

COUNCIL – 16 JULY 2019

PART I - DELEGATED

4. APPOINTMENT OF INTERIM CHIEF EXECUTIVE OFFICER (CED)

1 Summary

1.1 Appointment of Interim Chief Executive Officer and Interim Head of Paid Service

1.1.1 Following the departure of the previous Chief Executive Officer, Dr Steven Halls, a search process was undertaken with the East of England Local Government Association (EELGA) and three external recruitment agencies. As a result of this search process five candidates were put forward for consideration by the appointments panel.

1.2 Formal Process

1.2.1 The Appointments Panel is made up of seven members as follows:

4 Liberal Democrats

2 Conservative

1 Labour

The actual membership of the panel is confirmed by the relevant Leader for the political group.

An Appointments Panel meeting was held on 11 July to consider the candidates submitted and as a result David Hill is recommended for appointment.

2 Details

2.1 The position of Head of Paid Service is a statutory requirement. The Head of Paid Service is responsible for the organisation, appointment, and proper management, of the Council's staff. It is therefore essential to ensure the role of Head of Paid Service is filled on an interim basis, following the departure of Dr Steven Halls on 30 June 2019, while permanent recruitment takes place, to ensure Three Rivers District Council complies with its statutory responsibilities. The Council has the option to appoint as Chief Executive Officer (CEO) in addition to Head of Paid Service, but is not legally obliged to do so. It is being recommended that this is a combined role as is the practice at the Council. Consequently the references to CEO following are to the combined role.

2.2 A search process for an interim CEO was undertaken with EELGA and external agencies resulting in five candidates being put forward to the Appointments Panel for consideration. The Appointments Panel, at its meeting on 11 July confirmed that David Hill should be offered the role of interim CEO for Three Rivers District Council, with a remuneration of £977 per day. The selected candidate will work for four days per week. For comparison purposes, the budget for the role of CEO is a salary of up to £130,000 per annum plus employer on-costs, which includes pension contributions, of approximately 30%, giving a gross total of £169,000. In addition as an employee the CEO would be entitled to paid annual leave and Bank Holidays plus paid sick leave should he/she be absent due to illness. The interim CEO on a daily rate will not be paid for any days not worked, nor is there any contribution to pension

scheme. Following approval from Council, it is anticipated that David Hill will commence in this role from 22 July 2019.

- 2.3 Whilst this interim recruitment takes place and until 22 July, it is recommended that Joanne Wagstaffe, Director of Finance, undertakes the duties of Acting Head of Paid Service from 1 July 2019. While Joanne Wagstaffe is covering those duties, her Section 151 responsibilities for Three Rivers District Council will be carried out by Alison Scott, Head of Finance, also from 1 July 2019. The Section 151 Officer is responsible for the proper administration of the Council's financial affairs, and where the name refers to the requirement for the role in the Local Government Act 1972.
- 2.4 It is further recommended that Geof Muggeridge, Director of Community & Environmental Services, undertakes the statutory role of Returning Officer, from 1 July 2019 until an interim CEO is appointed on 22 July. The former CEO held these roles which are also Council appointments but do not have to be undertaken by the CEO.

3 Options and Reasons for Recommendations

- 3.1 The alternative option would be to retain Joanne Wagstaffe as interim Head of Paid Service and Alison Scott to retain the Section 151 responsibilities. This option **is not** recommended due to the current significant workload of these employees, supporting both Three Rivers and Watford, through the Lead Authority model.
- 3.2 The **recommended option** is to appoint an interim CEO to ensure the organisation, appointment, and proper management, of the Council's staff. It is also being recommended that the post of CEO holds the role of the Councils Electoral Registration Officer and Returning Officer

4 Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed policy and budgets.

5 Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

- 5.1 None specific.

6 Financial Implications

- 6.1 The current budget is £169,000 which includes a salary of up to £130,000 per annum plus on-costs of approximately 30%. The interim CEO will be paid at a rate of £977 per day for 4 days a week for an estimated 29 weeks, giving a total of £113,332.

7 Legal Implications

- 7.1 The Council is required by law to appoint a named Officer as the Head of Paid Service. This is a statutory role and must be filled.
- 7.2 The appointment of Head of Paid Service is a Council appointment by virtue of the Local Authorities (Standing Orders) (England) Regulations 2001

8 Equal Opportunities Implications

8.1 Relevance Test

Has a relevance test been completed for Equality Impact?	No – the requirement is for an interim CEO to replace an existing post while permanent recruitment takes place
Did the relevance test conclude a full impact assessment was required?	N/a

8.2 Impact Assessment

No Impact Assessment required

9 Staffing Implications

9.1 An interim CEO and Head of Paid Service will fulfil the Council's statutory requirement to ensure the organisation, appointment, and proper management, of the Council's staff.

10 Environmental Implications - none

11 Community Safety Implications - none

12 Public Health implications - none

13 Customer Services Centre Implications - none

14 Communications and Website Implications - none

15 Risk and Health & Safety Implications

15.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

15.2 The subject of this report is covered by the Council's corporate plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
Interim appointment of Head of Paid Service	Three Rivers DC does not fulfil its	Internal arrangements are in place for the	Treat	4

cannot be made	statutory obligations	Director of Finance to cover the requirements of the Head of Paid Service		
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15.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely ----- Likelihood ----- Remote	Low	High	Very High	Very High
	4	8	12	16
	Low	Medium	High	Very High
	3	6	9	12
	Low	Low	Medium	High
2	4	6	8	
Low	Low	Low	Low	
1	2	3	4	
Impact				
Low ----- Unacceptable				

Impact Score

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

Likelihood Score

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

15.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

16 Recommendation

16.1 That David Hill is appointed as interim Head of Paid Service and Chief Executive Officer for Three Rivers District Council from 22 July 2019 and is remunerated at a rate of £977 per day.

- 16.2 That Joanne Wagstaffe be authorised to continue to act as Head of Paid Service for Three Rivers District Council up to the date of appointment of the interim Head of Paid Service on 22 July 2019.
- 16.3 That Alison Scott acts as Section 151 Officer for Three Rivers District Council up to the 22 July 2019
- 16.4 That Geof Muggeridge is confirmed as Returning Officer and Electoral Registration Officer for Three Rivers District Council up to the 22 July 2019.
- 16.5 That David Hill is appointed as Returning Officer and Electoral Registration Officer for Three Rivers District Council from the 22 July 2019
- 16.6 That the Head of Human Resources be given delegated authority to take any further action necessary to give effect to the contents of this report and these recommendations.
- 16.7 That public access to the report be denied until publication of the decision
- 16.8 That public access to the decision be immediate

Report prepared by: Terry Baldwin, Group Head of Human Resources

Data Quality

Data sources:

Good

Data checked by:

Terry Baldwin Group Head of HR

Data rating:

1	Poor	
2	Sufficient	
3	High	

Background Papers

None