

BRECKLAND DISTRICT COUNCIL

Report of: Trevor Holden, Interim Chief Executive

To: Council – 5 September 2013

(Author: Trevor Holden, Interim Chief Executive)

Subject: Chief Officer Arrangements

Purpose: To approve the arrangements for Chief Officer appointments and associated matters.

Recommendations:

Council is requested to:

- a) Note that Luton Borough Council has served notice on the current contract in place regarding the interim arrangements for Mr Trevor Holden to act as Interim Chief Executive of both Breckland Council and South Holland District Council and that the notice period will expire on 9 October 2013.
- b) Agree the immediate recruitment of a permanent Chief Executive (to also act as Head of Paid Service), in a joint appointment with South Holland District Council.
- c) Agree the recruitment of an Interim Chief Executive in a joint appointment with South Holland District Council until such time as a permanent appointment is approved by Council.
- d) Agree that the costs of recruitment for the Chief Executive be met from the Organisations Development reserve and shared on a 50/50 basis with South Holland District Council.
- e) Agree that the post of Deputy Chief Executive / Director of Place and Governance is not recruited to at this time.
- f) Agree that the Chief Executive in consultation with the Leaders is authorised to agree any temporary changes to arrangements within existing senior management team.
- g) The costs associated with the appointment of an Interim Chief Executive is met from the Organisations Development reserve and shared on a 50/50 basis with South Holland District Council.
- h) Appoint Maxine O'Mahony as the Returning Officer and Electoral Registration Officer for Breckland with immediate effect.

1. BACKGROUND

- 1.1 On the 24 January 2013, Council approved the appointment of Mr Trevor Holden as the Interim Chief Executive and Head of Paid Service in a joint agreement with South Holland District Council. This interim appointment was for a 3 month period or until such time as an alternative arrangement was agreed. Mr Holden was released on a part time basis by Luton Borough Council through a contractual arrangement.
- 1.2 Despite close working with a neighbouring authority we have to-date been unable to secure a viable tri-parties agreement with another Local Authority. This being the case, we are now at a juncture where we need to consider the recruitment of a permanent Chief Executive to succeed the existing arrangement. Moreover, given the extended requirement for an Interim Chief Executive, Luton Borough Council has served notice on the contractual arrangements with the expiry date of 9 October 2013. Whilst recruitment to the permanent post is undertaken, it will be necessary to recruit a further interim.
- 1.3 Council would also wish to be aware that the Deputy Chief Executive and Director of Governance & Place (Mr Mark Stokes), has (at the time of writing this report) been offered the appointment of Chief Executive to the Police & Crime Commissioner. This appointment is subject to ratification. In the event that a formal offer is made and accepted it is anticipated that Mr Stokes' last day of service with the Council will be the 20 October 2013. It is not proposed to replace this appointment, rather to disaggregate the functions of the post within the existing senior team with a view to this position being reviewed by a permanent Chief Executive when an appointment has been made.
- 1.4 It is therefore recommended that recruitment to the post of Deputy Chief Executive / Director of Place and Governance is not recruited to at this time and that the Chief Executive, in consultation with the Leaders of both Breckland Council and South Holland District Council agrees any temporary changes to arrangements within existing senior management team as a result.
- 1.5 Following the resignation of the Deputy Chief Executive, the Council will also need to appoint a Returning Officer and Electoral Registration Officer. It is recommended that the Director of Commissioning, Maxine O'Mahony is appointed to this role.

2. OPTIONS

- 2.1 Option 1 - To continue the current shared management arrangements with South Holland and seek permanent appointment to the Chief Executive role with an interim Chief Executive being appointed with effect from 9 October 2013.
- 2.2 Option 2 - Appoint a Breckland only Chief Executive, this would undermine the shared management agreement.
- 2.3 Option 3 - Assign another Interim Chief Executive and continue to seek a further partner Local Authority in the local area.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Council has a shared establishment of only 3 Chief Officers with all but one vacant, it is therefore strongly recommended the council seek a suitable Chief Executive as soon as is practically possible.

4. EXPECTED BENEFITS AND TIMESCALES

- 4.1 The appointment of Chief Officers is important to allow the authority to continue to be provided with the leadership required.

5. IMPLICATIONS

5.1 Carbon Footprint & Environmental Issues

- 5.2 The carbon footprint and environmental implications of this report have been considered and it is the opinion of the report writer that there are none.

5.3 Constitution & Legal

- 5.4 The appointment of Chief Executive and Head of Paid Service is one made by full Council.

5.5 Risk Management

- 5.6 The main risk associated with these recommendations is that arrangements put in place do not meet the requirements of Breckland Council and South Holland District Council. This will be mitigated by close working between the Breckland and South Holland Corporate Management Team, Executive Committees and Full Councils.

5.7 Financial

- 5.8 The costs of interim staff recruitment to be covered from the Councils Organisational Development reserves and shared with South Holland District Council.

5.9 Equality & Diversity and Human Rights

- 5.10 The Equality and Diversity implications of this report have been considered and it is the opinion of the report writer that there are none.

5.11 Staffing

- 5.12 The nature of this report relates directly to staffing matters.

5.13 Contracts

- 5.14 The current arrangement with Luton Borough Council and South Holland District Council was managed through a contract. Luton Borough Council has served notice on this contract with an expiry date of 9 October 2013.

- 5.15 Any contractual arrangements for an interim Chief Executive will be carried out in line with the requirements of the constitution.

5.16 Section 17, Crime and Disorder Act 1998

5.17 The Section 17 and Crime and Disorder implications of this report have been considered and it is the opinion of the report writer that there are none.

5.18 Stakeholders / Consultation

5.19 The implications of this report have been considered and it is the opinion of the report writer that there are none.

6. WARDS / COMMUNITIES AFFECTED

6.1 All wards are potentially affected by this decision.

Background papers:- [None](#)

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Key Decision: No

Appendices attached to this report: None