



COUNCIL – 19TH NOVEMBER 2019

SUBJECT: RECRUITMENT FOR THE POST OF CHIEF EXECUTIVE

REPORT BY: CORPORATE DIRECTOR – EDUCATION & CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The Council is required by law to have in place a Head of Paid Service. Within the Council, this responsibility is designated to the Chief Executive.
- 1.2 The purpose of the report is for Council to agree the recruitment of a permanent Chief Executive.

2. SUMMARY

- 2.1 Council, at the meeting held on 3rd October 2019, made the decision to dismiss the former Chief Executive from the employment of the Council with effect from that date.
- 2.2 The Council is now able to recruit a permanent Chief Executive and this report makes recommendations in this regard in accordance with Council policies.

3. RECOMMENDATIONS

- 3.1 Council is asked to agree:
 - 3.1.1 The recruitment of a permanent Chief Executive on the salary range agreed within the Pay Policy 2019 – 20.
 - 3.1.2 That the salary range is updated to include the national pay awards for 2016 and 2018. Both pay awards covered a period of 2 years and were 1% in each year.
 - 3.1.3 The job description and person specification attached at Appendix A.
 - 3.1.4 The post is externally advertised in January 2020.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The recommendations are made:
 - 4.1.1 To ensure the Council complies with its statutory requirements to have in place a Head of Paid Service.
 - 4.1.2 To ensure the Council has effective stable leadership to provide ongoing continuity for the organisation to deliver services to the residents of the County Borough.
 - 4.1.3 To update the Chief Executive salary range in accordance with the JNC National pay awards for Chief Executives.

5. THE REPORT

- 5.1 Members will be aware that interim arrangements have been in place for the position of Chief Executive since March 2013, whilst the substantive Chief Executive was not in the workplace.
- 5.2 Council, at the meeting held on 3rd October 2019, made the decision to dismiss the former Chief Executive from the employment of the Council with effect from that date. Council is, therefore, now in a position to consider the appointment of a permanent Chief Executive.
- 5.3 The current Interim Chief Executive's contract was extended until 31st March 2020, by Council at the meeting held on 4th June 2019.
- 5.4 In addition to the operational service delivery, the Council has just commenced an ambitious transformation programme. The Council is also engaged in several significant projects, including the Cardiff Capital Region City Deal, Twenty First Century Schools and management of the Medium Term Financial Plan. It is now appropriate for the Council to appoint to the post of Chief Executive on a permanent basis.
- 5.5 The Local Government and Housing Act 1989 requires a relevant Local Authority to designate an officer as Head of Paid Service. Within the Council, this responsibility is designated to the Chief Executive.
- 5.6 The Council's constitution determines that full Council will make the appointment of the Head of Paid Service following the recommendation of a short list for such an appointment by the Appointments Committee.
- 5.7 The Council's Pay Policy 2019 – 20 was agreed at the Council meeting on 5th March 2019. The Chief Executive salary range was confirmed in this Policy as:

	Increment 1	Increment 2	Increment 3	Increment 4
Chief Executive	143,949	149,275	154,602	159,944

- 5.8 The salary of the current and the previous Interim Chief Executives have been frozen on the minimum point of the salary range.

- 5.9 There have been 2 JNC national pay awards in recent years for Chief Executives in 2016 and 2018. Both pay awards covered a period of 2 years and were 1% in each year. Unlike national pay awards for NJC staff and Chief Officers, any national pay award for the Chief Executive currently requires the consent of full Council. The Council approved the payment of the 2016 award to the Interim Chief Executive and the salary range was amended to reflect this. The pay award for the following years was not presented to Council to agree.
- 5.10 The Council employs a Chief Executive under JNC terms and conditions which are incorporated into their contract. The JNC for Chief Executives negotiates on national (UK) annual cost of living pay increases for this group, and any pay award is determined on this basis. Chief Executives employed under JNC terms and conditions are contractually entitled to any national JNC determined pay rises. The Council is therefore asked to agree the pay awards as detailed in paragraph 5.9, which would lead to the salary range for the Chief Executive being as follows:

	Increment 1	Increment 2	Increment 3	Increment 4
Chief Executive	148,311	153,798	159,287	164,790

- 5.11 As this post attracts a salary of £100,000 or more it is governed by the Local Authorities (Standing Orders) (Wales) Regulations 2006 as amended and must be externally advertised.
- 5.12 Any variation to a Chief Officer salary, where that salary is over £100k needs to be referred to the Independent Remuneration Panel for Wales (the IRPW). Whilst the Council does not need to refer to the IRPW if they do not change the salary agreed in the Pay Policy, Members are asked to note that the Council has advised the IRPW of the recommendation within this report to advertise for a permanent Chief Executive on the agreed salary range, including the national pay award.
- 5.13 Members will be aware that the Council's Chief Executive also undertakes the statutory role of Returning Officer. The salary for the post does not include the fees for elections. Fees for non-local elections are set and agreed by the Cabinet Office/Welsh Government over which the Council has no jurisdiction.
- 5.14 Part 4 of the Council's constitution entitled 'Rules and Procedures' determines under the section 'Officer Employment Procedure Rules' and heading 'Recruitment of Chief Officers (including Head of Paid Service) that:

2.1 The Council must take the steps set out in paragraph 2.2 below where

(a) it proposes to appoint a Chief Officer and the remuneration which it proposes to pay to the chief officer is £100,000 or more per annum.

2.2 The steps are to

(a) draw up a statement specifying:

(i) the duties of the officer concerned; and

(ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be publicly advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

(c) make arrangements for a copy of the statement mentioned in paragraph 2.2 (a) above to be sent to any person on request.

2.3 Where paragraph 2.1 applies the Council is not required to take the step set out in paragraph 2.2 (b) if it proposes to appoint the Chief Officer for a period of no longer than 12 months.

2.4 Where a post has been advertised as provided in paragraph 2.2 (b) above, the Council must:-

(a) interview all qualified applicants for the post, or

(b) select a short list of such qualified applicants and interview those included on the short list.

- 5.15 Accordingly, the job description and person specification for the post are attached at Appendix A for Members agreement.
- 5.16 Following this meeting, the recruitment will commence in January 2020. As stated in paragraph 5.11, the post must be advertised nationally and will therefore be placed in relevant journals, on the Council's website and forwarded to WLGA for circulation.
- 5.17 If Council agree the recommendations in this report, the Appointments Committee will be convened to agree the advert and recruitment exercises. The Appointments Committee will also agree the initial shortlist of candidates to be invited to undertake the recruitment exercises and following this, the recommended shortlist to Council.
- 5.18 Members are asked to note that Welsh Government have been notified of the recommendation to Council to advertise for a permanent Chief Executive.
- 5.19 **Conclusion**

The Council is required by law to have in place a Head of Paid Service and the Council has designated this responsibility to the Chief Executive. Appointing to the post on a permanent basis ensures that the Council complies with its statutory requirements to have in place a Head of Paid Service.

6. ASSUMPTIONS

- 6.1 There are no assumptions made within this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

- 7.1 The recommendation within this report supports the achievement of the Council's strategic aims, as the Chief Executive is responsible for the provision of strategic direction to the Council, securing the preparation of budgets that reflect the priorities of the Council, presenting policy options and leading on specific corporate policies, programmes and projects as appropriate.

7.2 Corporate Plan 2018-2023.

The appointment of a permanent Chief Executive will ensure that the six Well-being objectives (detailed below) included within the Corporate Plan 2018 – 2023 will continue to be reviewed routinely with public consultation to ensure that they remain relevant:

Objective 1 - Improve education opportunities for all

Objective 2 - Enabling employment

Objective 3 - Address the availability, condition and sustainability of homes throughout the county borough and provide advice, assistance or support to help improve people's well-being

Objective 4 - Promote a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and minimises the adverse impacts on the environment

Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015

Objective 6 - Support citizens to remain independent and improve their well-being

8. WELL-BEING OF FUTURE GENERATIONS

- 8.1 This report supports the five ways of working as defined within the sustainable development principle in the Act as the Chief Executive has authority over all other Officers to ensure the effective and efficient implementation of Council policies and service delivery to the community and to monitor performance.

9. EQUALITIES IMPLICATIONS

- 9.1 The report does not raise any equality issues. All relevant equalities legislation is adhered to within the Council's recruitment process.

10. FINANCIAL IMPLICATIONS

- 10.1 The current Chief Executive salary range approved in March 2019 as part of the Pay Policy 2019 / 20 is funded from the Council's core revenue budget at the first incremental point.
- 10.2 If Council agrees incremental progression in accordance with the salary range as agreed for the Pay Policy 2019 / 20, the additional cost at the top of the grade including oncosts is £21,753 per annum.
- 10.3 Should Council agree the national pay awards as detailed in paragraph 5.10 there will be a further additional cost of £6,591.

- 10.4 The total additional cost including oncosts for incremental progression and the national pay awards is £28,344 at the top of the grade.
- 10.5 There is a current sum of £19,010 in the Corporate Management Team staffing budget for an additional payment for a Deputy Chief Executive. As the Council now has 3 Corporate Directors rather than 1 Deputy Chief Executive and 2 Corporate Directors this budget is currently not being utilised.
- 10.6 If Members agree the recommendations to recruit to the post on the salary range agreed in the Pay Policy 2019 / 20 and with the national pay awards, the budget of £19,010 in respect of a Deputy Chief Executive can be used to partially offset the additional cost.
- 10.7 This would leave a residual additional cost of £9,334 that would need to be incorporated into the Final 2020/21 Budget Proposals report in February 2020 alongside all other pay and non-pay inflationary pressures.

11. PERSONNEL IMPLICATIONS

- 11.1 The personnel implications are included in this report.

12. CONSULTATIONS

- 12.1 All consultation responses have been incorporated in the report.

13. STATUTORY POWER

- 13.1 Local Government Acts 1972 and 2000
Local Government and Housing Act 1989
Local Authorities (Standing Orders) (Wales) Regulations 2006 as amended
Local Government (Wales) Bill 2015

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Appendices:

Appendix A Chief Executive Job Description and Person Specification

Appendix A

Job Description and Person Specification**POST IDENTIFICATION**

Post Title:	Chief Executive
Grade:	Chief Executive Hay Grade
Location:	Penallta House
Responsible to:	The Council

JOB PURPOSE

The Council has delegated the function of Head of Paid Service to the Chief Executive. The postholder has authority over all other Officers and to be the principal advisor to the Council on all matters of general policy, to ensure the effective and efficient implementation of Council policies and service delivery and to monitor performance.

KEY RESULT AREAS

To deliver the Council's key corporate and partnership priorities as set out in the Corporate Plan 2018 – 2023.

To work in partnership with Elected Members and provide strategic leadership, advice and direction to the Council to deliver its strategic direction, vision and values.

As Head of Paid Service, to lead the Council's Corporate Management Team in delivering its strategic and statutory obligations.

As the Council's principal policy advisor, ensure delivery of high quality services in accordance with the Corporate Plan 2018 - 2023.

DETAILED TASK PROFILE

To lead, motivate and inspire the Council's employees to deliver high quality and cost effective services, which meet the identified needs of the community and are in line with the Council's identified vision, mission, objectives and priorities.

To lead the Council's Corporate Management Team to ensure a clear strategic direction incorporating a coordinated, united corporate approach to service provision, employment practices and equal opportunities is adopted.

To provide strategic direction to the Council, securing the preparation of budgets that reflect the priorities of the Council, presenting policy options and leading on specific corporate policies, programmes and projects as appropriate.

To ensure that the Council has robust governance, regulatory systems and controls in place to deliver services, strategies and outcomes.

To ensure the preparation, implementation and monitoring of integrated short and long-term

plans to meet the social, economic and environmental needs of the Council area in line with the Corporate Plan 2018 – 2023.

To monitor and review the health and performance of the Authority through the use of effective performance management systems including the setting and reviewing of targets and performance standards, monitoring performance and group and individual assessments.

To keep under review the organisation and administration of the Council in the light of changing demands being made on it and available resources, where necessary to bring forward options and recommendations for change.

To manage such staff and activities allocated to the Chief Executive.

In liaison with Members and Directors, to promote –

- A commitment at all levels of the Authority to the ethos of a caring responsive public service.
- A commitment to equal opportunities both in terms of service delivery and employment.
- Effective and equitable human resources policies, including training and development, motivation and job satisfaction and a good, safe, healthy working environment.
- Good employee and trade union relations.

To ensure that the political will of the Council is communicated to and understood by all employees and implemented within the constraints of propriety, legality and available resources; to work in close liaison with Members in carrying out these responsibilities.

To ensure that effective and efficient support mechanisms are in place to enable Members to fulfil their various roles.

In conjunction with the Monitoring Officer, to be responsible for a system of record keeping of all the Authority's decisions (executive or otherwise).

When required by the Council's policies and procedures, to hear and determine any relevant appeals.

In pursuit of the Council's interests, to foster links with and act as advocate for the Council in the local community, with external partners, other Local Authorities, Welsh Government, other public bodies and the private sector.

To assist the Mayor in the performance of civic and other appropriate functions and to attend as necessary on such occasions.

To act as Co-ordinator for the Council's Emergency Plan for major disasters.

To be the Returning Officer for all Elections held within the County Borough and to be responsible for the Electoral Registration Service.

To act as the Proper Officer in relation to the Registrar of Births, Deaths and Marriages Service.

Any other duties commensurate with this role.

RESPONSIBILITIES FOR STAFF

Post Titles, Numbers and Level of Accountability

The postholder has direct line management responsibility for 3 Corporate Directors.

RESPONSIBILITIES FOR RESOURCES

Financial; Plant; Buildings or Equipment

Approximately 8,800 employees
Net Revenue budget £337 million
General Fund Capital £69 million
Housing Revenue Account £49 million
WHQS Capital £45 million

ADDITIONAL REQUIREMENTS

Politically Restricted:	Yes
Disclosure and Barring Service Check:	No
Barred List Check:	No

ORGANISATIONAL RESPONSIBILITIES

Understands and demonstrates the principles of confidentiality.

Work within the policies and procedures of the Council including recognising the duty to protect vulnerable adults, children and young people.

Understands and demonstrates commitment to the Council's policies.

Demonstrate commitment to ongoing personal development.

The duties and responsibilities are difficult to define in detail and may vary from time to time without changing the general character of the duties or level of responsibilities entailed. The post-holder is therefore expected to undertake such other duties as may be requested provided the general character of the duties or level of responsibility does not change.

PERSON SPECIFICATION

	ESSENTIAL	DESIRABLE
QUALIFICATIONS	<p>Professional degree qualification in a relevant discipline.</p> <p>Relevant management qualification.</p>	
KNOWLEDGE	<p>A thorough understanding of future developments in local government in both Wales and UK.</p> <p>A detailed understanding of Welsh Government's role.</p> <p>Political awareness and sensitivity.</p> <p>Ability to translate the aspirations of the community into appropriate policy, strategies and actions.</p> <p>Detailed knowledge of local government finance.</p> <p>A thorough understanding of the principles of Good Corporate Governance, and the standards and integrity required to lead an organisation in a Public Setting</p> <p>An appreciation of the role of performance management to improve and develop services.</p>	
SKILLS	<p>Have a modern approach to leadership, team working, customer service and change management and specifically:-</p> <ul style="list-style-type: none"> • Managerial skills • Networking skills • Proficient business orientation • Team building skills <p>The ability to assess priorities, devise solutions and make sound decisions, which may be difficult</p>	<p>Welsh language skills</p>

	ESSENTIAL	DESIRABLE
	<p>and involve risks.</p> <p>Have political sensitivity and be able to maintain impartiality, whilst managing political relationships across all parties.</p> <p>To inspire and operate a united corporate approach.</p> <p>Ability to motivate and empower others whilst encouraging responsibility and accountability.</p> <p>Demonstrate an aptitude to build and lead a strong, highly committed, loyal senior management team.</p> <p>Ability to provide a strategic vision and a clear strategic direction.</p> <p>Set appropriate standards of behaviour for the organisation and demonstrate integrity.</p> <p>Skilled communicator, both orally and in writing to a wide range of audiences, utilising different media.</p> <p>Ability to work under pressure and meet tight time-scales.</p> <p>Ability to negotiate with and influence others.</p>	
EXPERIENCE	<p>Proven track record in leadership and senior management experience at a corporate level.</p> <p>Success in leading major change programmes.</p> <p>Establishing partnership working with a wide range of service users, public and private organisations.</p> <p>Ability to raise the profile of the Organisation and its work through</p>	<p>Wider management experience in the local government sector.</p> <p>Developing, implementing and managing a corporate strategy.</p>

	ESSENTIAL	DESIRABLE
	<p>a variety of mediums.</p> <p>Proven ability to achieve demanding targets.</p>	
OTHER	<p>Commitment to the ethos of a democratically accountable Service.</p> <p>Ability to work in a confidential environment.</p> <p>Understanding of and commitment to Equality and Diversity.</p> <p>Demonstrate vision, motivation, commitment and initiative.</p>	

POST AUTHORISATION

COUNCIL:

DATE: