

Public Document Pack

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG

Ty Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG



www.caerphilly.gov.uk
www.caerffili.gov.uk

For all enquiries relating to this agenda please contact Helen Morgan
(Tel: 01443 864267 Email: morgah@caerphilly.gov.uk)

Date: 29th November 2017

This meeting will be filmed and made available to view in live and archive form via the Council's website. The whole of the meeting will be filmed, except for discussions involving confidential or exempt items. The webcast will be available for 18 months from the date of the meeting at www.caerphilly.gov.uk

It is possible that the public seating areas could be filmed and by entering the Chamber you are consenting to being filmed and to those images and sound recordings being used.

You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

If you have any queries please contact the Interim Head of Legal Services and Monitoring Officer by email willige@caerphilly.gov.uk or telephone 01443 863393

Dear Sir/Madam,

A **Special Meeting of Council** will be held in the **Council Chamber, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 5th December, 2017** at **5.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

A G E N D A

Pages

- 1 To receive apologies for absence.
- 2 Declarations of Interest.
Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

A greener place Man gwyrddach



To receive and consider the following report: -

3 Designation of Interim Head of Paid Service.

1 - 8

Circulation:

All Members And Appropriate Officers



COUNCIL - 5TH DECEMBER 2017

SUBJECT: DESIGNATION OF INTERIM HEAD OF PAID SERVICE

REPORT BY: COUNCIL LEADER

1. PURPOSE OF REPORT

- 1.1 This report proposes that Members agree to the appointment of an Interim Head of Paid Service/Chief Executive.

2. SUMMARY

- 2.1 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.
- 2.2 This appointment must be made by Full Council.
- 2.3 Since September 2014 Mr Chris Burns has been employed as the Interim Chief Executive, employed on a series of twelve month contracts. On the expiry of the most recent 12 month contract in August 2017 this contract was extended by Council for a further period until the 31st December 2017. It is necessary for Council to designate a Head of Paid Service from that date. Mr Burns has indicated that he does not wish to extend this contract for a further period and it is therefore necessary for Council to designate another person to fulfil this role.
- 2.4 This report recommends that Mrs Christina Harray, Corporate Director for Communities, be designated as Interim Head of Paid Service/Chief Executive for a period of six months.

3. LINKS TO STRATEGY

- 3.1 It is a legal requirement that all local authorities must designate one of their officers as Head of Paid Service.

4. THE REPORT

- 4.1 The Local Government and Housing Act 1989 requires a relevant local authority to designate an officer as Head of Paid Service.
- 4.2 This appointment must be made by Full Council.
- 4.3 Since September 2014 Mr Chris Burns has been employed as the Interim Chief Executive (which includes the responsibility of Head of Paid Service), employed on a series of twelve month contracts. This appointment was made following advertisement of the post, interviews of the shortlisted candidates by the relevant appointments panel and confirmation by Full Council. On the expiry of the most recent 12 month contract in August 2017 this contract was extended by Council for a further period until the 31st December 2017. It is necessary for

Council to designate a Head of Paid Service from that date. Mr Burns has indicated that he does not wish to extend this contract for a further period and it is therefore necessary for Council to designate another person to fulfil this role.

- 4.4 The Council is unable to advertise for a permanent Head of Paid Service/Chief Executive due to the ongoing situation regarding disciplinary investigations, of which Members are very aware. The options for the Council at this time should include:
- advertising for a further Interim Chief Executive.
 - seeking to select someone on more of a 'consultancy' basis in discussion with the Welsh Local Government Association, possibly by interviewing candidates from a list of suitable known and experienced potential persons.
 - to share a Chief Executive/Head of Paid Service with another Authority on an interim basis but, again, given the urgency and timescale, with the Christmas period intervening, it seems very unlikely that such an option could be put in place in time even were members to feel that this option was one they wished to consider.
 - appointing an Interim Head of Paid Service from within Corporate Management Team.
- 4.5 One option would be to repeat the recruitment exercise followed in 2014 but, in view of the urgency in having to designate someone to fulfil this role and the short timescale available it is not possible for the Authority to advertise as was done at that time. Also, given the uncertain period of any such appointment it is likely that this uncertainty would deter many potential candidates. The same difficulties would arise with the selection and appointment of someone from a short list of potential 'consultants'. Were the authority inclined to approach another authority to share a Chief Executive, it is unlikely that this could be achieved quickly. If such discussions failed to crystallise during the course of December the Authority could then be left without an Interim Head of Paid service at all, which is not an option.
- 4.6 In accordance with the Local Government (Standing Orders) (Wales) Regulations 2006 it is not necessary to advertise the post if a temporary appointment of no more than 12 months is being made. Having discussed the situation with Welsh Government and considering how similar situations have been dealt with in other Authorities, it seems that the best option for the immediate period is to seek to designate an existing officer of the Council as Interim Head of Paid Service until such time as the situation with the disciplinary process has become clear. This appointment will be for a maximum period of six months, and if matters are still not resolved at that point consideration will need to be given as to the likely timescale and a further report will be presented to Council to determine how to proceed at that point.
- 4.7 Given the circumstances, it would seem that the most feasible option for the Council at this time was to invite expressions of interest from the three remaining Corporate Directors and members of the council's Corporate Management Team. Mrs Christina HARRY, Corporate Director for Communities, has indicated her willingness to take on this role in an interim capacity until the Authority is able to consider how to proceed with its management arrangements for the future. The other 2 members of Corporate Management Team have confirmed that they do not wish to express an interest in this interim position. It is therefore recommended that Mrs HARRY be designated as Interim Head of Paid Service/Chief Executive for a period of six months.
- 4.8 It is proposed that the appointment be made at the first point of the approved salary scale for the Chief Executive and that, as with the current interim post-holder, it be fixed at this point with no award of any additional incremental progression beyond that point.
- 4.9 It is part of the Council's arrangements that the Chief Executive/Head of Paid Service is also appointed as Returning Officer for the conduct of elections, and it is recommended that Mrs HARRY is appointed to this role.

- 4.10 There will be a requirement to consider further 'backfilling' of posts within the structure as a result of the designation of Mrs Harry to this role, should Members agree to this proposal. This will need to be carried out with some urgency and a further report will be made to members in due course.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report fulfils a statutory requirement and is not related to the Well-being of Future Generations Act.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no implications arising from the proposed action.

7. FINANCIAL IMPLICATIONS

- 7.1 There is a revenue budget established for the post of Chief Executive and the Interim postholder who will fulfil these duties will be funded from this revenue budget.
- 7.2 Additional costs associated with the internal investigation of the Senior Officer is funded from a provision established using General Fund reserves as approved by Council. A report was recently presented to Council on 21st November 2017, regarding the need to establish a further financial provision.

8. PERSONNEL IMPLICATIONS

- 8.1 The personnel implications are included in this report.

9. CONSULTATIONS

- 9.1 All consultation responses have been included within the report.

10. RECOMMENDATIONS

- 10.1 It is recommended that:
- (i) Members approve the requirements of the post as set out in Appendix 1;
 - (ii) Mrs Christina Harry is designated as Interim Head of Paid Service/Chief Executive for a period of six months on the terms outlined in the report;
 - (iii) That the interim appointment is made at the first point of the relevant pay scale and fixed at that point with no incremental progression;
 - (iv) That this appointment is also to the post of Interim Electoral Registration and Returning Officer.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To ensure the Council complies with its statutory requirements to have in place a Head of Paid Service.
- 11.2 To ensure the Council has effective leadership to provide ongoing continuity for the organisation to deliver services to the residents of the County Borough.

12. STATUTORY POWER

- 12.1 The Local Government and Housing Act 1989 requires the designation of a Head of Paid Service. The council's Constitution requires that this appointment is made by Full Council.

Author: Cllr. Dave Poole, Leader
Consultees: Lynne Donovan, Acting Head of HR and OD
Stephen Harris, Acting Head of Corporate Finance and interim Deputy S151 Officer
Richard Harris, Interim Deputy Monitoring Officer
David Marr, Legal Adviser
Cllr Barbara Jones, Deputy Leader
Cllr Sean Morgan, Deputy Leader
Cllr Colin Gordon, Cabinet Member for Corporate Services

Background papers:

Council report 22nd July 2014 'Recruitment of Interim Chief Executive'

Council report 9th June 2015 'Contract arrangements of Interim Chief Executive'

Council report 19th April 2016 'Contract arrangements of Interim Chief Executive and continuation of internal management arrangements'

Council report 31st July 2017 'Contract arrangements of Interim Chief Executive and continuation of internal management arrangements'

Council report 21st November 2017 'Contract arrangements of Interim Chief Executive and continuation of internal management arrangements'

Appendices:

Appendix 1 Job description and person specification for the post of Chief Executive which includes the responsibility for the Head of Paid Service

Caerphilly County Borough Council Job Description and Person Specification

Post Title: Interim Chief Executive

Grade: JNC for Chief Executives - CCBC Senior Management CE Band

Responsible to: The Council

Responsible For: Directors
Directorate staff as appropriate

PRIMARY ACCOUNTABILITY:

As Head of the Paid Service, to have 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 ACTIVITIES:

1. 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.
2. 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.
3. 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.
4. 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 County Borough Community Strategy.
5. 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.
6. 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.
7. To manage such staff and activities that may from time to time be allocated to the Chief Executive.
8. 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.

9. 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.

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

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

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

13. 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, National Assembly for Wales and Government Departments, other public bodies and the private sector.

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

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

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

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

18. Any other duties commensurate with this role.

PERSON SPECIFICATION

	ESSENTIAL	DESIRABLE
EXPERIENCE	<p>Proven track record in leadership and senior management experience at a corporate level</p> <p>Success in leading a major change programme</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 a variety of mediums</p>	<p>Wider management experience in the local government sector</p> <p>Developing, implementing and managing a corporate strategy</p>
KNOWLEDGE	<p>A thorough understanding of future developments in Local Government</p> <p>Political awareness and sensitivity</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> <p>A proven ability to achieve demanding targets</p>	<p>A detailed understanding of Welsh Government's role</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>
SKILLS	<p>A modern approach to leadership, team working, customer service and change management and specifically:-</p> <ul style="list-style-type: none"> • Managerial and administrative skills • Networking skills • Proficient business orientation • Team building skills <p>To inspire and operate a united corporate approach</p>	

	<p>The ability to take and implement difficult decisions</p> <p>Demonstrate an aptitude to build and lead a strong, highly committed, loyal senior management team</p> <p>Ability to provide strategic vision</p> <p>Excellent oral and written communication skills</p>	
QUALIFICATIONS	<p>Relevant professional qualification</p> <p>Evidence of management development</p>	Relevant management qualification
OTHER	<p>Understanding of and commitment to Equality and Diversity</p> <p>High level of mental ability/intellect - speed at grasping issues and responding appropriately</p> <p>Demonstrate a great deal of energy, motivation and ambition</p> <p>Strong communicator and inspirational leader who naturally builds relationships and commands respect amongst local communities and colleagues alike</p> <p>Enthusiasm for and commitment to public services</p> <p>Flexible approach to work</p>	