

Cabinet
Council

10th January 2023
17th January 2023

Name of Cabinet Member:

Cabinet Member for Policy and Leadership and Leader of the Council – Councillor G. Duggins

Director approving submission of the report:

Chief People Officer

Ward(s) affected:

All

Title:

Appointment of Proper Officers and Appointments Panel

Is this a key decision?

No

Executive summary:

This report seeks Cabinet and Council approval to the implementation of interim Chief Executive, Proper Officer and to make provision for electoral arrangements following the resignation of the Chief Executive.

This report also proposes the establishment of an Appointments Panel in respect of recruitment to the post of Chief Executive to be filled following the resignation of Dr Reeves.

Recommendations:

The Cabinet are asked to recommend that the City Council, at their meeting on 17th January 2023

- 1.1 With effect from 1st February 2023, to appoint Barry Hastie (Chief Operating Officer, S151 Officer) and Kirston Nelson (Chief Partnership Officer) as joint Acting Chief Executives for the Council until such time as a new Chief Executive has been recruited and is in post.
- 1.2 Designates Barry Hastie (Chief Operating Officer) as Head of Paid Service under s.4 Local Government and Housing Act 1989
- 1.3 With effect from 1st February 2023 to appoint Julie Newman (Chief Legal Officer) as the City Council's Returning Officer and Electoral Registration Officer.
- 1.4 Delegates authority to the Chief Legal Officer to make appropriate changes to the Council's Constitution to reflect the above recommendations.

The Council, at their meeting on 17th January 2023 is recommended:

- 1.5 With effect from 1st February 2023 , to appoint Barry Hastie (Chief Operating Officer, S151 Officer) and Kirston Nelson (Chief Partnership Officer) as joint Acting Chief Executives for the Council until such time as a new Chief Executive has been recruited and is in post.
- 1.6 To designate Barry Hastie (Chief Operating Officer) as Head of Paid Service under s.4 Local Government and Housing Act 1989.
- 1.7 With effect from 1st February 2023, to appoint Julie Newman (Chief Legal Officer) as the City Council's Returning Officer and Electoral Registration Officer.
- 1.8 To delegate authority to the Chief Legal Officer to make appropriate changes to the Council's Constitution to reflect the above recommendations.
- 1.9 To approve the establishment of the Appointments Panel for the appointment of the Chief Executive as detailed in Section 1.6 of this report.

List of Appendices included:

None.

Background papers:

None.

Other useful documents

None.

Has it or will it be considered by scrutiny?

No.

Has it or will it be considered by any other council committee, advisory panel or other body?

No.

Will this report go to Council?

Yes

17th January 2023.

Report title: Appointment of Proper Officers and Appointments Panel

1. Context (or background)

- 1.1 The Chief Executive, Dr Martin Reeves, has formally notified the City Council of his resignation to take up the post of Chief Executive at Oxfordshire County Council. Dr Reeves last day of service is 28th February 2023 with his last working day being 31st January 2023.
- 1.2 Following the resignation of the Chief Executive, it is necessary for interim Chief Executive arrangements to be put in place until the recruitment process for a permanent replacement has been successfully completed. In this regard, it is proposed that Barry Hastie (Chief Operating Officer) and Kirston Nelson (Chief Partnership Officer) both assume the role of joint Acting Chief Executive from 1st February 2023.
- 1.3 In addition, in accordance with the Representation of the People Act 1983, the City Council is required to appoint an Electoral Registration Officer to be responsible maintain a complete and accurate register of electors. A Returning Officer who is responsible for the conduct of local elections. Proper Officer and Counting Officer for any referendums held under the Local Government Act 2000 or any other legislation. An officer to exercise functions in relation to any referendum to change governance arrangements under the Local Government Act 2000 and to hold elections for an elected mayor. Currently, the posts are held by the Chief Executive. It is proposed that the Chief Legal Officer (Julie Newman) is appointed to these roles with effect from 1st February 2023.
- 1.4 The recruitment and selection process for the Chief Executive "Head of the Paid Service" is detailed in the Council's Constitution. This includes the convening of an Appointments Panel.
- 1.5 The Appointments Panel for the appointment of the Chief Executive must be appointed by full Council on the recommendation of Cabinet. The Panel must include at least one Member of the Cabinet and will comprise at least the following:-
 - the Leader and the Deputy Leader of the Council or their respective nominees;
 - the Chair of the Scrutiny Co-ordination Committee or nominee;
 - Such other Opposition Member(s) of Scrutiny to ensure the political balance.

The Quorum for the Appointments Panel for the Chief Executive will be 3 Members.

- 1.6 It is proposed therefore that membership of the Appointments Panel is:
Leader of the Council
Deputy Leader of the Council
All Cabinet Members
Chair of Scrutiny Coordination Committee,
Leader of the Opposition plus three further opposition members (to be nominated by the Leader of the Opposition) to provide political balance
- 1.7 To support Members in the recruitment process, an executive search company has been selected in line with appropriate procurement requirements.
- 1.8 It is proposed that the Appointments Panel will be advised by the Chief People Officer and a external professional adviser from the supporting executive search company Gatenby Sanderson.

1.9 In accordance with the Constitution full Council will approve the appointment of the Chief Executive following the recommendation of the Appointments Panel.

2 Options considered and recommended proposal

2.1 There are legislative and constitutional requirements that require the appointment of Proper Officers and the convening of an Appointments Panel.

2.2 The proposal to appoint the Chief Partnership Officer and Chief Operating Officer as joint Acting Chief Executives is considered to provide the best interim arrangements for the organisation, in terms of 'business as usual' as the officers are currently part of the Senior Leadership Team, plus they are joint chairs of the One Coventry Leadership team that drives the Council's priorities. The officers also jointly line manage most of the Directors within the organisation and are able to provide a stable interim arrangement pending the appointment of a new Chief Executive.

3 Results of consultation undertaken

3.1 No formal consultation has been undertaken in respect of these proposed interim arrangements.

4 Timetable for implementing this decision

4.1 The new arrangements will come into force on 1st February 2023.

5 Comments from Chief Operating Officer (Section 151 Officer) and Chief Legal Officer

5.1 Financial Implications

Both officers will receive an acting up payment for the six- month period it is anticipated the complete recruitment process will take. The payment will be the difference between the Directors existing salary and that of the Chief Executive grade divided between the two officers to reflect the additional duties to be undertaken.

5.2 Legal Implications

The proposals in this report will ensure that the City Council is able to discharge its legal responsibilities and comply with the City Council's Constitution.

6 Other implications

6.1 How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?

The appointment of the Chief Partnership Officer and Chief Operations Officer as joint Chief Executives will support the continued delivery of the Council plan as these officers are already instrumental in driving forward the Council priorities.

6.2 How is risk being managed?

The arrangements are in place for a limited period pending the appointment of a new Chief Executive. Any risks are mitigated by the stability to the organisation that these appointments enable and by compliance with legislative and constitutional requirements.

6.3 What is the impact on the organisation?

The interim arrangements are proposed to provide stability to the organisation following the resignation of Dr Reeves who has been successfully leading the organisations workforce over the last 14 years.

6.4 Equalities / EIA?

In selecting the agency to support the process, all the agencies were asked to specifically detail how they would ensure diversity and inclusion was a central theme in the recruitment journey including the selection process itself.

All Members participating in the Appointment Panel will receive specific training on the recruitment process including diversity and inclusivity.

It is intended all the Panels taking part in the process will be diverse.

6.5 Implications for (or impact on) climate change and the environment?

None identified

6.6 Implications for partner organisations?

Partnership working is a key role for the Chief Executive and will be enabled in this interim period by the continued work of the Chief Partnership Officer.

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