

NAME OF COMMITTEE	COUNCIL
DATE	WEST DEVON – 17 DECEMBER 2013
REPORT TITLE	APPOINTMENT OF HEAD OF PAID SERVICE
Report of	CLLR PHILIP SANDERS, LEADER, WDBC
WARDS AFFECTED	ALL

Summary of report: To seek the Council's confirmation of the recommendation of the Appointments Panel and to share the reasoning behind the process adopted.

Financial implications: The employment costs of the two Executive Directors will be shared equally between the two Authorities and will be met from existing budgetary provision.

RECOMMENDATIONS:

That Council:

- (i) endorses the move towards an Executive Director model as an interim measure pending the new senior management structure that will be developed within the agreed T18 programme timetable;
- (ii) confirms the Appointment Panel's recommendation as Head of Paid Service, which will be announced following interviews on Monday 16th December.

Officer contact:

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1. BACKGROUND

- 1.1 The Constitution reserves to full Council the power to appoint the Chief Executive. Members who were present in 2010 may recall that on the last occasion when we appointed, this power was exercised after a joint Appointments Panel consisting of the two Leaders, the two Deputy Leaders and the two Leaders of the Opposition, considered applications through an external recruitment process.
- 1.2 On resignation of the present Chief Executive the joint Leaders and their Deputies met to consider how to move forward. It was felt to be important to move briskly to fill the gap to avoid any loss of momentum and to limit the uncertainty to the Senior Management Team (SMT) and staff at large.
- 1.3 Our preference following consultation with SMT was to seek an interim, internal appointment and the Appointments Panel meets on 16 December to interview internal candidates.

2. THE PROPOSAL

- 2.1 Pending implementation of the Transformation Programme senior management structure the proposal is that we adopt an Executive Director model, with a Head of Paid Service who carries ultimate responsibility, with no separate Chief Executive as such.
- 2.2 The model reflects emerging good practice where districts have put such arrangements in place. There has been a trend in recent times not to replace Chief Executives like for like.
- 2.3 The commissioning model we are moving towards under the Transformation Programme lends itself to alternative arrangements. The retirement of the present post holder provides a real opportunity for us to test a different approach and learn from the experience as we design the new longer term structure. It could be a progressive step which may shape the future if it is successful. If not we will be in a position to return to a more traditional approach or adopt an alternative model.

3. LEGAL IMPLICATIONS AND STATUTORY POWERS

- 3.1 The appointment of a new Head of Paid Service is required by law to be subject to approval by full Council within each Authority.
- 3.2 The Head of Paid Service has to have an employment contract with both councils in order to fulfil the legal requirements of the post.
- 3.3 The Constitution reserves a number of powers to the Chief Executive. These powers and functions will be exercised by the Director appointed as Head of Paid Service.

3.4 The officer procedure rules in the West Devon Constitution say that the Head of Paid Service should be appointed by Council on the recommendation of the Resources Committee. Timings and the need for expediency meant that we have been unable to comply with this rule. An urgent item was brought in front of the Resources Committee at its meeting on 10 December 2013 for endorsement of the process but we are relying on the Council's ultimate power to decide all matters in order to confirm the appointment of the individual concerned at this meeting.

4. FINANCIAL IMPLICATIONS

4.1 The employment costs of the two Executive Directors will be shared equally between the two Authorities and will be met from existing budgetary provision.

5. RISK MANAGEMENT

The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	The right management structure underpins the Councils' capacity to deliver all its corporate priorities
Considerations of equality and human rights:	None directly related to this report
Biodiversity considerations:	None directly related to this report
Sustainability considerations:	None directly related to this report
Crime and disorder implications:	None directly related to this report
Background papers:	None
Appendices attached:	None

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Impact on Council reputation	The Executive Director arrangements will not meet Member & Community needs and expectations	3	2	6	↔	Interim period. Roles will be clearly defined and regularly monitored	Leaders, Head of Paid Service, SMT
2	Impact on Service Delivery	SMT will not have the capacity to manage the loss of the Chief Executive role	3	2	6	↔	Backfilling arrangements will be considered and implemented where necessary	Head of Paid Service
3	Impact on Staff Morale	Lack of clarity on the interim management arrangements will lead to a loss of staff through resignation	2	2	4	↔	Clear communication with all staff and unions, through a variety of methods	Head of Paid Service

Direction of travel symbols ↓ ↑ ↔