

Committee/Meeting: HR Committee	Date: 25 th March 2015	Classification: Unrestricted	Report No: 3.3
Report of: Head of Paid Service Originating officer(s) Stephen Halsey, Head of Paid Service; Simon Kilbey, Service Head (Human Resources & Workforce Development)		Title: Senior Management Vacancies and Appointments Wards Affected: All	

1. **SUMMARY**

- 1.1 This report provides members with updated information on current senior management vacancies. It outlines action taken, and in progress, to fill key vacant posts to ensure there is stability and leadership at the highest officer levels of the organisation.

2. **DECISIONS REQUIRED**

- 2.1 That Members note the progress on recruitment to Senior Management vacancies of Corporate Director Resources, Director of Law, Probity and Governance, Service Head Customer Access, Transformation and ICT, Service Head Children's Social Care, Director of Public Health and Service Head Learning & Achievement.
- 2.2 That Members note that the Service Head, Public Realm has recently tendered his resignation and that, in due course, arrangements for recruitment to the post will be reported to a future meeting of the Committee.

3. **REASONS FOR THE DECISIONS**

- 3.1 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**

- 4.1 A number of the recruitment exercises for these senior management vacancies have now reached the point of a firm offer of appointment having been made. In those cases where recruitment is still in progress, there remains 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, 11th December 2014 and 28th January 2015 HR Committee noted the position in relation to recruitment to the posts of Corporate Director Resources, Director of Law, Probity and Governance, Service Head Customer Access, Transformation and ICT, Service Head Children's Social Care, Service Head Adults' Social Care, Director of Public Health and Service Head, Learning and Achievement.
- 5.2 This report provides a progress report on the various appointments listed above except for posts of Service Head Adults' Social Care. This recruitment process is now complete and, as reported to the Committee at its meeting on 28th January 2015, Luke Adams Fallon was the successful candidate and commenced employment with the Council on 16th March.

6. Corporate Director Resources and Director of Law, Probity and Governance

- 6.1 As previously reported to the Committee Penna were retained to assist with recruitment to these posts. A joint advertisement appeared in Municipal Journal and the recruitment consultant also carried out searches.
- 6.2 The post of Corporate Director Resources attracted 8 applicants and 7 of these were selected for progression to the preliminary interview/technical assessment stage (one candidate subsequently withdrew). Preliminary interviews and technical assessments were carried out on 9th December with one candidate (who was unable to attend at that time) seen on 7th January.
- 6.3 The post of Director of Law, Probity and Governance attracted 16 applicants. Nine candidates participated in preliminary interviews/technical assessments on 4th and 5th December. One candidate subsequently withdrew from the process.
- 6.4 At its meeting on 11th December the Committee were advised of a request from the Department for Communities and Local Government (DCLG) that the Council cease progress on recruitment to these posts to avoid the risk of limiting the options open to any future Commissioners appointed to oversee the recruitment process.
- 6.5 The Committee therefore resolved that recruitment should be halted in line with the request.
- 6.6 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.
- 6.7 At its meeting on 19th February the Committee were advised that the Commissioners had agreed that recruitment could progress, with their involvement, to the next stages. Members of the HR Committee therefore

agreed that an Appointments Sub Committee (ASC) should be convened to agree the recommended shortlists.

- 6.8 An Appointments Sub Committee was convened on 4th March. The ASC agreed to take forward to final interview four applicants for the Corporate Director Resources post and three applicants for the post of Director of Law, Probity and Governance. One candidate for the CDR post subsequently withdrew.
- 6.9 The ASC was re-convened on 10th March to interview the shortlisted candidates. The results of the final interview process will be reported to the Committee at this meeting.

7. Director of Public Health

- 7.1 The post of Director of Public Health has been covered on an interim basis since the Council took over Public Health responsibilities in 2013. Harvey Nash are the retained recruitment consultants for this appointment.
- 7.2 The job description and person specification were approved, as required, by Public Health England and the Faculty of Public Health.
- 7.3 Following a combined search and advertising campaign 6 applications were received for the post. The applications were considered against the criteria of statutory qualification, registration and experience. Following this process it was determined that four candidates did not meet the criteria and two candidates were selected for a longlist. This was sent to Public Health England and the Faculty of Public Health for agreement.
- 7.4 The two longlisted candidates were invited to preliminary interview/technical and psychometric testing and both were recommended for shortlisting.
- 7.5 An Appointments Sub Committee was convened for 12th March to consider the recommend shortlist of candidates to be invited to final interview. In accordance with statutory requirements for appointment of Directors of Public Health advisors were present at this Sub Committee.
- 7.6 The ASC is to be reconvened on 17th March to interview the candidates. Advisors will attend the ASC in line with statutory requirements and the results of the interviews will be reported to this meeting.
- 7.7 An updated timetable is attached at Appendix A for Members' information.

8. Service Head Customer Access, Transformation & ICT

- 8.1 Hays Executive were the retained recruitment consultants for this appointment. An advertisement for the post appeared in the digital press on 27th October. Searches were also carried out by the recruitment consultants.

- 8.2 The post attracted 80 applicants. Hays provided a recommended longlist to the Acting Director of Resources and the Service Head, Human Resources and Workforce Development and 12 applicants were selected for invitation to preliminary interviews/technical assessments during week commencing 8th December.
- 8.3 An Appointments Sub Committee was convened on 20th January to agree the recommended list of four candidates to be invited to final interview.
- 8.4 The ASC was reconvened on 26th January and Sean Green (currently Interim Head of IT at London Borough of Haringey) was selected as the preferred candidate. Sean will take up this post on 11 May 2015.

9. Service Head Children's Social Care

- 9.1 The post of Service Head Children's Social Care attracted 5 applicants. Four of the candidates were progressed to the preliminary interview/technical assessment stage carried out on 8th and 12th December.
- 9.2 An Appointments Sub Committee was convened on 12th January to consider the recommended shortlist of two candidates to be invited to formal interview on 19th January.
- 9.3 The ASC was reconvened on 19th January and Nasima Patel (from Hillingdon) was selected as the preferred candidate. Nasima will take up her appointment on 20th April.

10. Service Head Learning & Achievement

- 10.1 Following a procurement process, Penna were awarded the contract to support the council in recruiting to the post of Service Head Learning and Achievement. The post was advertised in Municipal Journal, Times Education Supplement and the Guardian and the recruitment consultant carried out the usual searches. The post attracted 8 applicants.
- 10.2 Four candidates were invited to participate in preliminary assessment/technical interviews on 13th March (one subsequently withdrew). The preliminary process included a Headteachers' panel and a stakeholder panel as well as an in-tray exercise and the usual technical interview. Headteachers have been involved in the design of the assessment centre. In addition the Chair of the Heads Consultative Group is acting as the Technical Advisor for this appointment.
- 10.3 An Appointments Sub Committee has been convened on 23rd March to consider the recommended shortlist of candidates, arising from the preliminary assessment process, to be invited for formal interview. The ASC is due to reconvene on 16th April to carry out the final interviews. Although there may be minor changes to the timetable which will be reported to the Committee at this meeting.

- 10.4 As previously reported to the Committee, this is a difficult market and Penna therefore researched salaries being offered by Councils in the near vicinity. As a result the salary quoted in the advertisement included a potential supplement but this will only be used if it is found to be needed to secure a suitable candidate.
- 10.5 Arrangements are being made to cover the post on an interim basis pending the recruitment process being finalised and the successful candidate taking up appointment.
- 10.6 An updated timetable is attached at Appendix B for Members' information.

11. Service Head, Public Realm

- 11.1 Interim arrangements are being pursued to cover this post pending permanent recruitment. The recruitment process and timetable will be reported to a future meeting of this Committee.

12. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 12.1 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.

13. LEGAL COMMENTS

- 13.1 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. Pursuant to section 7 of the Local Government and Housing Act 1989, all appointments should be on merit.
- 13.2 The Council is specifically required to appoint the following statutory officers –
- 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. The Director of Law, Probity and Governance will be the monitoring officer
 - 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. The Director of Resources will be the chief finance officer.
 - A Director of Public Health (DPH) appointed in accordance with section 73A of the National Health Service Act 2006 and appointed in conjunction with the Secretary of State.
- 13.3 The report provides information regarding the progress of appointing chief officers and deputy chief officers. 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 HR 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 Sub-Committee must reconvene to consider the objection.

13.4 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.

13.5 Two of the posts reported on here (the Corporate Director Resources and the Director of Law, Probity and Governance) are covered by this direction.

13.6 The functions of the HR 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 outcome of the processes.

13.7 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.

14. ONE TOWER HAMLETS CONSIDERATIONS

14.1 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.

15. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

15.1 There are no implications.

16. RISK MANAGEMENT IMPLICATIONS

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

17. CRIME AND DISORDER REDUCTION IMPLICATIONS

17.1 There are no implications.

18. EFFICIENCY STATEMENT

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

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

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

None