

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

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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).
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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.