

<b>EMPLOYMENT COMMITTEE</b>	<b>AGENDA ITEM No. 3</b>
<b>27 AUGUST 2021</b>	<b>PUBLIC REPORT</b>

Report of:	Fiona McMillan, Director of Law & Governance & Monitoring Officer	
Cabinet Member(s) responsible:	Cllr Wayne Fitzgerald, Leader	
Contact Officer(s):	Fiona McMillan, Director of Law & Governance & Monitoring Officer	452361

## HEAD OF PAID SERVICE/CHIEF EXECUTIVE

R E C O M M E N D A T I O N S
<p>It is recommended that Employment Committee:</p> <ul style="list-style-type: none"> <li>• Consider and approve commencement of the recruitment and selection process to recruit a new Chief Executive for Peterborough City Council.</li> <li>• Consider and approve the proposed job description for Head of Paid Services/Chief Executive for approval, making any necessary proposals for changes and, if required, delegating authority to finally approve the job description to the Monitoring Officer in consultation with the Chairman of Employment Committee.</li> </ul>

### 1. ORIGIN OF REPORT

- 1.1 This report arises following the resignation of the current Chief Executive due to reasons of retirement and the need to recruit a replacement.

### 2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to provide the Employment Committee with the opportunity to share views and feedback on the job description at Appendix A and be satisfied that it accurately reflects the requirements of the role, and to give approval for recruitment and selection process to commence for a Chief Executive for Peterborough City Council.

### 3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	
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#### **4. BACKGROUND AND KEY ISSUES**

- 4.1 Gillian Beasley held the position of Head of Paid Service/Chief Executive position in Peterborough City Council since September 2002. In June 2016 she was appointed as joint Head of Paid Service/Chief Executive between Peterborough City Council (PCC) and Cambridgeshire County Council (CCC). Following Gillian's announcement to retire, which is due to take place towards the end of 2021, the sharing agreement automatically ceases when she leaves. It is therefore necessary to undertake a recruitment process in order to find a replacement and to review and decide if a new sharing arrangement should be put in place.
- 4.2 The Leaders of both councils have considered carefully the significant challenge both PCC & CCC face in moving out of this lengthy pandemic. These challenges include recovery of services, recovery of the economy, continued response to COVID-19, support to the vaccination programme, and the significant financial pressure on each council's budgets. In addition, the new Chief Executive will need to lead the work on establishing the financial security of the council to provide vital services into the future. These are challenges which are significant for both councils and as a result it is recommended that a Chief Executive is appointed for each Council when Gillian retires.
- 4.3 The Leaders will also be considering the future of other shared roles and arrangements and these will be subject to more detailed discussion over the coming months. Where these services are clearly helping to deliver strong outcomes for residents and Communities or making the council more resilient, shared services will continue to be an option.
- 4.4 With the return to a dedicated Chief Executive for each council, it is evident that this will involve increased costs, but it is also clear that the roles will have new and unique targets to deliver.
- 4.5 Subject to Employment Committee approval, the role will be advertised in early September with interviews likely to take place in late October, and ratification of the new appointment made at a subsequent Full Council meeting.

#### **5. RECRUITMENT PROCESS**

- 5.1 Subject to approval by Employment Committee, the next steps are for this role to be advertised internally and externally with the help of a search and selection agency who will support the full process.
- 5.2 Under Section 4 of the Local Government and Housing Act 1989 (as amended), the Council has a legal duty to appoint one of its officers as Head of Paid Service. Under the Council's Constitution this role is performed by the Chief Executive. The Local Authorities (Standing Orders) (England) Regulations 2001 and the Council's Constitution provide that full Council must approve the appointment of the Council's Head of Paid Service.
- 5.3 The Council's Officer Employment Rules set out that Full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Employment Committee, provided that the Committee includes at least one Cabinet Member.

- 5.4 Before any recommendation is made by the Committee to Council, every Cabinet Member must be notified of:
- (a) the name of the person to be appointed;
  - (b) any other particulars relevant to the appointment;
  - (c) the period within which objection to the appointment or dismissal is to be made; which shall be at least 2 clear days.
- 5.5 The full Council may only approve the appointment of the Head of Paid Service/Chief Executive where no material or well-founded objection has been made by the Leader or Cabinet Member.
- 5.6 The Council also has a statutory duty to appoint an Electoral Registration Officer and Returning Officer in accordance with Section 5(7) of the Local Government and Housing Act 1989 and Sections 8, 35 and 52 of the Representation of the People Act 1983 respectively. The new Chief Executive would be expected to be appointed to these positions as well.
- 5.7 A further Employment Committee will therefore be arranged to undertake the appointment process and for a recommendation to be made to Council for ratification of the position of Head of Paid Service, Electoral Registration Officer and Returning Officer.
- 5.8 The Job Description is currently being refreshed to make sure it adequately reflects the present and future challenges that lie ahead, as well as taking account of best practice in this area. An updated version will be circulated ahead of the committee for Members to read in advance.
- 5.9 Given the specific and particular need for the two Chief Executives to work closely together, not least because of the ongoing sharing of some services, one search and selection agency has been commissioned to manage both processes.
- 5.10 A thorough search and selection process will be carried out which will include:
- Preliminary technical interviews
  - An assessment centre with stakeholder panels including partners and Members
  - Psychometric testing
  - Final interview with Employment Committee

## **6. ANTICIPATED OUTCOMES OR IMPACT**

- 6.1 Anticipated outcome is for feedback to be received on the Job Description in order that a recruitment process can progress for the role of Head of Paid Service/Chief Executive.

## **7. SALARY PAY BAND**

- 7.1 The job description has been evaluated at Hay pay band 1 which is a salary band of between £166,846 to £203,923 under the 20/21 pay scales (excluding on costs).

- 7.2 The size, scale and complexity of this role combined with the challenging financial position of the council and the climate following the Covid-19 pandemic, indicates

the salary band for this role is set at the right level to fulfil these leadership requirements.

## **8. REASON FOR THE RECOMMENDATION**

- 8.1 With the post of Head of Paid Service/Chief Executive being the highest officer level within the organisation, it is critical that this position is filled with the right appointment without delay. If recruitment to a permanent appointment is unsuccessful, it may mean that consideration has to be given to looking at an interim position in the short term before returning the market for a permanent role.

## **9. IMPLICATIONS**

### **Financial Implications**

- 9.1 The job description is being reviewed and updated ahead of recruitment and considered against the Hay evaluation scheme. It is not anticipated that there will be any changes to the grading structure the salary band is noted in clause 8 above.

- 9.2 Given the fact that this role is set to become a PCC role only and therefore not shared, this brings with it increase costs as PCC will be responsible for 100% of the costs including on-costs.

- 9.3 The current Chief Executive's salary is £173,596, of which PCC pay half and CCC pay half. By recruiting for a Chief Executive exclusively for PCC, there will be an increase in cost of at least £80,048 if appointment is made at the bottom of the scale.

- 9.4 For future years (2022/23 onwards) these additional costs will be accounted for as part of the Medium Term Financial Strategy and approved at full Council. The part year effect in 2021/22, which will be approximately 1 quarter year (£20k), will be show as an overspend in the monthly monitoring reports.

## **10 Legal Implications**

- 10.1 The Chief Executive is designated as the Head of Paid Service under Section 4 Local Government and Housing Act 1989. This is a statutory post with the duties set out in Section 4 (3) of the 1989 Act which include reporting, (where they think it appropriate) on the coordination of the discharge of the Council's functions, the number and grades of staff required, the organisation of staff and their appointment and proper management. The post is also designated as the Council's Returning Officer and Electoral Registration Officer for the purposes of legislation pertaining to electoral law.

- 10.2 By virtue of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended, Councils must include in their procedural rules that an offer of appointment as the Head of Paid Service is subject to the approval of full Council.

## **11 Human Resources Implications**

- 11.1 The review has been conducted in accordance with Council policies, procedures and relevant employment legislation.
- 11.2 Subject to an appointment not being agreed by Employment Committee, as noted in 8.1 above, consideration will need to be given to an Interim arrangement.

## **12 Equalities Implications**

- 12.1 The postholder will be expected to uphold the Council's commitment to equality of opportunity and respect for diversity in how they work with Members, staff and partners and in the way they deliver services to residents that are accessible and inclusive.

## **13. BACKGROUND DOCUMENTS**

### **PCC's Constitution – Officer Employment Procedure Rules: Part 4, section 9**

#### **3. RECRUITMENT OF HEAD OF PAID SERVICE, CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS**

3.1. Where the Council proposes to appoint a Head of Paid Service, Chief Officer or Deputy Chief Officer the Council will draw up a statement specifying:

- (a) the duties of the officer concerned; and
- (b) any qualifications or qualities to be sought in the person to be appointed.

3.2 Where it is proposed that the appointment will not be made exclusively from among their existing officers the Council will make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;

3.3 The Council will make arrangements for a copy of the statement mentioned above to be sent to any person on request.

#### **4. APPOINTMENT OF HEAD OF PAID SERVICE**

4.1. The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Employment Committee (or such other Committee as the Council shall determine), provided that the Committee includes at least one Cabinet Member

4.2. Before any recommendation is made by the Committee to Council, every Cabinet Member must be notified of:

- (a) the name of the person to be appointed;
- (b) any other particulars relevant to the appointment;
- (c) the period within which objection to the appointment or dismissal is to be made; which shall be at least 2 clear days.

4.3. The full Council may only approve the appointment where no material or well-founded objection has been made by the Leader or Cabinet Member.

## **14. APPENDICES**

- 14.1 Appendix A – Job Description (2006) Head of Paid Service/Chief Executive – this is currently being reviewed and updated, and will be circulated ahead of the Committee date.
- 14.2 Appendix B – Structure chart

