

Audit and Procurement Committee

16<sup>th</sup> March 2020

**Director approving submission of the report:**  
Chief Executive

**Ward(s) affected:** N/A

**Title:** Post of Director of Law and Governance - Salary Approval.

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**Is this a key decision?**

No

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**Executive Summary:**

In line with statutory guidance issued by the Secretary of State under S40 Localism Act 2011, and the Council's Pay Policy statement, approval is being sought in respect of an annual salary package in excess of £100,000 for the post of Director of Law and Governance.

**Recommendations:**

The Audit and Procurement Committee are requested to approve a salary range of up to £106,130 pa for the post of Director of Law and Governance.

**List of Appendices included:**

Appendix 1 – Business Case

**Other useful background papers:**

None

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

Report title: **Post of Director of Law and Governance – Salary Approval.**

**1. Context (or background)**

- 1.1 This post was formerly the Head of Legal Services, including the statutory role of Monitoring Officer. The post has been amended to also include the responsibility, accountability and management of the governance for the council. These additional duties have resulted in a proposed change in grade and therefore salary.
- 1.2 The Chief Executive has suggested changes in relation to the senior management structure in order to meet the changing organisational needs, secure sufficient capacity at a senior level and ensure it was fit for purpose. These changes were subject to consultation with both the officer concerned and the trades unions.
- 1.3 The Director of Law and Governance will now be responsible for:
  - Legal Services, including acting as City Solicitor
  - Act as Proper Officer for Registrars
  - Monitoring Officer
  - Governance, including Member Services
- 1.4 The Business Case at Appendix 1 to the report, identifies that the post of Director of Law and Governance should be graded at Grade AD1, the salary range for which is £97,929 to £106,130.
- 1.5 Statutory Guidance under S40 of the Localism Act 2011 requires that full Council, or some other agreed formal meeting of members should be offered the opportunity to approve salary packages over £100,000. Under the Council's Constitution, this responsibility has been allocated to the Audit and Procurement Committee under its terms of reference.

**2. Options considered and recommended proposal**

- 2.1 Appendix 1 to the report sets out the Business case for the re-designation of the post.

**3. Results of consultation undertaken**

- 3.1 Consultation was undertaken as part the process, no comments made.

**4. Timetable for implementing this decision**

- 4.1 It is proposed that the appointment for this post will be implemented from 1<sup>st</sup> April 2020.

## **5. Comments from the Director of Finance and Corporate Services**

### **5.1 Financial implications**

This post will be funded from within existing resources.

### **5.2 Legal implications**

The Salary range within this report would form part of the contract of employment.

A local authority's power to appoint officers on such reasonable terms and conditions as the authority thinks fit is subject to section 41 of the Localism Act 2011 (requirement for determinations relating to terms and conditions of chief officers to comply with Pay Policy statement).

In addition, statutory guidance states that under these arrangements, full council, or a meeting of members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers £100,000 is the right level for that threshold to be set. For this purpose, salary packages should include salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment

## **6. Other implications**

### **6.1 How will this contribute to the achievement of the Council's Plan?**

The re-designation of the Director of Law and Governance, to include Governance Services, will enhance the service and support provided as it aligns more comprehensively with the post holders existing portfolio and to help lead our One Coventry approach.

### **6.2 How is risk being managed?**

Not applicable

### **6.3 What is the impact on the organisation?**

As a member of the Strategic Management Board and Corporate Leadership Team, this post will play the lead role in developing executing the strategic direction of the Council through the One Coventry approach.

### **6.4 Equalities**

This post has a legal responsibility for ensuring the City Council complies with and meets its obligations under Equality Legislation.

### **6.5 Implications on Climate Change and the Environment**

None

### **6.6 Implications for partner organisations**

None

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**Director of Law and Governance**  
**Appointment on salary above £100k - Business case**

**1. Re-designation of role**

Under the revision of the role the Director of Law and Governance will:

- Influence and enable a robust and proactive corporate governance culture through the decision-making process and input to strategic objectives,
- To lead on policy and planning, to ensure the Council meets the highest standards of ethical and corporate governance.
- Act as a champion of democratic governance and the roles of Elected Members across the Council and externally.
- Ensure the effective performance management of the legal, coroners, registrars, members, elections and Governance Services including the setting, monitoring and delivery of service objectives and targets.

The role will continue to undertake the following:

- Act as City Solicitor
- Accountable Officer for Legal Services
- Monitoring Officer
- Proper Officer for Registrars

**2. Grade and salary**

The post has been evaluated using the Local Government Employers Job Evaluation Scheme that is used in respect of all senior manager roles within the Council and allocated the appropriate grade within the Council's senior management pay structure.

**3. Additional Research**

The proposed salary grade is competitive with those for similar posts in large first-tier local authorities

**4. Rationale**

The proposed salary grade reflects the additional responsibilities now included within the role based on the qualification, experience and knowledge required.