

# LONDON BOROUGH OF CROYDON

<b>REPORT:</b>	<b>APPOINTMENTS AND DISCIPLINARY COMMITTEE</b>	
<b>DATE OF DECISION</b>	<b>Monday 16 October 2023</b>	
<b>REPORT TITLE:</b>	<b>Appointment to the post of Director of Streets &amp; Environment</b>	
<b>CORPORATE DIRECTOR / DIRECTOR:</b>	<b>KATHERINE KERSWELL CHIEF EXECUTIVE AND HEAD OF PAID SERVICE</b>	
<b>LEAD OFFICER:</b>	<b>Katherine Kerswell Chief Executive and Head of Paid Service</b>	
<b>LEAD MEMBER:</b>	<b>All</b>	
<b>AUTHORITY TO TAKE DECISION:</b>	Appointments of staff are a non-executive function of the Council and the Council's established practice is to report all director appointments to Members for decision.	
<b>KEY DECISION?</b>	<b>No</b>	REASON: N/A
<b>CONTAINS EXEMPT INFORMATION?</b>	Yes	Details of the candidate(s) set out in the exempt/Part B appendices under paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual) and, in all the circumstances, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information for the reasons set out in this report.
<b>WARDS AFFECTED:</b>	<b>N/A</b>	

## 1 SUMMARY OF REPORT

- 1.1 This report seeks the Committee's approval to agree the salary package and undertake the selection and appointment to the post of Director of Streets & Environment.

## 2 RECOMMENDATIONS

For the reasons set out in the report Appointments and Disciplinary Committee is recommended to:

- 2.1 Agree the salary package for the post of Director of Streets & Environment Chief Officer Grade 3 £122,803-£127,684 per annum.
- 2.2 Undertake the selection for and agree an appointment to the post of Director of Streets & Environment from the candidate(s) detailed in the Exempt/Part B appendices.
- 2.3 Note that any appointment will be subject to the appointment notification process set out in section 3.3 of part 4J of the Council's Constitution (Staff Employment Procedure Rules).

## 3. BACKGROUND AND DETAILS

### 3.1 Job Purpose:

As a member of the council's senior management, the **Director of Streets & Environment** will work collaboratively with other directors in the Sustainable Communities, Regeneration and Economic Recovery directorate, with corporate directors and directors in other directorates, and with the chief executive to deliver the Croydon Renewal Improvement Plan, the council's priorities and ways of working and a financially sustainable budget by March 2024.

The **Director of Streets & Environment** will be the head of profession for resident voice and also be responsible for all matters relating to sustainable communities and promote the council's corporate competencies and values through day-to-day managerial behaviours.

The **Director of Streets & Environment** will provide high quality professional advice to the corporate director of sustainable communities, regeneration and economic recovery, the chief executive, Leader and Cabinet, the Scrutiny and Overview Committee, Traffic Management Advisory Committee, Licensing and Licensing Sub-Committee and any other external bodies on all matters related to the public realm functions of the council.

This role reports to corporate director sustainable communities, regeneration and economic recovery and is responsible for: the head of profession for resident voice, corporate lead for the council's net zero & climate change asset and Traffic Management, highway drainage and structural engineering, street lighting, parking services and local flood authority. Waste management & recycling, street cleaning, universal regulatory and enforcement services including: environmental health – food safety, licensing, trading standards and neighbourhood safety operations, independent transport for SEND and the council's fleet management. Strategic and operational management of the boroughs 127 parks and open spaces.

This post holder is the chief engineer for the Highway Authority and leads the statutory responsibility under the Environmental Protection Act 1990, Traffic Management Act 2004 and leads the local flood authority and delivers the duties as required under the Flood and Water Management Act 2010.

The post holder is the accountable officer for the provision of, or advice on decision making in respect of, the legal discharge of all council highways, environmental services and the universal regulatory services, statutory responsibilities in line with relevant Government legislation.

The post holder is the council's lead officer for the South London Waste Partnership (SLWP), a 4 Borough Partnership encompassing waste collection and disposal contracts across Croydon, Kingston, Merton and Sutton.

#### Localism Act 2011 and Pay Policy

- 3.2** The Appointments & Disciplinary Committee established at the Annual Council Meeting in May 2022 has delegated responsibility for approving appointments beyond the threshold specified in statutory guidance issued by the Secretary of State under section 40 of the Localism Act 2011. The statutory guidance provides that elected Members should be given an opportunity to vote before salary packages upon appointment at or above a specified threshold are offered. For these purposes, the specified threshold is currently £100,000 as set by Government.
- 3.3** As set out in the Council's Pay Policy Statement agreed by the Council on 1 March 2023 Director roles are placed on a grade and salary within the Croydon Chief Officer Grades 1 and 3 following evaluation of their post using the Hay job evaluation scheme with provision for incremental progression to the top spinal point of the grade. The Policy also provides that the salaries will be reviewed in line with national awards as determined by the JNC for Local Authority Chief Executives. The salary scale for the Director of Streets & Environment is Grade 3 £122,803-£127,684 per annum.
- 3.4** Under these arrangements the Director of Streets & Environment, receive a salary package which would engage the Committee's discretion in accordance with the delegation set out above and therefore a decision is required by the Committee to appoint at this pay level.
- 3.5** The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provide for a notification process to ensure that the Mayor and any other Cabinet Members have no objections to the offer of appointment occurs before an offer of appointment is made to him/her and these requirements will be complied with should members approve the above recommendations

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1** The previous post holder took early retirement at the end of August 2023 and there is an interim arrangement in place, to continue with that arrangement would be at a substantial cost to the council so to recruit on a permanent basis is considered the most cost effective and viable option to sustain and maintain a stable management team ensuring that key services are delivered to residents.

## **5. CONSULTATION**

- 5.1** The recruitment campaign and assessment and selection process included advertising on both Croydon's internal and external job sites, Local Government Jobs, and LinkedIn. We also had exposure on 'Indeed' as they list and promote our roles free of charge. In addition to this we have worked in partnership with Starfish who have conducted executive search and presented a longlist. Applicants will also undertake first stage conversations with the Corporate Director prior to shortlisting.

## **6. IMPLICATIONS**

### **6.1 FINANCIAL IMPLICATIONS**

There are no specific direct financial implications arising from this recruitment as salary costs and the associated on-costs will be met from existing budget within the Streets and Environment directorate of SCRER.

### **6.2 Risks**

The failure to recruit the right candidate is always a risk and may result in further costs to recruit should this happen. There are broader operational and delivery implications, particularly with savings targets and other directorate responsibilities.

- 6.3** Comments approved by the Interim Head of Corporate Finance, on behalf of Allister Bannin, Director of Finance (Deputy s151 Officer) Date 5 October 2023.

## **7. LEGAL IMPLICATIONS**

- 7.1** Under section 112 of the Local Government Act 1972, the Council may generally 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.
- 7.2** The function of appointment of a member of staff below deputy chief officer level must be discharged by the Head of Paid Service or by an officer nominated by the Head of Paid Service. Appointment decisions concerning more senior officers can be made by officers or Members subject to statutory requirements, Council rules and established practices.
- 7.3** However, under section 40 of the Localism Act 2011, the Council must have regard to guidance issued by the Secretary of State when preparing and approving its pay policy statement. The Guidance entitled "Openness and accountability in local pay; guidance under section 40 of the Localism Act" provides "full council, or a meeting of members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set".

- 7.4** Under section 41 of the Localism Act 2011, the Council must comply with its pay policy statement when making certain determinations relating to remuneration. The Council must also comply with its obligations under regulation 10 of the Accounts and Audit Regulations 2015 and the Local Government Transparency Code.
- 7.4** The Council’s pay policy statement provides that “The Appointments and Disciplinary Committee has delegated responsibility for approving appointments and decisions about remuneration packages for new appointments of £100,000 or more per year in accordance with the Localism Act 2011.”
- 7.5** It provides that “Corporate Directors and Directors are paid salaries aligned to the Croydon Chief Officer grades, as set out in Appendix 1a, with provision for annual incremental progression to the top of the grade. Salaries are reviewed in line with the national awards, as determined by the JNC for Local Authority Chief Executives and Chief Officers.
- 7.6** Staff Employment Procedure Rules at Part 4.J of the Constitution provides for a notification process to ensure that the Mayor and any other Cabinet Members have no material or well-founded objections to the offer of appointment and this process must take place before an offer of appointment can be made.
- 7.7** *Approved by:* Sandra Herbert, Head of Litigation and Corporate Law for and on behalf of Stephen Lawrence-Orumwense the Director Legal Services and Monitoring Officer Date: 04/10/23

## **8. EQUALITIES IMPLICATIONS**

- 8.1** The posts are senior posts within the Council, therefore post holders will have due regard to the Public Sector Equality Duties (PSED) as detailed:
- (i) Eliminate unlawful discrimination, harassment and victimisation
  - (ii) advance equality of opportunity between people who share a protected characteristic and those who don't.
  - (iii) foster or encourage good relations between people who share a protected characteristic and those who don't.
- 8.2** Senior members of staff are also responsible for the deliverables of the Equality Strategy 2020 -2024 within their service area. This includes: ensuring that every strategy, delivery plan and staff appraisal has an equality objective linked to it.
- 8.3** As a member of the management team, the post holder will also have responsibility for the implementation of the Equality Strategy 2020- 2026 which includes the standards of the Chief Executive for London Council’s Tackling Racial Injustice programme. This includes ensuring that both equality and race have measurable actions on personal development plans for the post holder.
- 8.4** The post holder will be requested to share equality monitoring data when in post.
- 8.5** Comments approved by: Denise McCausland, Equalities Programme Manager Date: 04/10/23

## **9. HUMAN RESOURCES IMPLICATIONS**

**9.1** There are no additional human resources impacts.

**9.2** Comments approved by Dean Shoesmith, Chief People Officer Date: 04/10/23

**CONTACT OFFICER:** Katie Wallace, Head of Recruitment

## **10. APPENDICES TO THIS REPORT**

Appendix 1: Role Profile

### **Exempt/Part B Appendices**

Appendix 2: Starfish Service & Cost

**BACKGROUND DOCUMENTS:** none