

Report of the Director of Human Resources to the meeting of Council to be held on 11 July 2013

Subject:

Appointment to the post of Chief Executive

Summary statement:

Council is asked to approve the proposal to appoint Lorraine O'Donnell to the post of Chief Executive on the salary package as detailed in this Report and in accordance with the Council's Pay Policy Statement.

Anne Lloyd
Director of Human Resources

Portfolio:

Corporate

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Overview & Scrutiny Area:

Corporate

1. SUMMARY

- 1.1 Council is asked to approve the proposal to appoint Lorraine O'Donnell to the post of Chief Executive on the salary package as detailed in this Report and in accordance with the Council's Pay Policy Statement.

2. BACKGROUND

- 2.1 On 31st January 2023, Staffing Committee delegated to an Appointment Panel the responsibility to appoint to the position of Chief Executive in accordance with the Council's Officer Employment Procedure Rules, following the resignation of the Chief Executive, Kersten England. The Appointment Panel consisted of Councillor Susan Hinchcliffe (Chair), Councillor Imran Khan, Councillor Shakeela Lal, Councillor Rebecca Poulsen, and Councillor Matt Edwards.
- 2.2 A procurement process was undertaken to appoint recruitment consultants Proventure Consulting to work with the Council to appoint a Chief Executive.
- 2.3 In February 2023 the post of Chief Executive was advertised externally with a closing date of 20th March 2023. Several candidates were selected following a "long list" meeting of the Appointment Panel. The "long listed" candidates were subjected to a technical interview undertaken by Pat Ritchie former Chief Executive of Newcastle City Council, and Steve Cooley from Proventure Consulting.
- 2.4 The Appointment Panel then met to shortlist. The shortlisted candidates attended an assessment centre, including two stakeholder panels of key partners from across the Bradford District, and an interview with the Appointment Panel. The Appointment Panel was advised by Steve Cooley and Anne Lloyd, Director of Human Resources.
- 2.5 The Appointment Panel selected Lorraine O'Donnell as their preferred candidate for appointment to the post of Chief Executive. In accordance with paragraph 2.4 of the Officer Employment Procedure Rules (the "Rules") the proper officer was notified of this. In accordance with paragraph 2.5 of the Rules the proper officer advised every member of the Executive of the selection of the preferred candidate and a timescale during which any objection to the proposed offer of appointment could be made to the Leader of the Council. No objection was received by the Leader of the Council.
- 2.6 The Appointment Panel therefore recommends to Council Lorraine O'Donnell for appointment to the post of Chief Executive for approval.
- 2.7 In addition the Appointment Panel recommends that Lorraine O'Donnell be appointed on the salary package as detailed in the Council's Pay Policy Statement 2023/2024. In accordance with section 4 of the Pay Policy Statement, when setting the remuneration for the Chief Executive the Authority will compare the current salary of the post with comparable salaries for Chief Executives at councils of a similar size, type and location. Specialist advice was sought on an appropriate starting salary, which supported an annual salary of £205,000. The Chief Executive is also appointed pursuant to the terms and conditions of employment of the Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities as amended and supplemented by legislation, local agreements and decisions. Other aspects of the remuneration for the post are set out

in Appendix A of the Pay Policy Statement. The Council's Pay Policy Statement for 2023/24 is attached to this Report as Appendix 1.

- 2.8 In accordance with Section 7 of the Council's Pay Policy Statement full Council must approve any salary package of £100,000 per annum or more before it is offered in respect of a new post not listed in Appendix B of the Pay Policy Statement or if it is proposed to pay more than the top of the salary range for an existing post in Appendix B of the Pay Policy Statement.
- 2.9 The Local Government Housing Act 1989 requires every relevant authority to designate one of its officers as Head of the Council's Paid Service. Article 14 of the Council's Constitution designates the post of Chief Executive as Head of the Council's Paid Service. The terms and conditions of employment of the Chief Executive include the statutory responsibilities of the Head of the Paid Service.
- 2.10 Pursuant to the Local Authorities (Standing Orders) (England) Regulations 2001 the appointment of the Head of the Paid Service must be approved by the Council. Pursuant to paragraph 3.6 of the Council's Officer Employment Procedure Rules the Council must approve the appointment of the Chief Executive.
- 2.11 Under Article 14 of the Council's Constitution, the Chief Executive is appointed as the proper officer for the purposes of fulfilling the functions under the Representation of the People Act 1983.

3. OTHER CONSIDERATIONS

- 3.1 None.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 In accordance with Section 4 of the Council's Pay Policy Statement 2023/34 the post of Chief Executive is graded on a defined salary of £205,000 per annum and appointed pursuant to the Terms and Conditions of Employment of the Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities as amended and supplemented by legislation, local agreements, and decisions. Other aspects of the remuneration are set out in Appendix A of the Council's Pay Policy Statement 2023/24.
- 4.2 It is proposed that the salary for the Chief Executive is in line with Section 4.1 above to recognise the responsibilities that this post carries and is in line with other comparable Chief Executive salaries across the region.
- 4.3 As the post carries a salary level of over £100,000 per annum, it is necessary for full Council to approve the salary in accordance with Section 7 of the Council's Pay Policy 2023/24.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 Governance issues are detailed in this Report.

6. LEGAL APPRAISAL

- 6.1 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. This power to appoint officers is subject to section 41 Localism Act 2011 (see paragraph 6.5 below).
- 6.2 Section 4 of the Local Government and Housing Act 1989 requires every relevant authority to designate one of its officers as Head of the Council's Paid Service. Article 14 of the Council's Constitution designates the post of Chief Executive as Head of the Council's Paid Service. The terms and conditions of employment of the Chief Executive include the statutory responsibilities of the Head of the Paid Service.
- 6.3 Pursuant to the Local Authorities (Standing Orders) (England) Regulations 2001 the appointment of the officer designated as the Head of the Paid Service must be approved by the Council. Pursuant to paragraph 3.6 of the Council's Officer Employment Procedure Rules the Council must approve the appointment of the Chief Executive.
- 6.4 Under Article 14 of the Council's Constitution the Chief Executive is appointed as the Proper Officer for the purposes of fulfilling the functions under the Representation of the People Act 1983.
- 6.5 In accordance with the Council's published Pay Policy Statement 2023/24 required pursuant to the Localism Act 2011, full Council must approve any salary package of £100,000 per annum or more before it is offered in respect of a new appointment.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY, SUSTAINABILITY IMPLICATIONS, GREENHOUSE GAS EMISSIONS IMPACTS, COMMUNITY SAFETY IMPLICATIONS, HUMAN RIGHTS ACT

None

7.2 TRADE UNION

The Trade Unions were advised of the decision to recruit to the post on 26 January 2023.

7.3 WARD IMPLICATIONS

None

8. NOT FOR PUBLICATION DOCUMENTS

- 8.1 The recruitment documentation considered in the recruitment process including by the Appointment Panel when selecting for the post of Chief Executive is Not for Publication on the grounds that it is confidential and contains exempt information within Paragraphs 1 (information relating to an individual), and 2 (information identifying an

individual), of Schedule 12A of the Local Government Act 1972 (as amended), and the public interest in applying this exemption outweighs the public interest in disclosing the information.

9. OPTIONS

- 9.1 Whether to agree or not to the appointment of Lorraine O'Donnell as Chief Executive on an annual salary of £205,000.

10. RECOMMENDATIONS

- 10.1 That the Council approve the appointment of Lorraine O'Donnell as Chief Executive.
- 10.2 That the Council confirms they agree with the proposal to appoint to the position of Chief Executive on the salary package as detailed in paragraph 2.7 of this Report in accordance with the Council's Pay Policy Statement 2023/24.

11. APPENDICES

- 11.1 Appendix 1 – the Council's Pay Policy Statement 2023/24.

12. BACKGROUND DOCUMENTS

- 12.1 The recruitment documentation considered in the recruitment process including by the Appointment Panel when selecting for the post of Chief Executive is Not for Publication on the grounds that it is confidential and contains exempt information within Paragraphs 1 (information relating to an individual), and 2 (information identifying an individual), of Schedule 12A of the Local Government Act 1972 (as amended), and the public interest in applying this exemption outweighs the public interest in disclosing the information.