

<b>REPORT TO:</b>	<b>COUNCIL</b> <b>23 May 2016</b>
<b>AGENDA ITEM:</b>	<b>5</b>
<b>SUBJECT:</b>	<b>APPOINTMENT TO ACTING HEAD OF PAID SERVICE</b>
<b>LEAD OFFICER:</b>	<b>Director of Human Resources, Heather Daley</b>
<b>CABINET MEMBER:</b>	<b>Leader, Councillor Tony Newman</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> The Council's executive leadership team	
<b>FINANCIAL SUMMARY:</b> The costs associated with these proposals are contained within the 2016/2017 budget.	
<b>KEY DECISION REFERENCE NO:</b> n/a	

<b>1. RECOMMENDATIONS</b>
<p>1.1 That the Council:</p> <p>1.1.1 Agrees the Appointment Committee's recommendation to make an offer of appointment to Jo Negrini to the role of Acting Head of Paid Service, designated Returning Officer and Electoral Registration Officer on an interim basis, pending the conclusion of the process for selection to the permanent role of Chief Executive and Head of Paid Service to be recommended to Full Council on 18 July 2016 under section 40 of the Localism Act 2011.</p> <p>1.1.2 Notes the agreement of the Appointments Committee on 28 April 2016 to the appointment of Jo Negrini to the role of Acting Chief Executive with effect from 29 April 2016 and that other interim senior management arrangements have been put in place to ensure a smooth handover and transition before the Chief Executive and Head of Paid Service's last day of service on 26 June 2016.</p>

## **2. EXECUTIVE SUMMARY**

- 2.1 Further to the 'Appointment to Acting Chief Executive and Acting Head of Paid Service' report to Full Council on 18 April 2016, and the subsequent selection process undertaken by the Appointments Committee on 28 April 2016, this report:
- 2.2.1 Seeks approval to make an offer of appointment to the Acting Head of Paid Service role from 24 May 2016; and to the Council's designated Returning Officer and Electoral Registration Officer roles on an interim basis from 27 June 2016.

2.2.2 Notes the appointment of Jo Negrini to the Acting Chief Executive role from 29 April 2016.

## **DETAIL**

### Localism Act 2011

- 3.1 The Appointments Committee has delegated responsibility for approving appointments in accordance with the salary threshold specified in statutory guidance issued by the Secretary of State under section 40 of the Localism Act 2011. The statutory guidance is that elected Members should be given an opportunity to vote before a salary package upon appointment above a specified threshold is offered. For this purpose, the specified threshold is currently £99,999 as set out by Government.
- 3.2 Under the Council's current pay arrangements the Acting Chief Executive and Acting Head of Paid Service would be graded at a level in accordance with section 40 of the Localism Act 2011 and therefore a decision is required by the Committee to appoint at this pay level.
- 3.3 Provisions within the Council's pay policy must ensure that salaries applied are sufficiently competitive to recruit and retain a suitably qualified and capable individual within the prevailing market at the time of appointment. The Council has a responsibility to adhere to the provisions of the pay policy and any amendment to the pay policy has to be agreed by a meeting of the Council.
- 3.4 The relevant fixed pay point for the post is £180,000 per annum.

### Acting Chief Executive and Acting Head of Paid Services

- 3.5 An Appointments Committee was convened on 28 April 2016 to consider an internal candidate for the Acting Chief Executive and Acting Head of Paid Service role and to ensure effective transition, interim cover and hand over before the Chief Executive and Head of Paid Service's last day of service 26 June 2016.
- 3.6 Full Council is asked to note that the successful candidate was Jo Negrini, whose current substantive post is Executive Director - Place, and she assumed Acting Chief Executive responsibilities from 29 April 2016.
- 3.7 It is recommended that Full Council also agrees that an offer of appointment be made to Jo Negrini, to the role of Acting Head of Paid Service with effect from 24 May 2016; and Returning Officer and Electoral Registration Officer with effect from 27 June 2016.
- 3.8 In accordance with the scheme of delegation, the Council's constitution and the Council's pay policy other interim arrangements have also be put in place, to ensure effective interim and transition arrangements; and these arrangements will not cost more than the current substantive arrangements.
- 3.9 If it is necessary to amend the Council's Pay Policy Statement 2016 - 2017 in order to recruit to the Chief Executive and Head of Paid Service role on a permanent approval will be sought from Full Council at that the same time that Full Council

approves the appointment of the Chief Executive and Head of Paid Service.

#### **4. FINANCIAL AND RISK CONSIDERATIONS**

##### **4.1 The effect of the decision**

There is budgetary provision within the 2016/17 revenue budget and the costs associated with the interim appointment can be contained within the annual budget available.

##### **4.2 Risks**

This post has statutory responsibilities within its remit and therefore it is not sustainable to operate without this post on an interim basis. Failure to appoint an interim candidate to this role will also result in a lack of strategic leadership for the organisation.

##### **4.3 Options**

The alternative option of not filling the role is not a viable option.

##### **4.4 Future savings/efficiencies**

None identified

Approved by: Richard Simpson – Assistant Chief Executive (Corporate Resources) and Section 151 Officer

#### **5 COMMENTS OF THE COUNCIL'S ACTING SOLICITOR AND ACTING MONITORING OFFICER**

5.1 The Council may appoint such staff as it considers necessary for the proper discharge of its functions on such reasonable terms and conditions, including remuneration, as the Council thinks fit.

5.2 The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provide that Full Council must approve the appointment Head of Paid Service before an offer of appointment is made to him/her.

5.3 The Council is required under section 8(2) of the Representation of the People Act 1983 (the Act) to appoint an officer of the Council to be the registration officer for any constituency or part of a constituency coterminous with or situated in the Borough known as the Electoral Registration Officer.

5.4 The Council is also required under section 35(1) of the Act to appoint an officer of the Council to be the returning officer for local elections. Under section 28(1) of the Act, the duties of the returning officer for a parliamentary election registration officer is discharged as acting returning officer by the registration officer.

5.5 The Council therefore needs to formally confirm and appoint to these officer roles.

Approved by Gabriel MacGregor, Acting Council Solicitor and Acting Monitoring Officer.

**6 CUSTOMER, EQUALITIES, HUMAN RIGHTS, FREEDOM OF INFORMATION,  
DATA PROTECTION CRIME AND DISORDER IMPACT**

6.1 There are no direct considerations arising from this report.

**CONTACT OFFICER:** Heather Daley, Director of Human Resources

**BACKGROUND DOCUMENTS:** None