

REPORT TO EXTRAORDINARY COUNCIL

Date of Meeting: 13 March 2023

Report of: The Council Leader

Title: Appointment of new permanent Chief Executive and Head of Paid Service

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

Further to the Leader's Report of February 2023 regarding the process to appoint a new, permanent Chief Executive / Head of Paid Service, this Report alerts the Council to the potential outcomes of the Selection Process.

Depending upon the success of the Selection Day on the 7th March, the potential outcome of the process are as follows:

- Following interview, the Appointment Committee recommends the appointment of a named individual; and
- Following interview, the Appointment Committee does not recommend the appointment of any of the internal candidates. This means that an external recruitment would necessarily follow.

2. Recommendations:

That Council ratifies the recommendations of the Selection Committee as reported by the Leader to the Extraordinary Meeting of Council scheduled on the 13 March 2023.

3. Reasons for the recommendation:

This timely recruitment is designed to ensure stability at a time of change and provide clarity as to the direction of travel for the whole of the organisation, the Council's partners and the Exeter communities alike.

4. What are the resource implications including non financial resources

None as all issues were dealt with in the earlier and related 2022 Report.

5. Section 151 Officer comments:

Not appropriate as the current post holder is a Consultee in this process.

6. What are the legal aspects?

The post of Chief Executive and Head of Paid Service is a statutory Chief Officer post as stated in section 4 of the Local Government and Housing Act 1989. Local authorities are under an obligation to designate one of their officers as the Head of Paid Service.

The process followed must comply with the Council's Standing Orders at 50(A) and 51. SO 50A states, inter alia, that 'Council shall approve the appointment of a Head of Paid Service following the recommendation of such appointment by a Committee or Sub-Committee of the Council'.

7. Monitoring Officer's comments:

The procedure to appoint the Head of Paid Service is set out in the Council's Standing Orders as set out under 'Legal Aspects' above.

Simon Copper – Deputy Monitoring Officer.

8. The Background details:

8.1 Council is in the midst of a fundamental business transformation process designed to:

- Deliver a customer focused organisation fit for the future;
- Modernise service delivery through channel shift and digitisation, driving out wasteful processes focused on customer needs; and
- Respond positively to an increasingly challenging financial climate

8.2 The Council's financial shortfall is significant and, whilst both the Strategic Management Board (SMB), the Operational Management Board (OMB) and members have been working hard to address a deficit of £2.3 million for 2023, this deficit has increased by an additional £2 million as a direct result of the energy crisis.

8.3 In addition and working with the LGA, it is recognised that the timely appointment of the permanent Chief Executive is imperative in order that the post holder is able to play a key role in the planned restructure of both SMB and OMB, due by April 2024.

9. The legal background:

9.1 Standing Order 50(a) requires that an Appointment Committee is formed.

9.2 Standing Order 51(1) affords the Council the option of recruiting internally if it so wishes.

9.3 Standing Order 52 requires consultation with the Executive in relation to the successful candidate following interview before the Selection Committee's recommendation is presented to Council

9.4 This and previous Papers' decision-making arrangements comply with all relevant requirements.

10. How does the decision contribute to the Council's Corporate Plan?

This appointment will enable the organisation to focus on the new skills needed to take the council forward in financially challenging times and will contribute greatly to the Strategic Objective of delivering a "well run council".

11. What risks are there and how can they be reduced?

Councillors can choose not to address this issue and not appoint a permanent Head of Paid Service at this juncture. This could potentially lead to the demoralisation of its SMB and OMB Teams - and the rest of the organisation of course - at such a critical time.

12. Equality Act 2010 (The Act)

12.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

12.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

12.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

12.4 The Recommendations herein present no potential impact on people with protected characteristics as determined by the Act.

13. Carbon Footprint (Environmental) Implications:

There are no direct carbon/environmental impacts arising from the recommendations.

14. Are there any other options?

- Do nothing; or
- Wait for the outcome of the LGA proposals in relation to the SMB restructure.

15. This report looks for Agreement to the Recommendations herein

The Leader of the Council

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. The Director, Corporate Services' Report to Council in December of 2022 regarding the exit of the current Chief Executive & Growth Director / Head of Paid Service, the appointment of an interim Deputy Chief Executive and the subsequent appointment of a new Chief Executive / Head of Paid Service refers.
2. The Leader's Report to Council in February of 2023 regarding the process into recruit the new, permanent, Chief Executive / Head of Paid Service also refers.

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