


Non-Executive Report of the:  <b>General Purposes Committee</b>  15th June 2016	
<b>Report of: Simon Kilbey - Service Head, Human Resources and Workforce Development</b>	<b>Classification:</b>  Unrestricted
<b>Senior Management Update / Recruitment to Vacancies</b>	

<b>Originating Officer(s)</b>	Simon Kilbey, Service Head, Human Resources and Workforce Development
<b>Wards affected</b>	All

## Summary

This report provides members with updated information on current senior management vacancies. Having ensured the stability of the management structure through both permanent and interim positions, action is now being progressed to ensure that permanent appointments are concluded as soon as possible where there are currently interim engagements. This report sets out the actions underway and the recruitment timetables for this process.

The report also provides further information on the Chief Executive performance appraisal arrangements and update regarding the model disciplinary process applicable to statutory officers which is being considered by the Joint National Council for Chief Executives and Chief Officers.

## Recommendations:

The GP Committee is recommended to:

1. Note the progress on recruitment to senior management vacancies in the posts of: Corporate Director of Children's Services, Director of Adults' Services; Service Head – Public Realm; Service Head – Finance and Procurement; Service Head - Education and Partnerships; Service Head - Communications and Marketing; Service Head - Legal and Democratic Services; and Service Head - Corporate Strategy and Equality. Recruitment to the Service Head - Commissioning and Health will begin shortly.

2. Note the position in relation to continuation/termination of the current interim arrangements for covering Senior Management vacancies.
3. Note that the performance appraisal (Appendix A) of the Chief Executive has taken place and agreed objectives/targets for the Chief Executive for 2016 /17 (Appendix B) have been set.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The appointment to permanent positions provides long term stability and enhances the ability to lead and deliver the Council's medium term priorities. The majority of the senior management vacancies have now been filled with permanent appointees due to commence in the very near future. In the meantime, it is important to maintain the interim arrangements in order to avoid any disruption to work in progress.

## **2. ALTERNATIVE OPTIONS**

- 2.1 As stated above a number of the recruitment exercises have now been completed and resulted in permanent appointments. Interim arrangements are in place for others and there is the option to continue with these arrangements. However, it is important to ensure that there stability at the most senior level of the organisation to support the Mayor and Chief Executive in the continued delivery of services to the community.

## **3. DETAILS OF REPORT**

### **Background**

- 3.1 At its last meeting the HR Committee received information on the outcome of recruitment exercises for the Corporate Director of Children's Services, Director of Adults' Services, Service Head - Public Realm, and Service Head - Finance and Procurement (previously designated Service Head - Finance, Risk and Accountability).
- 3.2 The Committee were also provided with an update on the progress of recruiting to the Service Head - Commissioning and Health, Service Head - Learning and Achievement (now re-designated Service Head - Education and Partnerships, Service Head - Legal and Democratic Services and Service Head - Corporate Strategy and Equality.
- 3.3 As previously reported to the HR Committee following the appointment of the Chief Executive, a formalised set of arrangements were developed regarding performance appraisal and assessment of the Chief Executive (Appendix A). These arrangements will provide transparency, ensuring that consideration of the requirements of the Mayor and Council are translated into clear and accurate performance objectives/targets. To this end

the newly agreed objectives/targets for the Chief Executive for 2016/17 (Appendix B) are referred to later in the report.

### **Corporate Director of Children's Services and Director of Adults' Services**

- 3.4 Both Debbie Jones, Corporate Director of Children's Services and Denise Radley, Director of Adults' Services, have now taken office. Luke Adams-Fallon has returned to his substantive post of Service Head - Adults Social Care.

### **Service Head - Public Realm**

- 3.5 Roy Ormsby, former Head of Street Scene and Communities in Brentwood Borough Council, took up his appointment as the post of Service Head - Public Realm on 2nd May.

### **Service Head - Finance and Procurement**

- 3.6 Neville Murton, former Deputy S151 Officer at Haringey Council, took up his appointment as Service Head - Finance and Procurement on 2nd May.

### **Service Head - Education and Partnerships** (previously designated Service Head - Learning and Achievement)

- 3.7 The post was advertised on 7th March and closed on 15th April. There were 8 applications received, of which 5 were invited to technical assessments. Following this, a shortlist was recommended to the ASC. 3 candidates were invited to a stakeholder event and then a final interview with members. A conditional offer to a candidate has been made and they are expected to start on 1st September.

### **Service Head - Commissioning and Health**

- 3.8 The post is being covered on an interim basis. As previously reported, Penna have been engaged to assist the Council with the recruitment process but this was deferred pending the start of the Director of Adults' Services. The post will now be reviewed following the Joint Commissioning Review with the CCG, which is currently being undertaken. Interim arrangements are in place to cover the duties of the post and it is proposed that these should continue for the time being.

### **Service Head - Communications and Marketing**

- 3.9 The closing date for applications was Monday 15th February and at that stage 49 applications were received. These candidates were graded by the recruitment agency Green Park, who have been leading on this matter on behalf of the Council. Following the long list meeting, it was agreed that 10 candidates would be taken forward to preliminary (technical) interview and in-

tray assessment. Following this, 5 candidates were shortlisted for final interview. One candidate withdrew and four candidates were interviewed. The ASC interviewed the candidates and one is expected to commence employment with the Council on 25th July.

### **Service Head - Legal and Democratic Services**

- 3.10 This post was advertised on 10th March via a microsite and a specific legal website. The post closed on 15th April and there were 22 applicants. These candidates were graded by the recruitment agency Green Park, 8 candidates were long listed and invited to technical assessments. The process is on-going and a verbal update will be given on 15<sup>th</sup> June 2016.

### **Service Head - Corporate Strategy and Equality**

- 3.11 The recruitment campaign began on 10th March and closed on 6th May. Following this, there were 38 applicants. These candidates were graded by Green Park and following this, 6 candidates were long listed and invited to technical assessments. The process is on-going and a verbal update will be given on 15<sup>th</sup> June 2016.

### **Chief Executive Performance Appraisal Arrangements**

- 3.12 The formalised arrangements for the appraisal of the Chief Executive have been implemented with the appraisal taking place on 13th May 2016. The process was carried out in accordance with the Performance Management Process for the Chief Executive attached at Appendix A. Unfortunately, Cllr Rahman - Group Leader (Independent) was unable to attend the appraisal meeting. However, all parties have since agreed on the outcomes of the appraisal. Attached at Appendix B are the agreed objectives/targets for the Chief Executive for 2016 /17. The appraisal process was assisted by Dr John Nicholson (of Nicholson McBride) who, following a procurement exercise, was engaged to provide independent external advice and facilitation. Nicholson McBride are experienced in this field, working with a number of other Councils, including London boroughs.

## **4. Designated Independent Person (DIP) Update**

- 4.1 A report was considered by Council on 22nd July 2015 to change the constitution to reflect the statutory changes to the Designated Independent Person (DIP) process applicable to the dismissal of statutory officers, i.e. the Head of Paid Service; Monitoring Officer; and Chief Financial Officer.
- 4.2 It set out details of the statutory change and the fact that further guidance was awaited before implementing a new disciplinary process as there were a number of outstanding issues/questions, which included: training for Independent Persons; the investigation process; an appeals process; and whether only Independent Persons are to sit on the Panel.

- 4.3 Council agreed that a further report should be considered by the Human Resources Committee (now General Purposes Committee) that deals with the detail of the process and makes proposals on the outstanding issues identified in the July 2015 report. The proposal is to use the updated model disciplinary process set out in the JNC Handbooks for Chief Executive and Chief Officers once amended nationally and work is still being undertaken to amend those Handbooks, though clarification has recently been received with regards to the makeup of the new panel.
- 4.4 In a letter from the JNC for Chief Executives of Local Authorities on 5th May 2016, guidance was received on one of the outstanding issues. It clarified that the Panel can comprise only independent persons provided that is what the authority resolves. In the national model process the Independent Panel shall comprise only independent persons (at least 2) appointed under S28(7) of the Localism Act 2011 – in other words, no elected members should sit on the Panel.
- 4.5 It is still proposed to wait and follow the updated national model disciplinary process for Statutory Officers when an amended national process is agreed. The JNC for Chief Executives of Local Authorities have recently issued a circular saying that the hope to issue a revised handbook in the coming weeks , which will cover this matter. A report will then be brought to the General Purposes Committee setting out the process and addressing the outstanding issues/questions identified in the July 2015 report.

## **5. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 5.1 This report provides GP Committee with an update on the status of current senior management vacancies within the Council and asks the Committee to note progress made to date in recruiting to these posts.
- 5.2 The posts referred to within this report and the recruitment costs associated with trying to fill the posts are funded through existing budgets. Any additional costs associated with the appraisal process detailed in section 3.12 above will also be met through existing budgets.

## **6. LEGAL COMMENTS**

- 6.1 The Council is required to appoint such officers as it thinks necessary for the proper discharge of its functions (Local Government Act 1972, section 112). All such appointments should be on merit, as required by section 7 of the Local Government and Housing Act 1989.
- 6.2 The report details the progress of recruitment for Director of Adults' Services, Corporate Director Children's Services, Service Head Finance and Procurement, Service Head Public Realm, Service Head Legal and Democratic Services, Service Head Communications and Marketing, Service Head Education and Partnerships, Service Head Commissioning and Health and Service Head Corporate Strategy and Equality

- 6.3 The appointments are governed by the Officer Employment Procedure Rules in Part 4.9 of the Council's Constitution.
- 6.4 The functions of the GP Committee include determining the criteria for the appointment of statutory and non-statutory chief officers and deputy chief officers for the Appointments Sub-Committees established from time to time to consider such appointments. In the circumstances it is reasonable for the Committee to be informed of the progress of the recruitment process undertaken so far and to approve the continuance of the interim arrangements already in place if it is so minded. In respect of the interim arrangements in Children's and Adult Services, the committee should note that there is a need for the Council to fulfil its statutory functions in respect of education and social care and therefore have in post (albeit on an interim basis at present) officers designated to carry out the statutory chief officer roles until permanent appointments can be made.
- 6.5 The Officer Employment Procedure Rules provide that the procedure for appointing chief officers and deputy chief officers shall only apply to the appointment of the Director within the Law, Probity and Governance Directorate. Although the Constitution delegates recruitment to officers for the Service Head posts within this directorate, it has been decided that on this occasion members should appoint to all senior management positions for continuity.
- 6.6 When carrying out its functions as an employer and as a public authority, the Council must not discriminate or otherwise engage in unlawful behaviour contrary to the Equality Act 2010. The Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't (the public sector equality duty). Ensuring that any selection process is fair and subject to equal opportunity is part of complying with the Council's equality obligations. An appropriate level of advertising for any vacancy should help to achieve this. Officers should ensure that the Council complies with its own policies and procedures in relation to any recruitment process.

## **7. ONE TOWER HAMLETS CONSIDERATIONS**

- 7.1 The Council's commitment to equalities includes an undertaking to achieve a Workforce to Reflect the Community at all levels in the organisation and such considerations will be part of the recruitment process and informed the procurement process. All posts are recruited to on merit. Internal arrangements provide for succession planning and career development.

## **8. BEST VALUE (BV) IMPLICATIONS**

- 8.1 Recruitment to Senior Management vacancies provides stability to the organisation and assists in continuity which contributes to efficiency and effectiveness. In addition, permanent staffing arrangements can be more cost

effective than some interim arrangements, especially where these have to be secured through a third party arrangement such as interim supply agencies.

**9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

9.1 There are no implications.

**10. RISK MANAGEMENT IMPLICATIONS**

10.1 The arrangements proposed in this report will reduce the risks associated with temporary staffing.

**11. CRIME AND DISORDER REDUCTION IMPLICATIONS**

11.1 There are no implications.

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**Linked Reports, Appendices and Background Documents**

**Linked Report – This is a regular update report to the HR Committee**

**Appendices**

- A Chief Executive Performance Appraisal Process**
- B Chief Executive Objectives/Targets for 2016/17**

**Local Government Act, 1972 Section 100D (As amended)**

**List of “Background Papers” used in the preparation of this report**

- NONE

**Officer contact details for documents:**

- N/A