

**SPECIAL COUNCIL – 11TH JULY 2013**

**SUBJECT: INTERIM GOVERNANCE ARRANGEMENTS**  
**REPORT BY: LEADER OF COUNCIL**

Members will be aware that following recent developments in the investigation by Avon and Somerset Police, the Council's Acting Chief Executive, Mr Nigel Barnett was suspended, pending referral of allegations of potential misconduct to the Council's Investigating and Disciplinary Committee.

The Council is required to consider proposals for the appointment or engagement of a Head of Paid Service, on an interim basis.

On 5th July 2013, I wrote to the Acting Chief Executive confirming his suspension in accordance with Section 4.5 of the Council's Disciplinary Procedure for Statutory Officers.

It is a statutory requirement that all Councils shall have a Head of Paid Service at all times. On Tuesday 2nd July 2013, the Council's Acting Deputy Chief Executive, Sandra Aspinall, agreed to assume the responsibilities of the Head of Paid Service in her role as Acting Deputy Chief Executive, pending consideration of a range of options in relation to interim arrangements by the Council,

I would now invite members to consider the proposals set out below, which seeks to put in place appropriate arrangements to cover the role of Head of Paid Service during the suspension of the Chief Executive and the Acting Chief Executive.

I have been working with the Acting Deputy Chief Executive and the Chief Executive of the WLGA, Mr Steve Thomas, to explore a range of options to put in place appropriate interim arrangements. These include:-

**OPTION 1 - Sharing a Chief Executive with another Local Authority**  
**Estimated 6 month financial implication - £36k to £65k**

**OPTION 2 - Appointing an Interim Head of Paid Service from within the Corporate Management Team**  
**Estimated 6 month financial implication - £86k**

**OPTION 3 - Recruiting an Interim Head of Paid Service from outside the Council selected from a list provided by the WLGA of professional Consultants who regularly undertake Interim Head of Paid Service assignment across the UK**  
**Estimated 6 month financial implication - £88k to £121k**

**OPTION 4** - Recruiting an Interim Head of Paid Service from outside the Council based on proven track record in the role of Head of Paid Service with an in-depth understanding and knowledge of Welsh local government.

**Estimated 6 month financial implication - £92k (if full time and paid in accordance with the council's current pay policy for a Chief Executive).**

In considering each of these options, the relative strengths and weakness of each has been identified and considered with care, as I recognised the vital importance to this Council that it selects the most appropriate arrangements at this time.

In so doing I noted the following considerations

### **Option 1**

This option has the attraction of embracing the collaboration agenda.

However it was felt that, at this time the Council needs more control over the availability of access to the Head of Paid Service than would be practicable under a sharing arrangement.

A concern was also noted that it could take some time to agree which Council we would wish to share with and conclude the terms of an agreement. The inevitable delay that would ensue in concluding arrangements was considered to be undesirable.

### **Option 2**

This option has the attraction of presenting an immediate solution.

However this option could create capacity issues within two Directorates and hence limit the Council's effectiveness in the Education and Environment Directorates. As such "back filling" would be required with the appointment of two Interim Chief Officers.

The appointment of an internal candidate might not be as well received as an appointment from outside the organisation. We have a first class workforce, but feel it is vitally important to restore public confidence in our governance arrangements and an independent, external appointment would strengthen this perception.

### **Option 3**

This option has the attraction of providing relatively immediate access to someone with experience who can act in an interim capacity.

However, the importance of selecting a person with the appropriate skill set, knowledge and experience to steer this Council through the immediate challenges it faces, cannot be overstated. As such it is proposed that selection of this option would need to involve a careful selection process and present a number of candidates for interview.

If an appropriate candidate can be found, and is available at short notice, this option would appear to present the Council with access to an experienced professional capable of leading the organisation through this difficult period.

However, the selection process would inevitably involve some delay; further, once in post, it will be necessary for the appointee to take time to get to know the organisation, its people and the challenges it faces. As such there could be some delay before the post holder could be fully effective in this role.

The WLGA has informed me that the approximate cost of engaging a professional Interim would be in the region of £800 to £1,100 per day, and that a minimum 6 month term of engagement is customary.

#### **Option 4**

After carefully considering the names of potential candidates from within Wales, my preferred option would be the engagement of the Council's former Chief Executive Mr Stuart Rosser.

This option has the following attractions:-

Mr Rosser worked for this Council between 1996 and 2010 and was made Chief Executive in 2006. His appointment would offer a high level of knowledge and understanding of this organisation.

His extensive experience in key governance roles (Chief Executive, Section 151 Officer, Director of Corporate Services etc) means he is ideally placed to represent the Council's interests in relation to the imminent governance and financial challenges ahead.

He would provide the stability that this organisation needs at this time.

We have contacted Mr Rosser in order to determine whether he would be prepared to consider undertaking this role, if this proposal is duly approved by the Council. He has confirmed that, in that event, he would make himself available to commence the role immediately, on a 3 - 3.5 days a week basis

I consider that a 3 - 3.5 day a week arrangements would be acceptable and appropriate. It would also deliver a degree of costs saving, as compared with a full time appointment, which is not an immaterial consideration at this time. His appointment is likely to present a more cost effective option than Options 2 or 3 and greater flexibility in terms of the duration of the appointment.

Mr Rosser would be paid on the council's existing Chief Executive salary range (pro rata) which is estimated to cost £64k over a 6 month period.

#### **RECOMMENDATION**

After full and careful consideration of all options outlined above, I would urge Members to consider and approve OPTION 4 - the proposal to engage Mr Rosser to undertake the role of the Head of Paid Service of the Council on an Interim basis for an initial period of 6 months.