

**Agenda Item No:** 14

**Report To:** Cabinet

**Date:** 11 February 2016

**Report Title:** Appointment of the Interim Chief Executive/Head of Paid Service, Returning Officer and Electoral Registration Officer

**Report Author:** Michelle Pecci- Head of Personnel & Development

**Portfolio Holder:** Cllr Clarkson- Leader of the Council



**Summary:**

Further to the resignation of the Chief Executive this report makes recommendations on the appointment of key senior posts in light of the recent senior management structure approval, the recently adopted Corporate Plan and uncertainties around devolution.

It recommends that the Council makes an internal appointment to the post of Interim Chief Executive/Head of Paid Service and also makes recommendations on the appointments to the Electoral Registrations Officer and Returning Officer roles as these roles are also carried out by the current Chief Executive.

The paper also seeks approval of the job description and remuneration package for the interim Chief Executive role.

**Key Decision:** No

**Affected Wards:**

**Recommendations:** Cabinet recommend the following to Council:-

- i) That the Council does not appoint a permanent Chief Executive/Head of Paid Service at this stage.
- ii) That the Council appoint an interim Chief Executive/ Head of Paid Service for a period of up to 2 years from within its existing officers, commencing immediately and subject to existing notice provisions
- iii) That the current post holder of Corporate Director (Operations) (post number 7001) be seconded into this role.
- iv) To approve the remuneration package and reviewed job description for the post of Interim Chief Executive.
- v) That the current post holder of the post of Head of Legal & Democratic Services and Monitoring Officer (post number 1003) be appointed

- Returning Officer and Electoral Registration Officer for the Council for the period of up to 2 years commencing immediately, and continues with these responsibilities when he takes up his new Corporate Director (Law and Governance) and Monitoring Officer post in April 2016.
- vi) That the Head of Planning & Development be re-designated Corporate Director (Development) from April 2016.
  - vii) To Note the minor structural changes as a consequence of these revisions.
  - viii) That, from 1 April 2016, the Head of Finance be appointed s151 Officer, and the Deputy Chief Executive be appointed Deputy s151 Officer.
  - ix) That the Head of Legal & Democratic Services and Monitoring Officer amend and update the “Scheme of Delegations to Officers including Proper and Authorised Officers and Designated Posts” in the constitution as appropriate.

**Policy Overview:**

**Financial Implications:** The Chief Executive post is fully budgeted and so there is no budget pressure associated with this post.

In addition making an internal appointment saves recruitment and selection costs.

**Risk Assessment** YES

**Equalities Impact Assessment** YES This report builds on the principles of the October 2015 Succession Planning Report.

**Other Material Implications:** The post of PA to the Corporate Director (Operations) will become redundant as it is not intended to back-fill the post of Corporate Director.

**Exemption Clauses:**

**Background Papers:**

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**Report Title: Appointment of the Interim Chief Executive/Head of Paid Service, Returning Officer and Electoral Registration Officer.**

**Purpose of the Report**

1. Further to the resignation of the Chief Executive/Head of Paid Service this report makes recommendations on how the post of Chief Executive/Head of Paid Service and Returning Officer posts could be appointed in light of the recent senior management structure approval, the recently adopted Corporate Plan and uncertainties around devolution.
2. The paper also seeks approval of the job description and remuneration package for the Interim Chief Executive Role.

**Background**

3. In October 2015, as part of the Corporate Plan suite of reports, Members approved the direction of travel for the long-term management structure of the council that acknowledged, and planned for, a series of senior management changes. The strategy built on the successful approach to succession planning that has been adopted across the council in recent years. In that report it was highlighted that there would be a transition period where the council would need to be flexible and responsive as subsequent senior officer turnover occurred. The structure was designed to support members in achieving the corporate plan objectives, building on the progress made in the past 5 years.
4. Since then John Bunnett, the Chief Executive, has announced his resignation, with a leaving date mid-February 2016. Due to the 'currency' of the management structure it does not seem necessary to undertake any major review of the management structure, rather make some minor adjustments as necessary once a decision has been made on how we fill the Chief Executive vacancy.
5. Since the General Election in May this year it has been clear that devolution has been one of the Governments goals, the Chancellor's speech on 25 November 2015 continued to reinforce this direction. At the same time countywide discussions on devolution has started to pick up more pace. Any devolution change has the potential to have a significant impact on the council's senior officer structure and, by implication; this could impact on the attractiveness to external candidates of moving into a Chief Executive role in a two tier district authority.
6. The last Chief Executive recruitment cost the council circa £40k including recruitment advertising and the engagement of recruitment consultants to manage the process for us, to conduct head-hunting and support the appointments committee in long listing, shortlisting and selection exercises.

7. These points suggest that it may be prudent to make a temporary internal appointment to the Chief Executive role for the time being until the impact of devolution becomes clearer.
8. Experience would show that an externally appointed Chief Executive would take up to 6 months before they join then would need time to 'get up to speed'. This could impact on our ability to maintain a steady course. An internal appointment would be available immediately and also has other benefits in that the corporate plan direction is established and the senior management team are already engaged with the progress that needs to be made and are already supporting members in delivering this vision and priorities

### **Proposal- Structure charts in Appendix 1 refer**

9. It is proposed that the Corporate Director (Operations) be seconded into the Interim Chief Executive/Head of Paid Service role for the period of up to two years, retaining responsibility for the services currently allocated in the structure plus Property and Projects.
10. This post holder has been identified because of her already largely externally facing role and her ability to make that step without compromising existing service delivery.
11. The current Head of Planning & Development (will be designated 'Corporate Director (Development)'); who in the previous structure was part of the transition for the next two or three years as he prepared his team for succession opportunities will continue to take responsibilities for the areas already allocated (Planning & Development related) as well as the Cultural Services unit as that has strong links to Economic Development and currently works closely with the Planning unit. These changes will take effect from 1 April 2016 on the retirement of the Head of Culture & the Environment.
12. The Corporate Director (Law and Governance) and Monitoring Officer will become the interim *Returning Officer* and *Electoral Registration Officer* as these roles have a very close link to members that has synergies with the Monitoring Officer role. It is *usual* for the Chief Executive to carry out these Returning Officer duties so it is proposed that these additional duties are allocated to the Corporate Director (Law and Governance) on an interim basis until a decision can be reached about the permanent Chief Executive position.
13. The Corporate Director (Operations) role will not be back-filled for the duration of the secondment but will remain on the establishment for the post holder to return to subject to future decisions on structure, recruitment and selection and devolution (as is usual in secondment arrangements). (Structure charts at Appendix 1 show how the structure will change).
14. There will be no change to the current Deputy Chief Executive's role as that post holder has now reduced his contractual hours and is specifically focused on managing the Chilmington CMO project as well as taking the Senior Officer lead on devolution, and retaining management responsibility for the Policy & Performance Team.

15. For the purposes of assuring members: in the previous paper considered by members in October 2015 it was highlighted that the role of the Policy & Performance team would be reviewed in light of members strong focus on enforcement and compliance. This review will still be undertaken and reporting lines may change at a later date, but for the time being the function will continue to report into the Deputy Chief Executive.
16. The October 2015 Succession Planning report that outlined a revised management structure also proposed that, in April 2016, the Deputy Chief Executive, (who is the s151 Officer) and the Head of Finance (the Deputy s151 Officer) should 'swap' their statutory responsibilities as part of the succession planning transition. Members were supportive of this, and Officers would see this report as an ideal opportunity to formalise approval of those changes from 1 April 2016. Recommendation (viii) has therefore been included to enable these changes to take effect.

### Other material implications

17. The Corporate Director (Operations) currently has a PA that supports that role. In this arrangement it is not proposed for the foreseeable future to back-fill the effective vacancy left by the post holder being seconded into the Interim Chief Executive post. This PA post will therefore become redundant. This will be dealt with under delegated powers.

### The Chief Executive Job Description

18. Attached at **Appendix 2** is a revised job description for the role of Interim Chief Executive described in this report. Members are asked to confirm approval that this should be the role description.

### Remuneration package

19. The current salary package for the Chief Executive:

Salary	MG1.3 £110,376 MG1.2 £104,862 MG1.1 £ 99,357
Annual Leave	29 days including local condition statutory days, plus public holidays.
Lease car subsidy or cash alternative	£4,280
Annual mileage allowance (to pay for first 3,000 miles travelled within Kent per year)	£450

20. Research on Chief Executive salaries shows that our salary level is comparable with other authorities in the south-east and that we sit around the middle of the table at this salary level.
21. In addition, at the top of this grade are two discretionary points awarded in recognition of high performance, or as part of a retention package, at the discretion of the Leader and Group Leaders once the post holder has reached the top of the grade. The additional points are the equivalent of 5% and 10% of the top of the grade. These points are discretionary and not automatically applied. It is not proposed to include these two on this interim role because the post holder will not have progressed to the top of the grade by the time the interim appointment comes to an end. This provides scope for the RO/ERO role being funded from within the existing budget from the savings created..
22. Members are asked to agree the salary package as described in the table above.

## **Risk Assessment**

23. Turnover in an organisation can be a healthy; it enables new ideas, a different perspective new skills and experience to come into an organisation. The risk of making an internal temporary appointment is that the council will miss out on these new skills. However, the council is at a critical point of its corporate plan delivery with many key priorities on the cusp of being delivered the risk to the council of an external appointment is that momentum will be lost by the inevitable time delay of an external appointment (around 6 months, plus 'settling-in' time).
24. Morale across the officer group is good, staff are committed to the council and largely this is due to the leadership shown by the existing senior management team, the commitment to succession planning and the impact officers feel their roles make on the borough. Change is unsettling, making an external appointment could impact on morale.
25. The proposal is not to back fill the Corporate Director (Operations) role, and to leave this post effectively vacant for the period of the secondment. This may present a risk in terms of senior management capacity and experience however it is felt that the priorities of the council are fairly well set through the corporate plan and the introduction of more rigid programme management processes will provide a stronger framework in which to manage these risks.

## **Handling**

26. Formal consultation processes with materially affected staff commenced during week commencing 14 December 2015 and the proposals have been considered by the JCC on 28 January 2016.
27. Appointment to the Interim Chief Executive role with statutory responsibilities as Head of Paid Service is a Council decision as is the appointment of RO

and ERO. If Cabinet members are satisfied with these proposals a formal recommendation to members will be made to the February Council meeting.

28. This timing has the added benefit that, if approved by Council; there will be no need to appoint a temporary Chief Executive/Head of Paid Service pending a recruitment process.
29. Once Council has approved the recommendations arrangements can be put in place to formalise the secondment into to the Interim Chief Executive role and formal notice will be issued to the PA to the Corporate Director (Operations) subject to redeployment processes.

## **Conclusion**

30. With considerable uncertainty around devolution, and the critical stage the Council has reached in achieving key corporate priorities, it seems to be a sensible way to proceed with the appointment of Interim Chief Executive/Head of Paid service.
31. An internal secondment appointment provides the Council with flexibility for the future, but also provides the stability and consistency that the organisation needs to maintain its direction of travel.

## **Portfolio Holder's Views**

32. Cllr Gerry Clarkson- Leader of the Council

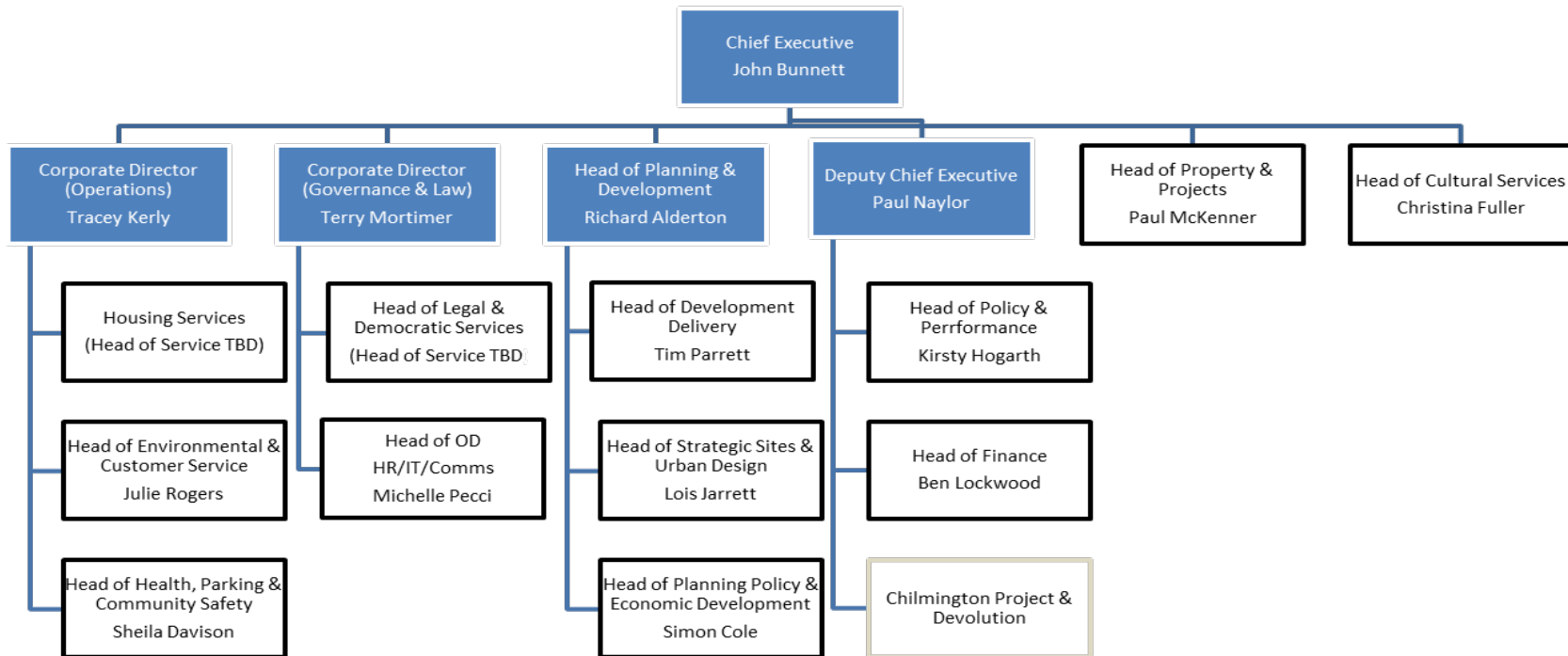
The Council is currently in a strong position with the recently agreed corporate plan providing direction and focus; and having made significant progress in realising major project delivery. The Council has a good reputation with residents, businesses and potential inward investors. Much of this is as a result of strong and consistent member and officer leadership.

The recommendation to temporarily appoint an internal candidate into the Chief Executive role helps to ensure we maintain a steady course to achieving our objectives whilst also recognising the external environment is changing, this will provide the organisation with the ability to respond appropriately as the future becomes clearer.

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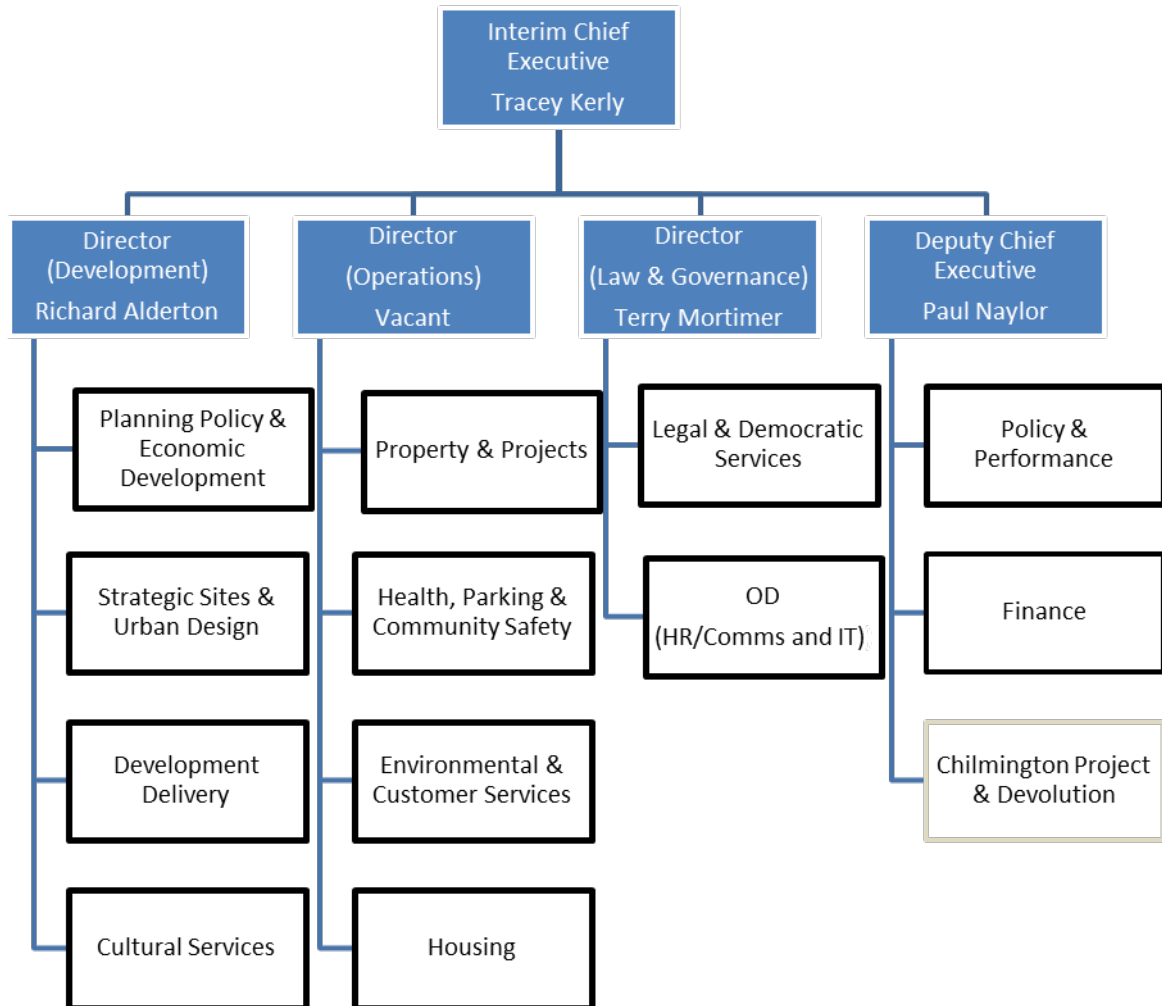
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**ORIGINAL** STRUCTURE EFFECTIVE APRIL 2016





PROPOSED INTERIM STRUCTURE



## ASHFORD BOROUGH COUNCIL

### JOB DESCRIPTION

<b>JOB TITLE:</b>	<b>INTERIM CHIEF EXECUTIVE</b>
<b>GRADE:</b>	MG1
<b>POST NUMBER:</b>	0001
<b>RESPONSIBLE TO</b>	The Council through the Leader
<b>JOB SUMMARY:</b>	To provide strong managerial leadership, motivating and inspiring the Council's staff in ensuring that all Members of the Council are fully supported in their various roles and that Council policy is effectively implemented in order to achieve the authority's strategic and corporate objectives as efficiently and economically as possible.
<b>ROLE REQUIREMENTS:</b>	
	<b>MEMBER RELATIONS:</b>
1.	To advise the Council on all matters of general policy and corporate policy, supporting the development of a clear vision, appropriate strategies and robust policies.
2.	To develop and maintain excellent relations with Members, ensuring that they receive the advice and information they need to enable them to discharge their roles in policy making, performance management, representation and scrutiny.
3.	To deliver effective accountability of staff to Members and the public.
	<b>STRATEGIC MANAGEMENT:</b>
1.	To give the Management Team strategic leadership and direction, promoting a corporate approach in both forward planning and day-to-day management. Set clear objectives and goals for members of the Management Team.
2.	To lead the Management Team in setting the strategic agenda for the Borough. To update the Council's Corporate Strategy regularly, and ensure that this is delivered by the service plans within the organisation.
3.	To ensure that the interests of the Council and of Borough residents are fully protected in the operation of the county and

	regional agreements.
4.	To provide leadership on organisational, cultural and transformational change whilst maintaining quality, performance and a customer focused approach.
	<b>SERVICE DELIVERY:</b>
1.	To ensure that value for money, good quality services are provided in the most effective, economic and efficient way.
2.	Maintain and develop relationships with stakeholders and ensure that all stakeholders continue to be consulted.
3.	To exploit the Council's community leadership role by building on and developing partnership working in support of the Council's aims and objectives, ensuring that effective governance arrangements are in place for all key partnerships.
4.	To monitor and manage service and corporate performance to secure continuous improvements.
5.	To engender within the organisation a culture of valuing and celebrating the diversity of the Borough's communities, ensuring that equal opportunities policies and practices are in place to eliminate unfair discrimination whether as an employer or a provider of services.
	<b>RESOURCE MANAGEMENT:</b>
1.	To ensure that the Council is organised effectively and is able to respond to changing needs, that operational accountabilities are clearly defined and appropriately managed and that all services and staff have clear objectives that relate directly to the delivery of the Corporate Plan.
2.	To motivate and lead all staff to deliver good quality and value services in an innovative and flexible way. To ensure effort, skills and time are used productively to achieve high standards in relation to the quantity and quality of performance. To tackle areas of weakness within the organisation and manage poor performance in line with Council procedures.
3.	To support effective medium term financial planning and continued strong financial management and ensure that the Council's financial systems and affairs are properly managed to a high standard and its statutory obligations are met.
4.	To ensure that appropriate project management arrangements and resources are in place to support the delivery of major projects and that progress is reported

	regularly to Management Team and Members.
	<b>COMMUNICATIONS:</b>
1.	To develop, maintain and promote effective communication and liaison throughout the Council and between the Council, the public and other organisations.
2.	To act as an Ambassador promoting the interests of the Council and of the Borough.
	<b>OTHER RESPONSIBILITIES:</b>
1.	The post holder is the Head of Paid Service.
2.	To play a full part in the Council's Emergency Planning arrangements as required under the Civil Contingencies Act and attend training as necessary.
3.	To perform such other duties in connection with the work of the Council as may be required.
4.	To represent the Council as required on the board of local agencies.
	<b>EQUAL OPPORTUNITIES:</b>
1.	To promote equality of opportunity in employment and service provision, and eliminate unlawful discrimination.
2.	To recognise that people have different abilities to contribute to the Council's goals and performance and to take necessary action to give everyone a chance to contribute and compete on equal terms.
	<b>EMERGENCY PLANNING:</b>
1.	To participate as required in the Council's Emergency Planning operations including undertaking training and exercising as directed.
2.	To participate in the response to an emergency which may involve duties outside your normal job description and at times outside your contracted hours.
3.	To participate in the recovery stage following the emergency.
	<b>BUSINESS CONTINUITY:</b>
1.	In the event that an incident has occurred which disrupts the Council's ability to deliver its critical functions, to undertake duties within your competencies in other departments and/or at other locations.

	<b>DATA PROTECTION:</b>
1.	To ensure that data quality and integrity is maintained and that data is processed in accordance with Council policy, the Data Protection Act, the Freedom of Information Act, and other legislation.
	<b>HEALTH &amp; SAFETY:</b>
1.	All employees have responsibilities under The Health and Safety at Work Act 1974. These responsibilities are laid out in the Council's Health and Safety Policy, available on the Intranet or from Personnel.
	<b>ADDITIONAL DUTIES:</b>
1.	To undertake any additional duties of a similar level of responsibility as may be required from time to time.
<b>OTHER CONDITIONS:</b>	
December 2015 MP	

## KEY COMPETENCY AREAS

Ashford Borough Council uses a Competency Framework which describes the behaviours all staff are expected to display when performing their role. These behaviours are an important cornerstone of our recruitment and selection processes as well as our performance management processes.

### LEADING BY EXAMPLE

- Communicate simply and clearly when writing and speaking
- Accept responsibility for own area of work and learn from mistakes
- Be consistent when making decisions and dealing with others
- Welcome ideas and feedback and encourage openness
- Remain calm and composed at times of pressure
- Be positive and enthusiastic with a 'can-do' approach and be proactive, with a willingness to get involved

### WORKING WITH OTHERS

- Treat others with respect and dignity at all times, ensuring that there is no discrimination regardless of background
- Take time in conversations and meetings to listen to other people and consider their opinions
- Provide help willingly, and share own knowledge, time and skills to assist others
- Understand the feelings of others and show tact and empathy
- Be approachable and pleasant to interact with
- Positively engage with others and keep any criticism constructive

### MANAGING OURSELVES

- Inspire trust by demonstrating honesty and integrity
- Manage workloads effectively to prioritise demands and meet deadlines. Use clear and realistic goals broken down into smaller objectives
- Be self motivated and work hard. Use own initiative and require minimal supervision
- Challenge yourself to learn and encourage others to make changes to enhance performance and standards
- Demonstrate self awareness by understanding the impact of our own behaviour on others
- Complete work to the highest standard possible whilst balancing the need to deliver with good attention to detail.

### ACHIEVING OUR GOALS

- Look at options before making a decision and promote acceptance of an appropriate level of risk
- Be flexible and propose, accept and implement change where necessary
- Be brave and use creativity and innovation to solve problems by doing things differently
- Understand the direction of the council and where possible seek to replicate and develop good practice from all other sectors and apply their approach to the day to day role
- Display loyalty and commitment to own role, team priorities and the council as an employer. Be fully focused on delivery
- Be knowledgeable of own service area and have an awareness of the role of other council departments.