

**Report for: Standards Committee 25 June 2019**

**Title: Appointment and Dismissal of Senior Officers**

**Report authorised by : Zina Etheridge – Chief Executive and Head of Paid Service**

**Lead Officer: Ian Morgan – Reward Strategy Manager**

**Ward(s) affected: n/a**

**Report for Key/  
Non Key Decision: Non Key**

**1. Describe the issue under consideration**

The purpose of this report is to provide the Committee with recommendations for the future which will focus members' time on the appointment of the most senior officers of the Council in order to maintain the transparent link between our Constitution, our statutory obligations and the organisation of the senior management team.

In accordance with Article 14.03, changes to the Constitution are approved by the Full Council on the recommendation of the Standards Committee. It is good practice to also consult with the relevant Committee, in this case, Staffing and Remuneration Committee, to obtain the Committee's views on the proposal.

**2. Cabinet Member Introduction**

Not applicable.

**3. Recommendations**

To agree the amendment to Part Four, Section K of the Council's Constitution; Officer Employment Procedure Rules, as set out in Appendix A, for recommendation to full Council for adoption.

**4. Reason for Decision**

The Council has a number of statutory obligations and powers regarding the appointment and dismissal of its most senior officers, codified in the Officer Employment Procedure Rules; Part 4 Section K of the Constitution of the London Borough of Haringey.

The Council has significantly changed its senior management structure in order to reduce the number of management levels in the organisation. Simply using the generalised definitions set out in legislation, which are mainly based on reporting lines rather than the size and importance of the role, has inadvertently captured some smaller specialised professional roles at Head of Service level which would not previously have fallen into the category of a member appointment.

The amendment to Part 4 Section K is designed to better reflect the current structure of the senior management team, whilst ensuring that the authority continues to meet its statutory obligations.

Changes to the Constitution are approved by the Full Council on the recommendation of the Standards Committee, in accordance with Article 14.03 of the Constitution. It is good practice to also consult with the relevant Committee, in this case, Staffing and Remuneration Committee, to obtain the Committee's views on the proposal.

## **5. Alternative options considered**

The alternative would be to maintain the current definition of a member appointment, however, this would significantly increase the amount of member time taken up in recruitment activities.

## **6. Background**

6.1 The appointment of staff is governed by the Local Authorities (Standing Orders) (England) Regulations 2001 ('the Regulations') which provide that with certain exceptions, all staff appointments and dismissals must be carried out by officers.

Exception is made for the appointment and/or dismissal of certain senior officers and includes provision that statutory chief officers, non-statutory chief officers and deputy chief officers may be (but do not have to be) appointed and dismissed by members.

6.2 The Regulations prescribe the process for the appointment and dismissal of Head of Paid Service, and the dismissal of Chief Finance Officer and Monitoring Officer and the specific roles and responsibilities of members in these processes. Thereafter, the Regulations offer the authority discretion to determine the role of members in the appointment and dismissal of officers at chief or deputy chief officer level.

6.3. Whether an officer is a statutory chief officer, a non-statutory chief officer or a deputy chief officer is defined in law (s2 Local Government Housing Act 1989):

- The statutory chief officers are (i) the director of children's services, (ii) the director of adult's services, (iii) the director of public health and (iv) the s151 officer
- The non-statutory chief officers are those officers reporting directly to and accountable to the Chief Executive and Head of Paid Service
- The deputy chief officers are those officers reporting directly to and accountable to one or more of the statutory or non-statutory chief officers.

6.4 The Council has significantly changed its management structure in recent years. The previous Senior Leadership Team (SLT) operated at executive level and reported directly to the Head of Paid Service. This structure consisted of an additional layer of senior operational management sitting beneath the SLT. The SLT has been dissolved and replaced with the Corporate Board. The establishment of Corporate Board removed a layer of senior management to enable operational decision making in key strategic services to be made at the most senior level.

The proposal is to redefine the role of members to better reflect the current structure of the senior management team, whilst ensuring that the authority continues to meet its statutory obligations. Appendix A sets out the proposed changes to Part 4 Section K to reflect this change. Members will be responsible for the appointment and/or dismissal of Directors and Assistant Directors, as permitted by the Regulations, however in line with member expectations, it will no longer extend to

every deputy chief officer of the Council, as some of these officers are operating below Assistant Director level, i.e. as Heads of Service.

6.5 The proposal in Appendix A redefines the scope of member involvement in appointments and dismissals as follows. The Staffing and Remuneration Committee will appoint and dismiss Directors. "Director" has the meaning given at Part 3 Section E Section 1; 2.01 of the Constitution and shall include the following officers:

- Members of the Corporate Board
- All Directors and Assistant Directors
- The Chief Executive of Alexandra Palace & Park (as appropriate)

"Corporate Board " means:

- The Director for Environment and Neighbourhoods
- The Director for Housing, Regeneration and Planning
- The Director for Children's Service
- The Director for Adults and Health
- The Director for Customers, Transformation and Resources
- The Director of Finance

## **7. Contribution to strategic outcomes**

Ensuring that the definition of member appointments is clear supports the Council's commitment to fair and transparent recruitment practice.

## **8. Statutory Officers' comments**

### **8.1 Chief Finance Officer**

There are no financial implications arising from the recommendations apart from minor administration changes.

### **8.2 Assistant Director of Corporate Governance**

The Assistant Director of Corporate Governance has been consulted in the preparation of this report. The legal implications are set out within the body of this report.

## **9. Use of Appendices**

Appendix A – London Borough of Haringey Constitution; Part Four, Section K "Officer Employment Procedure Rules".

## **10. Local government (Access to Information) Act 1985**

Not applicable.