment and Sport

Summary statement:

1. Staffing Committee is asked to approve the proposal to appoint to the position of Chief Executive, initially on an interim basis, until a permanent appointment is made in accordance with Section 7 of the Council's Pay Policy Statement 2014/2015. This is following the resignation of the current post holder
2. Staffing Committee is asked to approve the proposal to appoint to the post/s of Strategic Director (Regeneration and Culture) and Strategic Director (Environment and Sport) in accordance with Section 7 of the Council's Pay Policy Statement 2014/2015.
3. Staffing Committee is also asked to delegate to Appointment Panels the responsibility to appoint to the positions of Interim and permanent Chief Executive and both positions of Strategic Director and that the Panel comprise three Elected Members (two Labour and one Conservative) with the membership to be on the nomination of the Leader of Council and Leader of the Conservative Group (and shall include at least one Member of Executive).

Tony Reeves
Chief Executive

Portfolio:

Leader of Council and Strategic
Regeneration

Report Contact:

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Corporate



1. SUMMARY

- 1.1 In accordance with the Council's Constitution the appointment of statutory and non statutory chief officers is a function of Staffing Committee. The Council's current Senior Management structure was approved by Executive on 15 January 2013 and was effective from 29 April 2013.

The Council's Officer Employment Procedure Rules provides "Where there is a vacancy in the post of Chief Executive an appointment panel will be established by the Staffing Committee to decide how the post will be filled, including on what terms and conditions, advertising, short listing and interviewing."

- 1.2 This report recommends that Staffing Committee set up an appointment panel to appoint an interim Chief Executive, following the resignation of the current post holder in July 2014, which will take effect on 22 October 2014. It is proposed that in parallel with these arrangements the recruitment process to fill the post on a permanent basis should begin.
- 1.3 This report also recommends that Staffing Committee set up appointment panels to make permanent appointments to the posts of Strategic Director of Regeneration and Culture and Strategic Director of Environment and Sport, which are currently occupied on an interim basis. The Council's Officer Employment Procedure Rules provide that "If there is a vacancy in a chief officer post, other than that of Chief Executive, the Staffing Committee will decide whether to fill the post. If the Committee decides not to fill the post, it must determine how the duties of the post are to be carried out. If the Staffing Committee decides to fill the post, the Committee must establish an appointments panel to make the appointment or delegate the power to make the appointment to the Chief Executive, or her/his nominee."
- 1.4 All these posts must be appointed to in accordance with the Council's Pay Policy Statement, and thus, it will be necessary for full Council to approve the salary packages
- 1.5 Staffing Committee is asked to set up three Appointments Panels to be given delegated responsibility to appoint to the posts of Chief Executive, Strategic Director of Regeneration and Culture, and Strategic Director of Environment and Sport.
- 1.6 Each Panel should be provided with delegated responsibility to appoint to the three positions. Each Panel should consist of three Elected Members; two Labour and one Conservative with membership to be on the nomination of the Leader of the Council and the Leader of the Conservative Group. Each Panel must include at least one member of the Executive.



2. BACKGROUND

- 2.1. The resignation of the current Chief Executive in July 2014 has prompted this report. It is recommended that the Staffing Committee moves to appoint an interim Chief Executive to be in post, to ensure stability and continuity in a period of significant change, whilst a recruitment process is undertaken to enable a permanent appointment to be made to the post.
- 2.2. It is proposed that the Interim Chief Executive be an internal appointment, and individual members of CMT be provided with an opportunity to apply for this position.
- 2.3. It is proposed that the position of Interim Chief Executive is designated for a period of up to 12 months from appointment or until a permanent appointment is made, whichever is the sooner. It should be noted that appropriate backfill arrangements will have to be made to ensure that the duties of the post left vacant by the successful applicant are fulfilled.
- 2.4. It is proposed that permanent appointments are made to the posts of Strategic Director of Regeneration and Culture and Strategic Director of Environment and Sport and that applications are sought from across the Council only, and that the posts are not open to applications from outside the Council. The rationale for this approach is to ensure that we maintain both stability and continuity in these posts for the overall benefit of the Council.

This approach is being proposed due to the significant changes to the Senior Management structure recently experienced and the further changes, especially that the imminent departure of the current Chief Executive will bring.

It is therefore important that taking on board these changes we look to ensure that we create some stability by looking to fill the two Strategic Director roles quickly as permanent appointments.

We are also mindful that, at a time, of significant change, there is a balance that needs to be struck with key partners and stakeholders particularly in the areas of Neighbourhood Services and Regeneration, and our ability to deliver the Council's agenda so as not to lose momentum in these crucial areas. The strength of expertise within the Council as a whole means we have the confidence and the talent to seek to appoint to these posts internally.

In summary there are significant changes taking place across the Council with regards to its senior staff and it is therefore important that we fill the posts quickly and decisively in order to maintain the confidence of both our staff and our key partners. It is the usual practice of this Council to advertise permanent senior posts externally, unless internal applicants are at risk of redundancy, but advertising the two Strategic Director posts externally and conducting a full recruitment process would inevitably cause delay and uncertainty, which it is considered would be detrimental to the best interests of the Council in this situation.



- 2.5 The Council's Pay Policy Statement for the financial year 2014/15 was approved at the meeting of Council held on 5 March 2014. A copy of the Council's Pay Policy Statement for 2014/15 is appended to this report as Appendix 1.

3. OTHER CONSIDERATIONS

- 3.1. In accordance with Article 12A.4 of the Constitution it is a function of Staffing Committee to appoint or dismiss statutory and non statutory chief officers. The posts of Chief Executive and Strategic Director are defined as a non- statutory Chief Officers. These functions are normally delegated by Staffing Committee to a sub – committee, or delegated by Council to a specifically constituted committee or delegated to the Chief Executive.
- 3.2. It is recommended that the appointment of the Interim Chief Executive be made by an Appointments Panel as designated by the Staffing Committee. It is proposed that this appointments panel be used for both the Interim and permanent appointments to the post.
- 3.3. It should be noted that under Article 14 of the Constitution the Chief Executive is appointed as the proper office for the purpose of fulfilling the duties of Returning Officer, and the interim Chief Executive will accordingly also have to fulfil these duties, with the appropriate fee payments.
- 3.4. The appointments of the Strategic Director of Regeneration and Culture and the Strategic Director of Environment and Sport can be delegated to the Chief Executive; however it is recommended that these posts are also subject to Appointments panels as they are key posts in the Senior Management Structure of the Council and permanent appointments.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 In accordance with Section 4 of the Pay Policy Statement the posts of Strategic Director, Regeneration and Culture and Strategic Director, Environment and Sport are both graded at Strategic Director 2 with a salary level of £107,086 - £117,583 (SD2) and appointed pursuant to the terms and conditions of employment of the Joint Negotiating Committee (JNC) for Chief Officers as amended and supplemented by local agreements and decisions. Other aspects of the remuneration are set out in Appendix A of the Pay Policy Statement (Appendix 1 of this Report).
- 4.2 In accordance with Section 4 of the Pay Policy Statement the post of Chief Executive is graded on a defined salary level of £178,476 and appointed pursuant to the terms and conditions of employment of the Joint Negotiating Committee (JNC) for Chief Officers as amended and supplemented by local agreements and decisions. Other aspects of the remuneration are set out in Appendix A of the Pay Policy Statement 2014/15 (Appendix 1 of this Report).



- 4.3 It is proposed that the salary for the interim and permanent appointments of Chief Executive are in line with Section 4.2 to recognise the responsibilities that this post carried and is in line with other comparable Chief Executive salaries across the region.
- 4.4 As all 3 posts carry salary levels over £100k, they will need the ratification of Full Council in line with the Council's Pay Policy 2014/2015.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

Not applicable

6. LEGAL APPRAISAL

Section 112 of the Local Government Act 1972 allows the Council to appoint such Officers that it thinks necessary for the proper discharge by the Authority of its duties. Such officers shall hold office on such reasonable terms and conditions as the Council thinks fit.

The Council is under a statutory duty to appoint on merit under Section 7 of the Local Government and Housing Act 1989.

In accordance with the Council's published Pay Policy Statement 2014/15 required pursuant to the Localism Act 2011, full Council must approve any salary package of £100,000 pa or more before it is offered in respect of a new appointment.

7. OTHER IMPLICATIONS

None

7.1 EQUALITY & DIVERSITY

None

7.2 SUSTAINABILITY IMPLICATIONS

None

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None



7.4 COMMUNITY SAFETY IMPLICATIONS

None

7.5 HUMAN RIGHTS ACT

None

7.6 TRADE UNION

The Trade Unions (Unison and GMB) were consulted on the proposed senior management structure, including the salary bandings and grades for the posts outlined in this report before it was approved by Executive on 15 January 2013.

The Trade Unions (Unison and GMB) will be informed of the intentions to appoint to the roles outlined in the report.

7.7 WARD IMPLICATIONS

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. RECOMMENDATIONS

- 9.1 That the Staffing Committee approves the appointment of an Interim Chief Executive in the first instance, and moves to appoint a permanent Chief Executive as soon as possible through external recruitment.
- 9.2 That Staffing Committee delegate to Appointment Panels the responsibilities to appoint to the positions of Chief Executive, Strategic Director of Regeneration and Culture and Strategic Director of Environment and Sport. The panels should each comprise 3 Elected Members; 2 Labour and 1 Conservative with the memberships to be on the nomination of the Leader of the Council and the Leader of the Conservative Group and shall include at least one member of Executive.
- 9.3 That the Staffing Committee approves the permanent appointments to the posts of Strategic Directors for Regeneration and Culture and Environment & Sport and that these appointments are both considered on an internal basis.



- 9.4 That the Appointments Panel given the responsibility to appoint to the Interim position of Chief Executive is also re-convened to appoint to the position of permanent Chief Executive.

10. APPENDICES

Appendix 1 – the Council's Pay Policy Statement – 2014/15

