


<p>Non-Executive Report of the:</p> <p><b>General Purposes Committee</b></p> <p>23 February 2023</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Janet Fasan, Director of Legal and Monitoring Officer and Musrat Zaman, Director of Workforce, OD and Business Support</p>	<p><b>Classification:</b> Part exempt</p>
<p><b>Process for agreeing interim arrangements for the Chief Executive role</b></p>	

<b>Originating Officer(s)</b>	Janet Fasan, Director of Legal and Monitoring Officer and Musrat Zaman, Director of Workforce, OD and Business Support
<b>Exempt information</b>	<p>This report and/or its appendices include information that has been exempted from publication as the Monitoring Officer:</p> <ul style="list-style-type: none"> <li>• has deemed that the information meets the definition of a category of exempt information as set out in the Council's Access to Information Rules; and</li> <li>• has deemed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</li> </ul> <p>The exempt information is contained in Appendix A and falls into this category:</p> <p>2. Information which is likely to reveal the identity of an individual.</p>
<b>Wards affected</b>	All Wards

### **Special Circumstances Justifying Urgent Consideration**

This report was not available for publication with the agenda as it was not possible to collate all the relevant information in time following the announcement of the departure of the Council's Chief Executive. The report cannot wait until the next scheduled meeting of the Committee as the Chief Executive is due to depart on 2 March and necessary processes must be concluded by that date.

### **Executive Summary**

On Wednesday 1 February 2023 it was announced that the Chief Executive, Will Tuckley, would be leaving the Council by mutual agreement on 2 March 2023.

This report sets out the process and proposals for agreeing interim arrangements for the Chief Executive, Head of Paid Service and Electoral Returning Officer positions

The General Purposes Committee are asked to review and comment on the report. Minutes of the discussion will be included in the final report taken to Council to agree these interim arrangements.

### **Recommendations:**

The General Purposes Committee is recommended to:

1. Review the process and proposals for agreeing interim arrangements for the Chief Executive, Head of Paid Service, Electoral Registration Officer and Returning Officer roles.
2. If satisfied, recommend the appointment of Stephen Halsey to Full Council as Interim Chief Executive ( Head of Paid Service) and Electoral Returning Officer positions) effective from 2<sup>nd</sup> March 2023 until such time as a Permanent Chief Executive is appointed.
3. Note that under the Council's Constitution, appointment of Head of Paid service is reserved to Full council upon recommendation of an Appointments sub-committee (GPC) but that in this case the General Purposes Committee agrees to make the recommendation to Council without a Sub-Committee recommendation due to the urgency of the need to appoint an Interim Head of Paid Service /Chief Executive by 2 March 2023.

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

- 1.1 The General Purposes Committee oversees Human Resources matters on behalf of Council relating to incoming and outgoing Chief Executives (Head of Paid Service).

### **2. ALTERNATIVE OPTIONS**

- 2.1 The General Purposes Committee can comment on the process and proposals set out before a final decision is taken by Council.

### **3. DETAILS OF THE REPORT**

- 3.1 On Wednesday 1 February 2023 it was announced that the Chief Executive, Will Tuckley, would be leaving the Council by mutual agreement on 2 March 2023.
- 3.2 It was also announced that a process would shortly commence to recruit a new permanent Chief Executive.
- 3.3 The Officer Employment Procedure Rules (Part C of the Constitution) set out the procedures that would normally be followed to recruit a Chief

Executive/Head of Paid service , including the role for Members through the Appointments Sub-Committee and General Purposes Committee, leading to a final decision on the appointment to be taken by Full Council.

- 3.4 That process will be initiated with the support of the General Purposes Committee at the appropriate time and is expected to take a number of months.
- 3.5 In the meantime, it is necessary to agree interim arrangements and due to the urgency of the need to appoint an Interim Head of Paid Service/Chief Executive by the time that the current appointee, Will Tuckley, leaves the Council, a curtailed process has been necessary in relation to the making of this Interim appointment.
- 3.6 Following the advice of Richard Penn, Consultant, it is proposed that Stephen Halsey be appointed as Interim Chief Executive/Head of Paid Service until such time as a permanent appointment can be made. The search process that led to Stephen Halsey being recommended is set out in exempt Appendix A to this report. The General Purposes Committee is asked to recommend to full council the appointment of Stephen Halsey as Interim Chief Head of Paid service/Chief Executive.
- 3.7 The Job description for the Chief Executive requires the post holder to assume the roles of Head of Paid Service, Electoral Registration Officer and Returning Officer and Council will be asked to note this.
- 3.8 A report on these matters will be presented to the Council meeting to be held on 1 March 2023.
- 3.9 The General Purposes Committee has oversight of HR matters and so this report provides the committee with the opportunity to comment on the proposal before the final report is presented to Council. A minute of the Committee discussion will be appended to that report.
- 3.10 It is proposed that the interim appointment will last until such time as a permanent Chief Executive is appointed. The Committee are asked to note that this may take longer than six months and as set out in the Constitution, the Committee are required to agree interim appointments that extend beyond that time period.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 None specific to this report but equalities considerations will be an important part of any process to recruit a new permanent Chief Executive.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are

required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 There would be multiple, serious risks to the Council if it did not have a designated Head of Paid Service as this is a statutorily required position.

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

6.1 It is likely that the interim arrangements will be more costly than the permanent arrangements, particularly as the interim is already in place before the Chief Executive has left and this will be reflected in the monitoring for 2022/23 and for 2023/24

## **7. COMMENTS OF LEGAL SERVICES**

7.1 Section 4 of the Local Government & Housing Act 1989 requires every relevant authority to designate one of their officers as Head of Paid Service. The Chief Executive is currently Head of Paid Service.

7.2 Paragraph 3.3 of this report sets the usual Constitutional requirements for the recruitment to the Head of Paid Service role.

7.3 At Part B, Section 19, of the Constitution, the General Purposes Committee has responsibility for determining the criteria for the appointment of the Head of Paid Service and so has the authority to agree interim arrangements as referred to in paragraphs 3.5 and 3.10 of this report.

7.4 This committee can make recommendations to Full Council on the appointment of the Head of Paid Service. However, Full Council approval is required for the appointment to the role.

7.5 Sections 8 and 35 of the Representation of the People Act 1983 require the Council to have an Electoral Registration Officer and a Returning Officer respectively. In accordance with the Constitution at Part D, Section 45, both roles are assigned to the Chief Executive.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

**Appendices**

- Appendix A –Consultant report on the recruitment of an Interim Chief Executive and HOPS, London Borough of Tower Hamlets [EXEMPT]

**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