

Report Title:	Appointment of Chief Executive and Head of Paid Service
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Cllr Andrew Johnson, Leader of the Council and Cabinet Member for Growth & Opportunity
Meeting and Date:	23 January 2023
Responsible Officer(s):	Nikki Craig, Head of HR, Corporate Projects and IT
Wards affected:	All

REPORT SUMMARY

This report requests approval to appoint the candidate recommended by Appointment Committee as the Council's Chief Executive and Head of Paid Service.

Processes and negotiations are ongoing at the time of publication of this report and therefore the name of the recommended candidate and the recommended salary will be detailed in a supplementary appendix to be published prior to the meeting.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council notes the report and approves the recommendation from Appointment Committee that :

- i) That the recommended candidate be appointed to the role of permanent Chief Executive and Head of Paid Service.
- ii) The appointment be at the salary recommended by Appointment Committee within the Chief Executive salary band of £145,000 to £185,000.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Approves the recommendation from Appointment Committee that the recommended candidate be appointed to the role of permanent Chief Executive and Head of Paid Service and that the appointment be at the salary recommended by Appointment Committee within the Chief Executive salary band of £145,000 to £185,000.	There is a risk that Council do not approve the recommendation from Appointment Committee to appoint the recommended candidate because they are not satisfied that they are suitable which could result in no Chief Executive being appointed. Not appointing a Chief Executive would

Option	Comments
This is the recommended option	be a breach of the Council's statutory responsibilities and there is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.
Do Nothing	<p>There is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.</p> <p>There is a risk that Council do not approve the recommendation from Appointment Committee to appoint the recommended candidate because they are not satisfied that they are suitable which could result in no Chief Executive being appointed. Not appointing a Chief Executive would be a breach of the Council's statutory responsibilities and there is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.</p>

- 2.1 The Council must appoint a Head of Paid Service in accordance with Section 4 of the Local Government Act and the Council's Constitution. Appointment Committee met on 12 August 2022 and agreed the arrangements for the recruitment of a new permanent Chief Executive and Head of Paid Service. Subsequently, Penna were appointed to carry out an executive search and test potential candidates. The post was also advertised nationally.
- 2.2 Following extensive advertising, search, longlisting and shortlisting processes four candidates were selected to take part in the final assessment day. By this point the following assessments had been carried out:
1. Written application and supporting statement assessment
 2. Technical and competency interview testing – 'can they do this job' with Penna and a technical assessor. Technical assessments are normally undertaken by serving or former experienced Chief Executives and on this

occasion Tony Reeves, RBWM Interim Chief Executive performed the technical assessor role with Penna.

2.3 Those invited to the final assessment day participated in 6 panels:

- Partner panel
- Networking with CLT
- Employee Panel
- Elected Member Panel
- Young People Panel (held on the evening of 12 January 2023)
- Final Interview with members of Appointment Committee - a panel of administration and opposition Elected Members,

2.4 Having undertaken a thorough final interview with each of the candidates and taken into consideration the feedback of the various panels, Appointment Committee have decided upon a recommended candidate for appointment to the role of CE and Head of Paid Service together with a recommended salary within the Chief Executive salary band of £145,000 to £185,000. Processes and negotiations are ongoing at the time of publication of this report and therefore the name of the recommended candidate and the recommended salary will be detailed in a supplementary appendix to be published prior to the meeting.

Part 8B paragraph 3b of the Council's constitution states that 'The full Council may only make or approve the appointment of the Head of Paid Service where no substantial and justified objection has been made to the appointment by any Member of the Cabinet'. Once negotiations are concluded Cabinet will be informed of the recommendation from Appointment Committee to appoint the candidate and the outcome included in the forthcoming supplementary appendix.

3. KEY IMPLICATIONS

3.1 Table 2 shows the key implications.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Appointment to the post of Managing Director and Head of Paid Service	Vacancy not filled	Vacancy filled	N/A	N/A	January 2023

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 The post costs are accounted for in the revenue budget.

5. LEGAL IMPLICATIONS

- 5.1 Section 4 of the Local Government and Housing Act 1989 provides that it is the duty of every local authority to designate one of their officers as its Head of Paid Service.
- 5.2 The Council is required to ensure that its recruitment and selection practices are compliant with equal opportunities legislation and our own policies. In accordance with Section 7 of the Local Authority & Housing Act 1989, all local authority staff must be appointed on merit.

6. RISK MANAGEMENT

- 6.1 Table 3 shows the impact of risk and mitigation.

Table 3: Impact of risk and mitigation

Threat or risk	Impact with no mitigations in place or if all mitigations fail	Likelihood of risk occurring with no mitigations in place.	Mitigations currently in place	Mitigations proposed	Impact of risk once all mitigations in place and working	Likelihood of risk occurring with all mitigations in place.
There is a risk that Council do not approve the recommendation from Appointment Committee to appoint the recommended candidate because they are not satisfied that they are suitable which could result in no Chief Executive being appointed. Not appointing a Chief Executive would be a breach of the Council's statutory responsibilities and there is insufficient capacity within the existing leadership to adequately cover duties. Additional recruitment costs would be	Major 3	Medium	Executive search agency engaged to support attraction of suitable candidates. Comprehensive assessment process undertaken involving a wide range of stakeholders culminating in thorough final interview process with Appointment Committee members.	Nothing required	Major 3	Low

incurred and there would be damage to the Council's reputation from the perspective of the recommended candidate and wider stakeholders.						
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7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as an Appendix to the original Appointment Committee report of 12 August 2022.
- 7.2 Climate change/sustainability. There are no impacts in this report.
- 7.3 Data Protection/GDPR. There are no impacts in this report.

8. CONSULTATION

- 8.1 The summary views of all those involved in the recruitment process including Councillors, senior managers, partners, employees and young people have been considered by Appointment Committee.

9. TIMETABLE FOR IMPLEMENTATION

A start date will be agreed with the recommended candidate, this will depend on relevant notice periods.

10. APPENDICES

This report is supported by a supplementary appendix to be published prior to the meeting detailing the name of the recommended candidate, the recommended salary and the outcome of the notification to Cabinet process.

11. BACKGROUND DOCUMENTS

- 11.1 None.

12. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>	<i>Statutory Officer (or deputy)</i>		
<i>Deputies:</i>			

Andrew Vallance	Head of Finance (Deputy S151 Officer)	12/01/23	12/01/23
Elaine Browne	Head of Law (Deputy Monitoring Officer)	12/01/23	14/01/23
<i>Other consultees:</i>			
Kirsty Hunt	Service Lead Electoral and Democratic Services	12/01/23	12/01/23
<i>Heads of Service (where relevant)</i>			
Nikki Craig	Head of HR, IT and Corporate Projects	11/01/23	12/01/23

Confirmation relevant Cabinet Member(s) consulted	Cllr Andrew Johnson, Leader of the Council and Cabinet Member for Growth & Opportunity	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

Report Author: Kathy Hook, Service Lead, HR Business Partnering

Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact equality@rbwm.gov.uk

1. Background Information

Title of policy/strategy/plan:	<u>Chief Executive recruitment</u>
Service area:	<u>HR, Corporate Projects and IT</u>
Directorate:	<u>Resources</u>

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

The report requests approval of the proposal to appoint the candidate recommended by Appointment Committee as the Council's Chief Executive and Head of Paid Service.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

No – An EQIA for the process of recruitment was completed at the start of the process in August 2022.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

3. Evidence Gathering and Stakeholder Engagement

<p>Who will be affected by this proposal? For example, users of a particular service, residents of a geographical area, staff</p>
<p>Among those affected by the proposal, are protected characteristics (age, sex, disability, race, religion, sexual orientation, gender reassignment, pregnancy/maternity, marriage/civil partnership) disproportionately represented? For example, compared to the general population do a higher proportion have disabilities?</p>
<p>What engagement/consultation has been undertaken or planned?</p> <ul style="list-style-type: none">• How has/will equality considerations be taken into account?• Where known, what were the outcomes of this engagement?
<p>What sources of data and evidence have been used in this assessment? Please consult the Equalities Evidence Grid for relevant data. Examples of other possible sources of information are in the Guidance document.</p>

4. Equality Analysis

Please detail, **using supporting evidence**:

- How the protected characteristics below might influence the needs and experiences of individuals, in relation to this proposal.
- How these characteristics might affect the impact of this proposal.

Tick positive/negative impact as appropriate. If there is no impact, or a neutral impact, state 'Not Applicable'

More information on each protected characteristic is provided in the Guidance document.

	Details and supporting evidence	Potential positive impact	Potential negative impact
Age			
Disability			
Sex			
Race, ethnicity and religion			
Sexual orientation and gender reassignment			
Pregnancy and maternity			
Marriage and civil partnership			
Armed forces community			
Socio-economic considerations e.g. low income, poverty			
Children in care/Care leavers			

5. Impact Assessment and Monitoring

If you have not identified any disproportionate impacts and the questions below are not applicable, leave them blank and proceed to Sign Off.

What measures have been taken to ensure that groups with protected characteristics are able to benefit from this change, or are not disadvantaged by it?

For example, adjustments needed to accommodate the needs of a particular group

Where a potential negative impact cannot be avoided, what measures have been put in place to mitigate or minimise this?

- For planned future actions, provide the name of the responsible individual and the target date for implementation.

How will the equality impacts identified here be monitored and reviewed in the future?

See guidance document for examples of appropriate stages to review an EQIA.

6. Sign Off

Completed by: Nikki Craig	Date: 12/01/2023
Approved by: Nikki Craig	Date: 12/01/2023

If this version of the EQIA has been reviewed and/or updated:

Reviewed by:	Date:
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