

Committee/Meeting: Human Resources Committee	Date: 19 th February 2015	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: Recruitment to Statutory Posts (Director of Law, Probity and Governance and Corporate Director Resources) Wards Affected: All	

1. **SUMMARY**

- 1.1 This report proposes to members that recruitment to the statutory posts of Director of Law, Probity and Governance (Monitoring Officer) and Corporate Director Resources (S151 Officer) should re-commence, following clearance by, and with the involvement of, the Secretary of State's appointed Commissioners. It proposes target dates for the various events required to finalise the recruitment process.

2. **DECISIONS REQUIRED**

- 2.1 That Members note the results of discussions with the Secretary of State's appointed Commissioners on progressing recruitment to the statutory posts of Director of Law, Probity and Governance (Monitoring Officer) and Corporate Director Resources (S151 Officer), note the proposed involvement of Commissioners and agree to now progress to the next stage.
- 2.2 That Members agree that Appointments Sub Committees be established in accordance with the arrangements agreed by the Human Resources Committee at its meeting on 15th September 2014 to receive recommendations for candidates to be invited to final interview and then to interview those candidates;
- 2.3 That authority be delegated to the Service Head, Democratic Services to appoint members to the Appointments Sub-Committees in accordance with the nominations from the respective political groups as set out at paragraph 6.4 overleaf.

3. **REASONS FOR THE DECISIONS**

- 3.1 The Human Resources Committee have already agreed to progress appointment to these positions on a permanent basis to provide long term stability and enhance the ability to lead and deliver the Council's medium term priorities. The recruitment process was temporarily halted in December 2014

at the request of the DCLG, pending the appointment of the Secretary of State's Commissioners. Following discussions with those Commissioners a position has now been reached where the recruitment process can be progressed.

4. ALTERNATIVE OPTIONS

4.1 There is the option to continue with the current interim arrangements. However the Council continues to face a challenging agenda and it is important to ensure that there is stability at the most senior levels of the organisation.

5. BACKGROUND

5.1 At meetings on 15th September, 22nd October and 11th December 2014, Human Resources Committee noted the position in relation to recruitment to the posts of Corporate Director Resources, Director of Law, Probity and Governance and a number of other senior management vacancies.

5.2 At the meeting on 11th December Members of the Committee were advised of a request from the Department for Communities and Local Government (DCLG) that the Council cease progress on recruitment to the posts of Corporate Director of Resources and Director of Law, Probity and Governance to avoid the risk of limiting the options open to any future Commissioners appointed to oversee recruitment to the posts.

5.5 The Committee therefore resolved that the recruitment processes for these posts should be halted in line with the request.

5.6 As at 11th December recruitment had been progressed as follows:

- Penna plc had been selected to assist in the recruitment
- Both posts were advertised in Municipal Journal and Penna also carried out the usual searches
- Penna assessed the resulting applications and recommended to the Head of Paid of Service and Service Head, Human Resources and Workforce Development a long-list of candidates to be invited to preliminary/technical interviews to be carried out by Penna and the Head of Paid Service together with a selected 'technical assessor' with experience and expertise in the relevant field
- The preliminary interviews were carried out and the results collated by the recruitment consultants into reports recommending those candidates who should be taken forward to final interview.

6. Involvement of Commissioners

6.1 Following their appointment, the Secretary of State's Commissioners were given the opportunity to review the process carried out to date in respect of appointment to these two statutory posts and the recommendations of the recruitment consultants.

- 6.2 The Commissioners have now agreed that the recruitment can progress, with their involvement, to the next stages. A table showing the proposed timetable (target dates are indicative at this stage) and the involvement of Commissioners is attached at Appendix A.
- 6.3 Members of the Human Resources Committee are requested to agree that an Appointments Sub Committee (ASC) should be convened to agree each of the recommended short-lists.
- 6.4 The arrangements for the establishment of Appointments Sub-Committees were agreed by the Human Resources Committee on 15th September 2014. In respect of a Chief Officer appointment, these provide that the Appointments Sub-Committee shall comprise of seven Councillors, as follows:-
- Three Councillors nominated by the Leader of the Labour Group;
 - Three Councillors nominated by the Leader of the Tower Hamlets First Group, at least one of whom must be the Mayor or a member of the Executive; and
 - One Councillor nominated by the Leader of the Conservative Group
- 6.5 It is proposed that in the period between the ASC agreeing the short-lists and the final interviews, candidates would be asked to participate in Wave and Hogan assessments. In summary, the assessments (carried out on-line) are:
- *Wave Professional Styles Questionnaire*, a self-report questionnaire measuring motivation, talent and preferred culture against 36 dimensions of behavioural styles identified as being most related to occupational success.
 - *Hogan Development Survey*; a well-established tool that looks at the side of people that tends to be hidden and only reveals itself under certain circumstances, such as periods of stress or fatigue.
- 6.6 Members are asked to comment on the proposal to use these assessments which would provide additional information to assist Members of the ASC in reaching a decision on the most suitable candidates for these important positions.
- 6.7 Candidates will also have the opportunity to meet the Mayor and Group Leaders informally in the presence of the Service Head, Human Resources and Workforce Development and his staff before final interview with the ASC.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 7.1 There are no financial implications as a direct result of this report; the posts are fully funded within the existing budget and recruitment costs will be contained within existing Directorate budgets.

8. LEGAL COMMENTS

- 8.1 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.
- 8.2 The Council is required to designate the following roles within its officer corps:
- An officer (to be known as “the monitoring officer”) to be responsible for performing the duties imposed by sections 5 and 5A of the Local Government and Housing Act 1989. The monitoring officer shall not be the chief finance officer or the head of paid service.
 - An officer (usually known as “the chief finance officer”) to be responsible for the proper administration of the Council’s financial affairs, in accordance with section 151 of the Local Government Act 1972.
- 8.3 The report provides information regarding the progress of appointing to two chief officer roles: the Director of Law Probity and Governance, who will be the monitoring officer; and the Corporate Director of Resources, who will be the chief finance officer.
- 8.4 The appointments are governed by the Officer Employment Procedure Rules in Part 4.9 of the Council’s Constitution. The Rules provide for establishment of Appointments Sub-Committees upon criteria approved by the Human Resources Committee. An Appointments Sub-Committee is required to include at least one member of the Executive. The Appointments Sub-Committee is to interview shortlisted candidates. If it agrees on a candidate suitable for the post then it will inform the Chief Executive (in this case the Head of Paid Service), following which the Mayor must be notified and given an opportunity to object. If an objection is made, the Appointments Sub-Committee must reconvene to consider the objection.
- 8.5 On 17 December 2014, the Secretary of State made directions pursuant to section 15 of the Local Government Act 1999, which included requirements that the Council –
- Urgently recruit to the posts of head of paid service, section 151 officer (chief financial officer) and monitoring officer with a view to making appointments by 1 April 2015.
 - Conduct such recruitment under the direction of, and to the satisfaction of, appointed commissioners.
- 8.4 The recommendations in the report are consistent with the functions of the Committee and the directions given by the Secretary of State.
- 8.5 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.

9. ONE TOWER HAMLETS CONSIDERATIONS

9.1 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.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

10.1 There are no implications.

11. RISK MANAGEMENT IMPLICATIONS

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

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

12.1 There are no implications.

13. EFFICIENCY STATEMENT

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

Attachments: Appendix A – Summary of Process Carried out to Date and Next Steps

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

No unpublished background papers were relied upon to a material extent in the preparation of this report.