

<b>Report To:</b>	<b>CHIEF OFFICERS' EMPLOYMENT COMMITTEE</b>	<b>Date:</b>	<b>19 MARCH 2021</b>
<b>Heading:</b>	<b>ARRANGEMENTS AND TIMELINE FOR THE APPOINTMENT OF THE CHIEF EXECUTIVE / HEAD OF PAID SERVICE</b>		
<b>Portfolio Holder:</b>	<b>LEADER OF THE COUNCIL</b>		
<b>Ward/s:</b>	<b>NOT APPLICABLE</b>		
<b>Key Decision:</b>	<b>NOT APPLICABLE</b>		
<b>Subject to Call-In:</b>	<b>NOT APPLICABLE</b>		

**Purpose of Report**

To seek the Committee's approval to:

- a) restart the process for the recruitment of the permanent Chief Executive / Head of Paid Service;
- b) agree to the recruitment timeline;
- c) agree to the arrangements for the recruitment;
- d) confirm the job description and person specification and salary range.

## **Recommendation(s)**

**Committee is asked to:**

- a) authorise the Chief Executive in conjunction with HR to restart the process for the recruitment of the permanent Chief Executive / Head of Paid Service;**
- b) agree to the outline recruitment timeline as set out in the report;**
- c) agree to the arrangements for the recruitment including authority for the Chief Executive and HR to seek quotations for a recruitment agency in line with the specification for services previously used;**
- d) delegate authority to the Leader in consultation with the Chief Executive to appoint the successful recruitment agency;**
- e) confirm the job description, person specification (as appended to the report) and the salary range;**
- f) recommend that Council agrees to extend the appointment of Carol Cooper-Smith as the Chief Executive and Head of Paid Service for a further period from 1 August 2021 until the successful candidate commences employment with the Authority.**

## **Reasons for Recommendation(s)**

The Council is legally required to appoint one of its officers to the position of Head of Paid Service. The Head of Paid Service is currently the Chief Executive. The current Chief Executive is appointed on a temporary basis until 31 July 2021 pending the appointment of a permanent Chief Executive in line with previous decisions of this Committee. The appointment of the current Chief Executive was made on an interim basis following the resignation of the former permanent Chief Executive. The interim arrangements were extended due to the COVID-19 Pandemic in order to ensure consistency and stability during a period of unprecedented demands placed upon local government. The Committee recommended that the recruitment be recommenced early 2021 and so this report seeks to take the necessary decisions in order to restart the process.

## **Alternative Options Considered**

As set out above, the Council must appoint a Head of Paid Service to comply with legislation. The recommendations to proceed with the recruitment of a permanent Head of Paid Service are consistent with previous decisions of this Committee. The temporary contract with the existing Chief Executive is due to expire at the end of July 2021 and so arrangements for the permanent recruitment process need to be agreed and commenced for recruitment to take place before the end of July. In line with the outline recruitment timetable set out in the report, in order to ensure the Council retains the services of the current Chief Executive until the successful recruitment has taken place and the permanent Chief Executive is in post, it is recommended that Council agrees to extend the temporary contract of Carol Cooper-Smith until the successful candidate commences employment with the Authority.

Alternative options in relation to the recruitment process, appointment of recruitment agents and outline timetable are set out in the report.

## **Detailed Information**

**The Role of the Chief Officers' Employment Committee**

In accordance with the Constitution, the Chief Officers' Employment Committee is responsible for the appointment of Chief Officers and Statutory Officers. The Committee is required to:

- Decide whether to appoint a Chief Officer / Statutory Officer from an internal pool of candidates or by external advertisement;
- Approve a job description and person specification for the role;
- Interview shortlisted candidates in accordance with the Council's Recruitment and Selection Policy and the advice of an HR adviser;
- Consider interim arrangements;
- Recommend appointments (including interim appointments) of statutory officers to Council for approval.

It is also expected that the Committee will approve further details of the recruitment process such as advertising arrangements, the use of a recruitment agency or other advisers to the Committee and the timeline for recruitment.

### Previous Meetings and Decisions of the Committee

The Chief Officers' Employment Committee has met on three previous occasions to consider the recruitment process for the Head of Paid Service / Chief Executive.

The Committee first met on 13 August 2019 and resolved that:

- a) "Option 2, an external recruitment process for a Head of Paid Service/CEO, be confirmed as the preferred option by the Committee;*
- b) the HR Manager be instructed to carry out a review of the Job Description and Person Specification for the role of Head of Paid Service/CEO to present to a future meeting of the Committee for approval;*
- c) the HR Manager be also instructed, in conjunction with East Midlands Councils, to carry out a salary benchmarking exercise to present to a future meeting of the Committee for approval;*
- d) the HR Manager be authorised to produce a specification for the services required from the recruitment agency and to instruct the Procurement Unit to seek quotations;*
- e) delegated authority be granted to the Leader of the Council, in consultation with the Monitoring Officer, to appoint the successful recruitment agency;*
- f) the outline timeline set out in the report with a formal recruitment process, commencing in January 2020, be approved;*
- g) approval be given for the appointment of Carol Cooper-Smith as the Interim Chief Executive from 16 September 2019 for up to 10 months;*
- h) Council be recommended to approve the appointment of Carol Cooper-Smith as Head of Paid Service from 23 September 2019." (Min. Ref. CO.19)*

The Committee met for a second time on 13 January 2020 to consider the draft job description and person specification and the draft recruitment timeline. The Committee resolved that:

- a) "the Job Description and Person Specification for the role of Chief Executive/Head of Paid Service, as appended to the report, be approved;*
- b) the salary range for the role of Chief Executive/Head of Paid Service, be approved at £105,000 - £117,810;*
- c) the appointment of the executive recruitment consultancy, Gatenby Sanderson, providing a specialist headhunting service, be noted;*

- d) *the timeline and methodology for recruitment, as outlined in the report, be approved with delegated authority being granted to the Interim Chief Executive, in consultation with the Leader of the Council, to have the flexibility to extend the timeline if so required;*
- e) *the Council's Human Resources Team and the Interim Chief Executive be authorised to commence the recruitment process.” (Min.Ref.CO.21)*

It was proposed that the timeline would be as follows (during 2020):

- a) 13 January - Approval by Chief Officers' Employment Committee (COEC);
- b) By end January - Briefing meetings to take place with the recruitment agency; Advertisement in the relevant publication(s); 3 week search period;
- c) By late February - Closing date for applications;
- d) Early March - Longlisting;
- e) Mid-March - Longlisting interviews
- f) By end March - Final interviews (COEC);
- g) April/May - Ratification by Full Council

The role was advertised from 20 February 2020 with a closing date of 13 March 2020. A total of 25 applications were received by the deadline. Longlisting took place on 19 March 2020 and 9 applicants were longlisted to proceed to the first stage of testing. Applicants who were not put through to the longlisting stage were informed.

Lockdown restrictions as a result of the COVID-19 pandemic commenced on 23 March 2020 and as such further progress in the recruitment process was put on temporary hold by the Leader whilst officers and Members concentrated on the Council's response to the pandemic and ensuring delivery of critical functions. Applicants who had been put through to the longlisting stage were informed that due to the pandemic crisis the Council was unable to proceed with the proposed selection timetable and that a further Chief Officer's Employment Committee would be convened to agree an updated selection process timetable.

The Committee met again on 3 June 2020. In light of the continuing impacts of the pandemic at that time, it was necessary for the Committee to review the recruitment process as the original timeframe could no longer be achieved. The Committee agreed to put the original recruitment process on hold until early 2021 and recommended the extension of the Chief Executive's interim arrangements until July 2021:

- a) *“the current recruitment process for the Chief Executive Officer/Head of Paid Service be placed on hold due to the COVID-19 crisis and restarted in early 2021;*
- b) *the extension of the appointment of Carol Cooper-Smith as Chief Executive up to 31 July 2021, be approved;*
- c) *as a result of b) above, Council be recommended to approve the extension of the appointment of Carol Cooper-Smith as Head of Paid Service up to 31 July 2021.” (Min. Ref. CO.3)*

## **Restarting the Recruitment Process**

In accordance with the previous decisions of this Committee in June 2020, authority is requested from the Committee for the Chief Executive in conjunction with the HR Manager to restart the process for the recruitment of the permanent Chief Executive / Head of Paid Service.

An indicative recruitment timeline is set out below:

- a) **19 March 2021** - Approval by Chief Officers' Employment Committee (COEC);

- b) **By end of March 2021** – Seek quotations from Recruitment Agencies;
- c) **By 16 April 2021** – Appointment of Recruitment Agency;
- d) **By end April/early May 2021** - Briefing meetings to take place with the selected Recruitment Agency;
- e) **By 14 May 2021** - Advertisement in the relevant publication(s); 3 week search period;
- f) **By 6 June 2021** - Closing date for applications;
- g) **Early June 2021** - Longlisting;
- h) **Mid-June 2021** - Longlisting interviews;
- i) **Early July 2021** - Final interviews (COEC);
- j) **By end of July 2021** - Ratification by Full Council.

The 9 candidates who were shortlisted in March 2020 were updated following the pause in recruitment and told they would be contacted once recruitment resumed. It is suggested that Committee agrees for HR to write to the 9 candidates to see if they remain interested in being considered for the post. HR have advised that due to the passage of time, those who were shortlisted should be invited to update their CVs if they wish to still be considered for the post without the need to formally resubmit a full application. It is suggested that those who were previously shortlisted and remain interested in the role will automatically be put through to long list interviews.

As set out above, specialist headhunting services were provided by Gatenby Sanderson for the initial recruitment following obtaining three competitive quotations. There is not a continuing contract for services with Gatenby Sanderson and so Committee is asked to consider if they wish to directly appoint Gatenby Sanderson for a second time (with the specification for services previously used) as an exemption to Contract Procedure Rules due to their knowledge from the original recruitment process (provided on request their quotation remains value for money). Alternatively, the Committee may wish to open this up to obtaining three quotations in line with the specification for services previously used.

In line with the terms of reference for the Committee, it is also requested that Committee confirms that the previously approved job description and person specification (attached as Appendix 1) which was approved at the meeting on 13 January 2020 remain fit for purpose.

The Committee at its meeting on 13 January 2020 agreed to the salary banding for the role. Following the cost of living increase in April 2020 the salary bands are now:

- Point 1 £114,761.00
- Point 2 £117,906.00
- Point 3 £121,050.00

Committee is asked to confirm the salary banding as set out above.

Members will see from the indicative recruitment timeline that the Council approval for the successful candidate will hopefully be made in July. The contract with Carol Cooper-Smith is due to expire on 31 July 2021 and so in the event that a successful candidate has a notice period to serve, it is recommended that Council is asked to extend the appointment of Carol Cooper-Smith as the Chief Executive and Head of Paid Service for a further period from 1 August 2021 until the successful candidate commences employment with the Authority.

## **Implications**

### **Corporate Plan:**

The use of fair and transparent policies are central to the Corporate Plan.

### **Legal:**

Section 4 of the Local Government and Housing Act 1989 requires the Council to appoint one of its officers as the Head of Paid Service. The Chief Officers' Employment Committee has the remit set out above in accordance with the Employment Procedure Rules set out in the Constitution (Part 3, section 1.8 and Part 4 of the Constitution).

The estimated level of costs for the services of a recruitment agency would require the Council to seek three written quotations in accordance with the Contract Procedure Rules. Committee may wish to consider directly seeking a quotation from Gatenby Sanderson who provided this service for the original recruitment process as they have worked with the Council in understanding the Council and its requirements and so are well placed to assist with the new process; approaching them directly will also save some time and enable the timeline to proceed more smoothly and avoid the risk of delays. This can be achieved by approving an exemption to Contract Procedure Rules under Rule 17.

### **Finance:**

The salary of the Chief Executive is included within the Revenue Budget for 2021/22 and beyond.

Costs of recruitment – These are estimated to be approximately £10-15k

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	One-off recruitment costs to be met from reserves.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
Failure to have a Head of Paid Service in place at all times would be a breach of statutory provisions.	This will be mitigated by the Committee proceeding as recommended to set out a recruitment process and by the Council extending the interim contract with the current Chief Executive / Head of Paid Service.
A suitable candidate cannot be identified.	It is intended to appoint a specialist recruitment agency to undertake headhunting so that suitable candidates can be approach and directed to a microsite.

<p>Loss of candidates during the delayed recruitment process</p> <p>Successful candidate needing to serve a notice period.</p>	<p>Previously long listed candidates will be contacted to see if they remain interested in the role.</p> <p>Previously long listed candidates will be contacted to see if they remain interested in the role. It is recommended to restart the recruitment process by going back out to full advertisement for new applications.</p> <p>Recommended to extend the temporary contract with the existing Chief Executive.</p>
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**Human Resources:**

Recruitment will be open and transparent and will take place according to HR procedures

**Environmental/Sustainability**

There are no environmental/sustainability issues associated with this report.

**Equalities:**

The process which will be utilised reflects a transparent and equitable approach to recruitment.

**Other Implications:**

None.

**Report Author and Contact Officer**

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