

BRECKLAND DISTRICT COUNCIL

Report of: Sam Chapman-Allen, Leader of the Council

To: Full Council – 2 September 2021

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Subject Permanency of the Interim Senior Management Structure and Appointment of a Chief Executive Officer.

Purpose: To consider appointing a Chief Executive Officer and for the interim Senior Management Structure to be made permanent.

Recommendations

It is recommended to Full Council that: -

- 1) The interim Senior Management Structure be made permanent;
- 2) An Appointments & Disciplinary Panel is convened, and an internal recruitment process is undertaken to appoint a permanent Chief Executive Officer. If an internal appointment is unsuccessful an external recruitment process be undertaken;
- 3) Delegation is granted to the newly appointed Chief Executive Officer, in consultation with the Leader, to make changes to the current Senior Management Structure as necessary, providing such changes do not increase the budget by more than £68,000 per annum;
- 4) Subject to successful recruitment of an internal candidate for the recruitment of a Chief Executive Officer, the Appointments & Disciplinary Panel be convened for any consequential recruitment within the Senior Management Structure;
- 5) Delegation is granted to the Leader in consultation with the S151 Officer, to change the salary of the Chief Executive Officer.

1. BACKGROUND

- 1.1 A strategic review of the future of the integrated shared management structure and joint working arrangements between South Holland and Breckland District Councils was commissioned in October 2020.
- 1.2 Full Council on 29th February 2021 agreed to terminate the Memorandum of Agreement between both Councils and approved an interim Senior Management Structure on the basis that this would support and enable the achievement of the preferred option for both Councils – namely looking for a new local strategic partnership.

- 1.3 Subject to there being no material changes to the Senior Management Structure following consultation with officers, delegated authority was given to the Head of Paid Service in consultation with the Leader to implement the said structure.
- 1.4 Following that consultation, the interim Senior Management Structure was implemented (as shown at Appendix A).
- 1.5 Since this decision was taken it has become apparent that a new local strategic partnership will not be achievable in the very near future. Whilst the Council remains committed to this approach and outcome, it is now prudent to make the interim Senior Management arrangements permanent and appoint to the vacant Chief Executive Officer position whilst the strategic partnership work is progressed over the longer term.
- 1.6 The structure of the new management arrangement was built upon three core functions of the local authority, namely:
 1. Commissioning services (internal & external);
 2. Local government of place (place shaping); and
 3. Organisational governance (democratic accountability).
- 1.7 These core functions have not changed and by making the interim Senior Management Structure permanent only serves to reinforce them.
- 1.8 Since the retirement of the former Chief Executive Officer in late 2020, that post has been held vacant, whilst the work on a longer-term strategic partnership continued. The desire is now to seek to appoint to this post internally; with external recruitment only being undertaken if there is no successful candidate. If external appointment does become necessary or is indeed the preferred path, it may be advisable to use the services of a recruitment consultant. The indicative costs would be in the region of £14,000 plus advertising costs, with the vacant Chief Executive Officer salary underspend being utilised to offset these costs.
- 1.9 It was always envisaged that a Chief Executive Officer would be appointed at a later date and Full Council agreed on 29th February 2021 that in respect of any Chief Officer or Deputy Chief Officer posts that remained to be filled following the introduction of the new Senior Management Structure, Breckland Council members of the Joint Appointments Panel should meet as a separate Appointments Panel to make any appointment(s) to such post(s)
- 1.10 The recruitment process, will therefore, follow the recruitment process as outlined in Standing Order 58 and an Appointments & Disciplinary Panel will have to be convened. Recommendation from the Appointments Panel of the appointment of an individual will be put forward to a Full Council thereafter. Support from an external Human Resources/Recruitment Consultant may be advisable to ensure the process can be sufficiently resourced due to high levels of HR support to other internal service reviews currently.
- 1.11 Should the recommendations be approved, and the internal appointment of the Chief Executive Officer post is successful, this would leave an internal vacancy. It is recommended that any other incidental recruitment that follows on from the Chief Executive Officer appointment is to be made internally initially, and Appointments & Disciplinary Panel will need to be convened.

- 1.12 Internal appointments would provide an opportunity to refine the current interim structure as necessary and this report recommends that the new Chief Executive Officer be empowered to make such changes providing, they do not increase the budget by more than £68,000 per annum.

2. OPTIONS

2.1 It is recommended that: -

- (a) The interim Senior Management Structure be made permanent;
- (b) An Appointments & Disciplinary Panel is convened, and an internal recruitment process is undertaken to appoint a permanent Chief Executive Officer. If an internal appointment is unsuccessful an external recruitment process be undertaken;
- (c) Delegation is granted to the newly appointed Chief Executive Officer, in consultation with the Leader, to make changes to the Senior Management Structure as necessary, providing such changes do not increase the budget by more than £68,000 per annum;
- (d) Subject to successful recruitment of an internal candidate for the recruitment of a Chief Executive Officer, the Appointments & Disciplinary Panel be convened for any consequential recruitment within the Senior Management structure;
- (e) Delegation is granted to the Leader in consultation with the Section 151 Officer, to change the salary of the Chief Executive Officer.

2.2 Full Council has the option of doing nothing and continuing to operate under the interim Senior Management arrangements with the Chief Executive Officer post held vacant. However, if this option is adopted then there will need to be a review of the current capacity of the existing Directors/Assistant Directors.

2.3 Full Council could agree to make the interim management arrangements permanent and recruit to the vacant Chief Executive Officer position following an external recruitment process.

2.4 Alternative Senior Management models could be considered. For example, the Council has adopted the Executive Leader model. The Leader could take on additional operational responsibilities providing they are following the Local Authority (Functions and Responsibilities) (England) Regulations 2000. This may save the need to employ a Chief Executive Officer, although the Council is still required to designate a Head of Paid Service.

3. REASONS FOR RECOMMENDATIONS

3.1 Now that it has become apparent that the desired outcome of Full Council of delivering a new local strategic partnership is not achievable in the short term it is not appropriate to keep the Chief Executive Officer position vacant.

3.2 The interim Senior Management Structure, and the Chief Officers and Deputy Chief Officers within it, have been operating effectively for some time and have performed strongly in our response to, and recovery from, the COVID-19 pandemic. It is, therefore, appropriate to conduct an internal recruitment process to fill the vacant post and offer the opportunity for career progression.

4. EXPECTED BENEFITS

4.1 The Chief Executive Officer will provide leadership, vision and strategic direction, and effective management of the Council.

5. IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 Constitution & Legal

Decisions relating to staffing matters, and in particular the terms and conditions of employment, are reserved to Council by law and under our constitution. The Constitution provides for the appointment of the Chief Executive Officer and other senior offices.

5.2 Financial

The Chief Executive Officer role and associated costs are within the existing approved structure and establishment of the Council, therefore these report recommendations are within budget. Whilst there may be potential savings from creating a strategic partnership, these are likely to be in the medium term and would form part of the business case of any future proposals.

Carrying out a recruitment internally initially will save the costs of an external recruitment campaign.

5.3 Staffing

The constitutional process will be followed when carrying out the Chief Officer appointment and any other appointments following on.

6. WARDS/COMMUNITIES AFFECTED

All Wards directly or indirectly.

7. ACRONYMS

Not applicable.

Background papers:-

Lead Contact Officer - Sarah Wolstenholme-Smy, Legal Services Manager (Deputy Monitoring Officer)

Name and Post:

Key Decision: No

Exempt Decision: No

Appendices attached to this report:

Appendix A: Interim Senior Management Structure