

To: MEMBERS OF THE CHIEF OFFICER SUB COMMITTEE
Councillors Blackwell, Botten, Elias, Milton and Sayer

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11th January 2021

Dear Sir/Madam

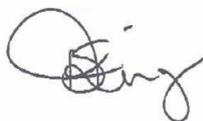
CHIEF OFFICER SUB COMMITTEE
THURSDAY, 14TH JANUARY, 2021 AT 12.30 PM

The agenda for this meeting of the Sub-Committee, to be hosted from the Council offices via Zoom, is set out below. If a member of the Sub-Committee is unable to attend the meeting, please notify officers accordingly.

Should members require clarification about any item of business, they are urged to contact officers before the meeting. In this respect, reports contain authors' names and contact details.

If a Member of the Council, not being a member of the Sub-Committee, proposes to attend the meeting, please let the officers know by no later than noon on the day of the meeting.

Yours faithfully,



Jackie King
Acting Chief Executive

AGENDA

1. **Apologies for absence (if any)**
2. **Election of Chair for the meeting**
3. **Minutes of the meeting held on the 13th November 2020** (Pages 3 - 4)
To approve as a correct record
4. **Declarations of interest**
All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:
 - (i) any Disclosable Pecuniary Interests (DPIs) and / or
 - (ii) other interests arising under the Code of Conduct

in respect of any item(s) of business being considered at the meeting. Anyone with a DPI must, unless a dispensation has been granted, withdraw from the meeting during consideration of the relevant item of business. If in doubt, advice should be sought from the Monitoring Officer or her staff prior to the meeting.

- 5. Chief Executive recruitment update (Pages 5 - 16)**

- 6. Any other business which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency**

TANDRIDGE DISTRICT COUNCIL

CHIEF OFFICER SUB-COMMITTEE

Minutes of the virtual meeting of the Sub-Committee held on the 13th November 2020 at 2.00 p.m.

PRESENT:

Sub-Committee Members:

Councillors Blackwell, Botten, Elias, Milton and Sayer.

Officers:

Lidia Harrison (Head of Legal Services and Monitoring Officer)

Vince Sharp (Case Officer – Support Services)

1. ELECTION OF CHAIR

Councillors Elias and Sayer were nominated (by Councillors Milton and Botten respectively)

Upon being put to a vote, Councillor Sayer was elected Chair.

SUB-COMMITTEE DECISION ***(Under powers delegated to the Sub-Committee)***

2. RECRUITMENT OF A PERMANENT CHIEF EXECUTIVE

It was resolved that this matter be dealt with in 'Part 2' as it disclosed exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (*information relating to an individual*).

The former Acting Chief Executive, Elaine Jackson, had left the Council on 23rd October 2020. At its meeting on 22nd October 2020, the Sub-Committee had agreed that, "*the role of the Head of Paid Service be delegated to the Executive Head of Corporate Resources [Jackie King] from 26th October 2020 until an interim or permanent member of staff is engaged into the Chief Executive post*" and that [Jackie King] be asked to:

- "(i) commence work with the LGA to broker conversations with other local authorities with a view to providing interim cover on a shared service arrangement until a permanent replacement can be recruited and that any such proposals are brought back to the Sub-Committee for a decision as to whether or not to pursue further interviews with interims;*
- (ii) collate and shortlist a selection of suitable candidates for both the interim and permanent appointments through the LGA, PENNA and SOLACE;*
- (iii) prepare a recruitment framework for the interim appointment, including timeline and a set of interview questions (the LGA had offered to provide a technical assessor to sit on the panel to assist Sub-Committee members at no cost to the Council); and*
- (iv) ensure full costings are prepared for each option.*

It had since transpired that an interim appointment would be cost prohibitive. The Sub-Committee considered a report which recommended that Jackie King should remain as the Acting Chief Executive for a period of up to six months, pending the recruitment of a permanent Chief Executive. This period would be reduced if a permanent appointment could be made before the local elections in May 2021. The report also recommended that the Executive Head of Corporate Resources post be backfilled during the transition period.

The report advised that the Chief Finance Officer supported both proposals on the basis that they would be cost neutral within the current 2020/21 budget.

The Chair proposed an additional motion to clarify the Sub-Committee's role in the process for shortlisting applications for the Chief Executive post. This was agreed (resolution D below refers).

RESOLVED – that

- A. the option to recruit an interim Chief Executive be no longer pursued;
- B. for a period of up to 6 months, pending the appointment of a permanent Chief Executive, Jackie King remain in the post of Acting Chief Executive;
- C. the Executive Head of Corporate Resources post be backfilled during the transition period; and
- D. the Sub-Committee re-convene to consider all applications:
 - (i) forwarded by the recruitment agency (on the basis that they meet the basic selection criteria); and
 - (ii) via other channels... for shortlisting.

The meeting ended at 2.10 p.m.

CHIEF EXECUTIVE RECRUITMENT UPDATE

Chief Officer Sub Committee – 14 January 2021

Report of: Interim Executive Head of Corporate Resources

Purpose: For decision

Publication status: Unrestricted with restricted appendix (in accordance with Section 100A (4) of the Local Government Act 1972 – paragraphs 1 and 3 of Schedule 12A)

Wards affected: All

Executive summary:

This report updates the Sub-Committee on advice received from the recruitment agency supporting the Council to recruit a new Chief Executive, following the announcement of national lockdown measures. COSC members are asked to agree next steps in relation to the recruitment campaign and to the role of Acting Chief Executive.

This report supports the Council's priority of: Building a better Council

Contact officer Heather Wills, Improvement Adviser,
hwills@tandridge.gov.uk

Recommendation to Sub-Committee:

That the Committee:

- A. Agree to pause the recruitment process:
 - i) recommending immediately following lifting of national lockdown measures if local elections are deferred to 2022 or late in 2021; or
 - ii) recommending immediately following lifting of national lockdown measures and local elections if local elections take place in May 2021 or soon afterwards.
 - B. Agree to extend the appointment of Jackie King in the post of Acting Chief Executive for up to a further six months (ie up to November 2021).
-

Reason for recommendation:

While the management of the recruitment process is delegated to officers, it is considered essential that COSC members take the decision relating to the timing of the recruitment campaign, given the likely impact of that decision on the success of the exercise. If the decision is taken to delay the recruitment exercise, it will be necessary to confirm arrangements for the post of Head of Paid Service beyond May 2021, hence the recommendation relating to the post of Acting Chief Executive.

Introduction and background

1. At a meeting on 13 November, COSC agreed that:
 - a) For a period of up to 6 months, pending the appointment of a permanent Chief Executive Jackie King remain in the post of Acting Chief Executive;
 - b) The Sub-Committee would reconvene to consider all applications for the role of Chief Executive for shortlisting.
2. Subsequently, COSC met informally to inform the development of a brief for the recruitment of the Chief Executive, and to receive a briefing from SOLACE, the agency procured by the Council to lead on the recruitment. A timetable for recruitment was discussed, which would enable publication of the advertisement in January and final interviews in early March.

Progress update

3. SOLACE have developed a microsite and have drafted an advertisement ready for publication in the trade press. Conversations with potential candidates have commenced.
4. Following the announcement of national lockdown, SOLACE have contacted the Council with advice relating to the timing of the recruitment campaign. This advice is included in appendices to this report which appear on Part B of this meeting's agenda.
5. SOLACE will attend the meeting so that Members may seek clarification to inform their decision as to next steps.
6. Having received this advice, officers temporarily paused the recruitment process to enable Members to consider it, and its implications.

Implications

7. If recruitment were to be paused until national lockdown measures are lifted, it would be necessary to re-start the process after May's local elections. It is however possible that the date of elections may change: at the time of writing this report, the Government's position is that the date of the elections is as set out in law (May 2021), but that this position will be kept under review.
8. Implications relating to the role of Acting Chief Executive and payment to SOLACE are addressed in appendices to this report which appear on Part B of this meeting's agenda.

Options considered

9. The following options have been identified in relation to the timing of the recruitment campaign:
 1. Continue with the previously planned recruitment programme. This runs the risk that the current lockdown and other linked pressures on potential candidates may affect recruitment efforts.
 2. Launch the recruitment campaign once national lockdown measures are lifted. It is unlikely that there will be any certainty about the timescale for this in the near future, and it is likely that elections will follow soon afterwards (either on the timescale currently required by law or on a revised timescale). Officers do not advise conducting a recruitment campaign in a pre-election period.
 3. Launch the recruitment campaign once national lockdown measures are lifted and the local election has taken place (on the assumption that local elections take place in May 2021 or soon after). If local elections are deferred to late 2021 or May 2022, launch the recruitment campaign once national lockdown measures are lifted. This will mean that the Council will not benefit from the expertise and capacity of a permanent Chief Executive for a considerable period of time during 2021.
10. Options relating to the role of Acting Chief Executive are addressed in an appendix to this report, which appears on Part B of this agenda.

Key implications

Comments of the Chief Finance Officer (s151)

The recruitment of a permanent Chief Executive of an appropriate calibre is crucial for the future direction and leadership of the Council. The extension of the post of Acting Chief Executive into 2021/22 will be met from the existing CEX budget, as such will have no additional financial impact on the Council's position.

Comments of the Head of Legal Services (Monitoring Officer)

This report recommends to Members that the recruitment process for a new chief executive is suspended and that the acting Chief Executive's appointment be extended to November 2021. It is incumbent on Members to consider whether the interim arrangements are working satisfactorily and if so, to endorse the recommendations. If this is approved, given that the arrangement is likely to subsist for several months pending the appointment of a new Chief Executive, it will be necessary to ensure that the interim Executive Head for Resources appointment is also extended.

By law the decision to appoint a new Chief Executive is reserved to full Council. 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. This legal requirement is also reflected in the Council's Constitution. However, there is no express requirement regarding any interim arrangement.

S.112 of the Local Government Act 1972 provides that the local authority shall appoint such officers as it considers necessary for the proper discharge of its functions. A local authority is required to do this in accordance with the provisions of the Local Government and Housing Act 1989.

Equality

There are no equalities implications directly arising from this report. The recruitment of the Chief Executive, at whatever point it takes place, will comply with all relevant policies and legislation.

Climate change

There are no climate change implications arising directly from this report.

Appendices (confidential and not for publication in accordance with Section 100A (4) of the Local Government Act 1972 – paragraphs 1 and 3 of Schedule 12A):

Appendix A – report of the Interim Executive Head of Corporate Resources regarding the advice of SOLACE in connection with the Chief Executive recruitment process

Appendix B – advice note received from SOLACE dated 6th January 2021

Background papers

None.

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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