

**Report for:** Staffing & Remuneration Committee: 2 December 2021

**Title:** Appointment to the post of Chief Executive (Interim)

**Lead Officer:** Dan Paul – Chief People Officer  
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**Ward(s) affected:** All

**Report for** Non Key Decision

## 1. Describe the issue under consideration

- 1.1 The current Chief Executive has resigned and will leave the Council in early 2022 and, pending permanent recruitment, an interim appointment is required until a permanent appointment is in place. In seeking an interim appointment, the Council adopted a direct recruitment approach and the Member Panel interviewed a candidate on 25 November 2021. The interview was conducted by Cllrs Ahmet, Basu, Cawley-Harrison and Williams.
- 1.2 In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 and Part 4 Section K of the Council's Constitution, the Staffing and Remuneration Committee is required to recommend that Full Council approve the appointment to the post of Chief Executive and Head of Paid Service, following the recommendation of the Member Panel.

## 2. Cabinet Member Introduction

Not applicable.

## 3. Recommendations

- 3.1 That the Committee accepts the recommendation of the Member Panel and agrees to recommend to Full Council the appointment of the candidate to the post of Chief Executive and Head of Paid Service.
- 3.2 Subject to (3.1) above, that the appointment of the candidate to the post of Chief Executive and Head of Paid Service to be on the Chief Executive's salary range as agreed by Council in the Pay Policy Statement. This will be in the range of £185,600 - £210,200.
- 3.3 Subject to (3.1) above, that the appointment of the candidate to the post of Chief Executive and Head of Paid Service be offered on a Fixed Term Contract with an initial term of six months, with authority delegated to the Leader of the Council, in consultation with the Chair of the Staffing and Remuneration Committee, to extend the contract for up to a further six months.

3.4 Subject to (3.1) above, any appointment made will take effect when the appointed candidate accepts in writing the contract of employment offered to him/her by the Council.

#### **4. Reason for decision**

4.1 To fill the most senior post within the Council's organisational structure which is responsible for the overall delivery and strategic direction of services. It is a statutory requirement that the Council have an Officer designated as the Head of Paid Service at all times.

#### **5. Alternative options considered**

5.1 The Council is required to have an Officer designated as the Head of Paid Service. It is not possible to conduct a permanent recruitment process within the necessary timescale and so the only viable option is to engage an Officer on either a fixed term contract or on an interim (day rate) basis.

#### **6. Contribution to strategic outcomes**

6.1 The post of Chief Executive is a key role which sets the strategic leadership of the Council and is responsible for the delivery of Council priorities and the Borough Plan.

#### **7. Statutory Officers' comments**

##### **7.1 Chief Finance Officer (including procurement)**

7.1.1 The cost of the Chief Executive, within the range set out above, can be met from the approved budget for this post.

##### **7.2 Head of Legal and Governance**

The Head of Legal & Governance has been consulted in the preparation of this report, and makes the following comments:

7.2.1 A local authority shall appoint such officers as it thinks necessary for the proper discharge by the authority of such of their functions (section 112 Local Government Act 1972).

7.2.2 There are two clear and distinct concepts, namely the contractual appointment to the post of Chief Executive, and the designation of an officer of the Council as Head of Paid Service. It is usual for one individual to discharge both roles.

7.2.3 Local Authorities (Standing Orders) Regulations 1993, as amended, and the Local Authorities (Standing Orders) (England) Regulations 2001 as applied by the Council's Constitution (Part 4 Section K) make clear that it is for full Council to determine any appointment to the contractual post of Permanent Chief Executive and to designate an officer of the Council as the Council's Head of Paid Service under section 4 of the Local Government and Housing Act 1989.

7.2.4 The offer of appointment of the Head of Paid Service shall only be made where:

- (i) no objection has been made by any member of the Cabinet, or
- (ii) if any objection is made, the Staffing and Remuneration Committee has declared itself satisfied that the objection is not material or well-founded.

7.2.5 Under section 7 of the Local Government and Housing Act 1989, every appointment to a paid office or employment to a Council post must be made on merit.

7.2.6 In light of the above, there is no legal reason why the Committee cannot adopt the Recommendations contained in this report.

**8. Equalities**

Not applicable

**9. Use of Appendices**

Not applicable

**10. Local Government (Access to Information) Act 1985**

Not applicable.