

Committee/Meeting: HR Committee	Date: 15th September 2014	Classification: Unrestricted	Report No:
Report of: Head of Paid Service Originating officer(s) Stephen Halsey, Head of Paid Service; Simon Kilbey, Service Head (Human Resources & Workforce Development)		Title: Appointment of Chief Executive Wards Affected: All	

REASONS FOR URGENCY

This report was not available five clear working days prior to the meeting as required by the Council's Constitution and Access to Information rules. The report is nevertheless recommended for consideration at the meeting in order to meet the decision made by Council on 10th September that HR Committee should commence the appointment of a Chief Executive and consider a report at the HR Committee on 15th September 2014.

1. SUMMARY

Council at its meeting on 10th September 2014 considered a motion regarding the recruitment of a Chief Executive. Council agreed that a Chief Executive should be appointed to the indicative timetable contained in the motion and that HR Committee should receive a report on progress and be empowered to adjust the timetable if necessary.

2. DECISIONS REQUIRED

- 2.1 That Members note the role of the Committee in the proposed recruitment of a chief executive and the indicative timetable attached at **Appendix A**.

3 REASONS FOR THE DECISIONS

The appointment to permanent positions provides long term stability and enhances the ability to lead and deliver the Council's medium term priorities.

4. ALTERNATIVE OPTIONS

The current interim arrangements regarding a Head of Paid service are planned to continue until the appointment of a Chief Executive. The Council

faces a challenging agenda and it is important that there is strong and stable leadership to support the continuing delivery of excellent services.

5. REPORT

- 5.1 Council at its meeting on 10th September received a motion regarding the appointment of a permanent Chief Executive. Council committed to the outline timetable for the recruitment process contained in the motion which is attached at **Appendix B**. Council empowered the HR Committee to adjust the timetable with the proviso that the appointment of a Chief Executive should be made by April 2015 at the very latest. A detailed indicative timetable for consideration by the Committee is attached at **Appendix A**. As timescales are very tight at the end of the process some minor adjustment may be necessary.
- 5.2 The next steps will be to invite the recruitment agencies that are party to the Council's framework agreement for senior management recruitment to submit tender proposals for assisting the Council with the search and selection process. Many aspects of the recruitment process followed by the Council in the last recruitment exercise for a Chief Executive received very strong positive candidate feedback and these will be considered at key stages of the process.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 6.1 The budget for the salary of the Chief Executive is currently held within the Corporate Management vote on the Law, Probity and Governance budget. Should the salary exceed the estimate then compensatory savings will need to be identified. Recruitment costs will be contained within existing budgets.

7. LEGAL COMMENTS

- 7.1 Pursuant to section 112 of the Local Government Act 1972, the Council is required to appoint such officers as it thinks necessary for the proper discharge by the Council of its functions and such of another authority's functions as fall to be discharged by it and the carrying out of any obligations incurred by the Council in connection with an agreement made with another authority under section 113 of the for placing its staff at the disposal of another authority.
- 7.2 The Council is required by the Local Government Act 1989 to appoint a head of paid service to carry out specified functions, which include keeping the following matters under review and making a report if necessary to the Council –

- (a) the manner in which the discharge by the Council of its different functions is co-ordinated;

(b) the number and grades of staff required by the Council for the discharge of its functions;

(c) the organisation of the Council's staff; and

(d) the appointment and proper management of the Council's staff.

7.3 The Chief Executive would be expected to carry out the statutory role of the Head of Paid Service.

7.4 The Local Authorities (Standing Orders) (England) Regulations 2001 prescribe provisions which the Council must incorporate in standing orders in relation to the recruitment of the Head of Paid Service. The Council's Officer Employment Procedure Rules set out in the Constitution reflect these essentials, which require that –

- Full council must approve the appointment before an offer of appointment is made.
- Where a committee discharges the function of appointment (e.g. by conducting interviews), at least one member of the executive must be a member of the committee.
- An offer of appointment must not be made until: (a) full council has notified the proper officer of the person to whom it wishes to make the offer and any particulars the it considers relevant to the appointment; (b) the proper officer has notified every member of the executive of the person to whom full council wishes to make the appointment and the period within which an objection may be made; and (c) either no objection is received or the elected mayor objects and full council is satisfied that the objection is not material or is not well-founded.

7.5 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.

8. ONE TOWER HAMLETS CONSIDERATIONS

8.1 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 and procurement process. All posts are recruited to on merit. Internal arrangements provide for succession planning and career development.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

9.1 There are no direct implications.

10. RISK MANAGEMENT IMPLICATIONS

10.1 The arrangements proposed in this report will reduce the risks associated with temporary or fixed term positions.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

11.1 There are no direct implications.

12. EFFICIENCY STATEMENT

12.1 No changes to service delivery or the use of resources are proposed.