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Northumberland County Council

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Date: Date Not Specified

Dear Sir or Madam,

Your attendance is requested at a meeting of the **STAFF AND APPOINTMENTS COMMITTEE** to be held in **COUNCIL CHAMBER - COUNTY HALL** on **MONDAY, 30 JANUARY 2023** at **2.00 PM**.

Yours faithfully

Rick O'Farrell
Interim Chief Executive

To Staff and Appointments Committee members as follows:-

G Sanderson (Chair), R Wearmouth (Vice-Chair), B Flux, M Purvis, E Simpson, I Hunter, J Watson, A Dale and S Dickinson



Rick O'Farrell, Interim Chief Executive
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AGENDA

PART I

It is expected that the matters included in this part of the agenda will be dealt with in public.

1. APOLOGIES FOR ABSENCE

2. MINUTES

(Pages
1 - 6)

Minutes of the meeting of the Committee held on Tuesday 20 December 2022, as circulated, to be confirmed as a true record and signed by the Chair.

3. DISCLOSURE OF MEMBERS' INTERESTS

Unless already entered in the Council's Register of Members' interests, members are required where a matter arises at a meeting;

- a. Which directly relates to Disclosable Pecuniary Interest ('DPI') as set out in Appendix B, Table 1 of the Code of Conduct, to disclose the interest, not participate in any discussion or vote and not to remain in room. Where members have a DPI or if the matter concerns an executive function and is being considered by a Cabinet Member with a DPI they must notify the Monitoring Officer and arrange for somebody else to deal with the matter.
- b. Which directly relates to the financial interest or well being of a Other Registrable Interest as set out in Appendix B, Table 2 of the Code of Conduct to disclose the interest and only speak on the matter if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain the room.
- c. Which directly relates to their financial interest or well-being (and is not DPI) or the financial well being of a relative or close associate, to declare the interest and members may only speak on the matter if members of the public are also allowed to speak. Otherwise, the member must not take part in discussion or vote on the matter and must leave the room.
- d. Which affects the financial well-being of the member, a relative or close associate or a body included under the Other Registrable Interests column in Table 2, to disclose the interest and apply the test set out at paragraph 9 of Appendix B before deciding whether they may remain in the meeting.
- e. Where Members have or a Cabinet Member has an Other Registerable Interest or Non Registerable Interest in a matter being considered in exercise of their executive function, they must notify the Monitoring Officer and arrange for somebody else to deal with it.

NB Any member needing clarification must contact

monitoringofficer@northumberland.gov.uk. Members are referred to the Code of Conduct which contains the matters above in full. Please refer to the guidance on disclosures at the rear of this agenda letter.

4. REPORT OF THE INTERIM CHIEF EXECUTIVE AND HEAD OF PAID SERVICE (Pages 7 - 18)

Preferred Candidate Appointment Process - Executive Directors and Director of Corporate Law and Governance

The purpose of this report is to confirm and set out to the Staff and Appointments Committee (StAC), the detail of the selection process to be undertaken for the following roles:

Executive Director – Place and Regeneration;
Executive Director – Adults, Ageing and Wellbeing (DASS);
Executive Director – Public Health, Inequalities and Stronger Communities (DPH);
Executive Director – Children and Young People (DCS);
Executive Director – Transformation and Resources (s151)
Director of Corporate Law and Governance (MO)

This report also reminds the Committee of the requirements under the Officer Appointment Procedure Rules in relation to the appointment (or dismissal) of all Chief and Deputy Chief Officers (Appendix A).

5. REPORT OF THE INTERIM CHIEF EXECUTIVE (Pages 19 - 28)

Voluntary Redundancy of the Interim Executive Director of Communities and Business Development

This report sets out the current position following Mrs Maureen Taylor's application for Voluntary Redundancy (VR). It also asks that Mrs Taylor's current arrangement be extended until 31 March 2023 – this should have been included on the paper that was submitted in December regarding the extension of the other interim arrangements (Appendix B).

6. URGENT BUSINESS (IF ANY)

To consider such other urgent business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

IF YOU HAVE AN INTEREST AT THIS MEETING, PLEASE:

- Declare it and give details of its nature before the matter is discussed or as soon as it becomes apparent to you.
- Complete this sheet and pass it to the Democratic Services Officer.

| | | | |
|---|--|--------------------------------|-------------------------------|
| Name: | | Date of meeting: | |
| Meeting: | | | |
| Item to which your interest relates: | | | |
| | | | |
| Nature of Interest i.e. either disclosable pecuniary interest (as defined by Table 1 of Appendix B to the Code of Conduct, Other Registerable Interest or Non-Registerable Interest (as defined by Appendix B to Code of Conduct) (please give details): | | | |
| | | | |
| Are you intending to withdraw from the meeting? | | Yes - <input type="checkbox"/> | No - <input type="checkbox"/> |
| | | | |

Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well- being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

NORTHUMBERLAND COUNTY COUNCIL STAFF AND APPOINTMENTS COMMITTEE

At a meeting of the **Staff and Appointments Committee** held in the Council Chamber, County Hall, Morpeth on Tuesday 20 December 2022 at 9.00 am.

PRESENT

Councillor G. Sanderson
(in the Chair)

MEMBERS

Dale, A.
Flux, B.
Hunter, E.I.

Purvis, M.
Renner Thompson, G.
Watson, J.G.

OFFICERS IN ATTENDANCE

Binjal, S.

Interim Director of Governance and
Monitoring Officer

Farrell, S.
Hadfield, K.

Acting Head of HR/OD
Democratic and Electoral Services
Manager

O' Farrell, R.
Sample, C.
Willis, J.

Interim Chief Executive
Lawyer
Interim Executive Director for
Finance / Section 151 Officer

One member of the press was present

42. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Dickinson and Simpson.

43. MINUTES

RESOLVED that the minutes of the meeting of the Committee held on 2 November 2022, as circulated, be confirmed as a true record and signed by the Chair.

44. REPORT OF THE INTERIM HEAD OF HR/OD

Proposed Appointment Process – Executive Directors

The report set out the proposed appointment process of a team of permanent Executive Directors to replace the interim arrangements currently in place.

Ch.'s Initials.....

Approval was given to implement a revised executive structure for the Council at Staff and Appointment Committee held on 20 September 2022 (included in the background information).

The report set out the structure of the permanent appointment processes and reminded the committee of the requirements under the Officer Appointment Procedure Rules in relation to the appointment of all Chief and Deputy Chief Officers (copy attached to the signed minutes as Appendix A).

The report was introduced by the Interim Chief Executive. He reported that there had been a significant number of applications for all roles. He referred specifically to the proposals for interim arrangements for the Executive Directors for Regeneration and Public Health.

Councillor Dale asked why the comparator authorities had been selected. The Interim Chief Executive advised that Penna had been asked to undertake a national comparison exercise across different types of authorities. The salaries which had been identified were competitive ones. The Leader added that, for exceptional candidates, members might take the view that a salary at the higher end of the range should be offered.

The Interim Chief Executive confirmed to members that the new Chief Executive would be involved in the selection process and the member panel would be cross party and would make its recommendations to the Staff and Appointments Committee.

Councillor Dale asked about on-costs. The Interim Chief Executive advised that these were roughly 30% on top of the salary and the S151 Officer had considered overall affordability.

The MO advised that members needed to agree a delegation to the Chair and Vice Chair to select the cross party interview panel. The Leader added that a deputy would be permitted from each Group to build in some flexibility.

RESOLVED that:-

- (a) the proposed Job Descriptions for 5 Executive Director roles: Executive Director - Children and Young People (DCS); Executive Director - Adults, Ageing and Wellbeing (DASS); Executive Director – Public Health, Inequalities and Stronger Communities (DPH); Executive Director – Place and Regeneration; Executive Director – Transformation and Resources (s151) be approved. All Job Descriptions appear at Appendix 1 of the report;
- (b) the continued engagement of Penna Executive Recruitment in line with the previous procurement process be approved;
- (c) the proposed outline timetable and methodology for the recruitment process for all the Executive Directors attached as Appendix 2 to the report be approved;
- (d) the remuneration for exceptional Executive Director candidates at the top of Band 18 (£162,285) be approved;

- (e) approval be given to extend the interim arrangements for those acting up into roles that meet the definition of Chief Officer and Deputy Chief Officer until such time as permanent appointments are made – schedule attached at Appendix 3;
- (f) as a result of Rick O’Farrell leaving the Council in February 2023, approval be given to the interim appointment of Janice Rose as interim Executive Director – Regeneration until such time as the permanent appointment to the role of Executive Director – Place and Regeneration is made;
- (g) in light of this, approval be given to the backfilling of Janice Rose’s interim post of Service Director – Regeneration by Sarah MacMillan until such time as a permanent appointment to the role of Executive Director – Place and Regeneration is made;
- (h) as a result of Liz Morgan’s retirement in January 2023, approval be given to the interim appointment of Gill O’Neill as Interim Executive Director - Public Health, until such time as the permanent appointment is made to the role;
- (i) All Chief Officer and Deputy Chief Officer roles whether permanent or interim be approved subject to no substantial and well-founded objections being notified by the Leader of the Council, in accordance with Part 4.3 of the Constitution (Officer Employment Procedure Rules);
- (j) the re-advertisement of the previously approved Director of Corporate Law and Governance (MO) be noted; and
- (k) authority be delegated to the Chair and Vice Chair of the Committee to select the cross party interview panel.

Sarah Farrell left the meeting at this point.

45. REPORT OF THE INTERIM CHIEF EXECUTIVE

Proposed Appointment Process – Interim Management Arrangements and Permanent Recruitment of Director of Workforce and Organisational Development

The report set out the interim management arrangements that had been put in place following the departure of Leanne Furnell, Interim Service Director for HR/OD, on 31 October 2022 and reminded the Committee of the requirements to follow the Officer Employment Procedure Rules in relation to the appointment (or dismissal) of all Chief Officers and Deputy Chief Officers. Sarah Farrell had been asked to act up into the role, pending the approval of this Committee. If approved, it was proposed that the interim appointment remain in place until a full-time substantive appointment was made to the post of Director of Workforce and OD.

It was intended that the newly created role of Director of Workforce and OD be created to replace the role of Service Director for HR/OD. The report sought approval of the job description for the role of Director of Workforce and OD and remuneration for this role. The report also sought approval for proposed

selection methodology and an associated recruitment timeline (copy attached to the signed minutes as Appendix B).

The report was presented by the Interim Chief Executive. Members were asked to agree that the interim arrangements be approved with effect from 31 October 2022 when Ms Farrell had taken over the role.

RESOLVED that:-

- (a) the interim arrangements as set out in the report be approved;
- (b) Subject to no substantial and well-founded objection being notified by the Leader of the Council, in accordance with Part 4.3 of the Constitution (Officer Employment Procedure Rules), the interim appointment of Sarah Farrell as Interim Service Director for HR/OD (Band 16) with effect from 31 October 2022 until 31 July 2023, or until a permanent appointment is made to the role, be approved;
- (c) the job description (appendix 1) and remuneration for the permanent Director of Workforce and Organisational Development as Band 16 be approved; and
- (d) the proposed selection methodology and timescales as set out in the appendices 2 and 3 for the permanent recruitment to the role of Director of Workforce and Organisational Development be approved.

Sarah Farrell returned to the meeting.

46. REPORT OF THE INTERIM CHIEF EXECUTIVE

Interim Management Arrangements – Service Director – Adults Assessment and Safeguarding

The report set out the interim management arrangements that had been put in place following a review of the pressure currently on the interim Director of Adult Social Services role having regard to the current structure and incumbents in post. This was in the context of the current restrictions on amending the structure permanently pending the outcome of the PENNA supported review of the top four tiers of management within the Council.

The report also reminded the Committee of the requirements to follow the Officer Employment Procedure Rules in relation to the appointment (or dismissal) of all Chief Officers and Deputy Chief Officers (copy attached to the signed minutes as Appendix C).

The Interim Chief Executive confirmed that this was interim until the substantive arrangements were put in place.

Members were asked to agree that interim arrangements be approved with effect from 21 November 2022 when Ms O’Neil had taken over the role.

47. EXCLUSION OF PRESS AND PUBLIC

The Committee is invited to consider passing the following resolution:

- (a) That under Section 100A (4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the agenda as they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the 1972 Act, and
- (b) That the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons-

| | |
|--------------------|--|
| Agenda Item | Paragraph of Part I of Schedule 12A |
| 9 | 1 |
| | Information relating to any individual. |

AND The public interest in maintaining the exemption outweighs the interest in disclosure because disclosure would adversely affect the Authority’s interests.

48. REPORT OF THE INTERIM CHIEF EXECUTIVE

Application for Voluntary Redundancy

The Interim Chief Executive updated members on the position, though a formal report was not considered. Further work was needed on the details of the redundancy and temporary arrangements would be put in place to ensure that to ensure that all functions were covered when the postholder did leave. These arrangements would be shared with the Cabinet Members and Group Leaders.

Councillor Dale asked how many applications for VR had been received during the recent exercise. Members were advised that about 100 had been received, with about 50% of those rejected. 10-15 of those remaining were Band 14 which were on hold and the rest were with Heads of Service to determine whether they could be released.

The Leader hoped to give an update on the new structure to members in January or February 2023.

CHAIR.....

DATE.....

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Northumberland County Council

Staff and Appointments Committee

30 January 2023

PREFERRED CANDIDATE APPOINTMENT PROCESS - Executive Directors and Director of Corporate Law and Governance

Report of the Interim Chief Executive and Head of Paid Service

1. Purpose of the Report

The purpose of this report is to confirm and set out to the Staff and Appointments Committee (StAC), the detail of the selection process to be undertaken for the following roles:

Executive Director – Place and Regeneration;
Executive Director – Adults, Ageing and Wellbeing (DASS);
Executive Director – Public Health, Inequalities and Stronger Communities (DPH);
Executive Director – Children and Young People (DCS);
Executive Director – Transformation and Resources (s151)
Director of Corporate Law and Governance (MO)

This report also reminds the Committee of the requirements under the Officer Appointment Procedure Rules in relation to the appointment (or dismissal) of all Chief and Deputy Chief Officers.

Due to the timeline of the interviews a supplementary report will be circulated following the completion of the recruitment process.

2. Recommendations

To note the following:

- I. To receive the report and note the further detail of the recruitment process that is to be conducted during the week commencing 23 January 2023.
- II. To be advised that a supplementary report, detailing recommended candidates for each role, will follow this report and will be issued following conclusion of selection exercises and on the day of the StAC meeting, Monday 30 January 2023.

3. Process and Timeline

- At the meeting of the Staff and Appointments Committee (StAC) on 15 December 2022 the appointment process for the Executive Director roles and the role of Director of Corporate Law and Governance was agreed. Also agreed were the respective Job Descriptions (and salary range), the indicative timetable for the recruitment process and the selection methodology.
- The external recruitment campaign ended on 12 December 2022 with a positive response to the adverts.
- A longlisting exercise took place on 21 December 2022 with the Leader, the interim Chief Executive, the interim Director of HR/OD and associates from Penna.
- The longlisted candidates undertook technical interviews during the first two weeks of January 2023. These interviews were conducted by Penna with the support of external specialists in the field. This exercise refined the longlist further. A meeting to discuss resulting recommendations and to determine a final shortlist is due to take place on Thursday 19 January 2023.
- All prospective candidates were offered informal discussions with the Interim Head of Paid Service.
- Shortlisted candidates will be contacted on Friday 20 January 2023 and invited to participate in selection exercises during the week commencing 23 January 2023.
- All shortlisted candidates will also be required to undertake psychometric assessments prior to their selection day.
- During the week commencing Monday 23 January 2023 a series of selection exercises will take place to determine a preferred candidate for each of the aforementioned roles.
- The schedule of the selection exercises will be as follows:

| | |
|----------------------|---|
| Monday 23 January | Executive Director - Place and Regeneration |
| Tuesday 24 January | Executive Director - Adults, Ageing and Wellbeing (DASS) |
| Wednesday 25 January | Executive Director - Public Health, Inequalities and Stronger Communities (DPH) |
| Thursday 26 January | Executive Director - Children and Young People (DCS) |
| Friday 27 January | Executive Director - Transformation and Resources (s151) Director of Corporate Law and Governance (MO) |

- Candidates for each role will be required to participate in a presentation and question & answer session with a panel of Senior Managers / Staff and a presentation and question & answer session with a panel of external Stakeholders. These activities will take place in the morning of the respective days detailed above. Panel membership information is available at appendix 1 attached to this report.
- Given the largely internal focus of the role, there will be no external stakeholder panel for the selection of the Director of Corporate Law and Governance (MO).

- It is fundamentally important that the input of children and young people is taken into account for the selection of the Executive Director – Children and Young People (DCS) therefore there will be an additional panel established for this role that will include young people who are or have been service users and clients of Children’s Services.
- All candidates will also undertake a 1:1 meeting with the designate Chief Executive, Helen Paterson during the morning of each day.
- Candidates for each role will then be required to participate in a cross-party elected member interview panel. The interviews will take place in the afternoon of the respective days detailed above. The panel will include Group Leaders (or their nominated deputies) and portfolio holders. Panel membership information is available at appendix 1 attached to this report. The interview panels will be supported by Penna PLC, the Interim Chief Executive, the designate Chief Executive, and the Interim Director of HR/OD.
- For the role of Executive Director - Public Health, Inequalities and Stronger Communities (DPH), Elected Members will be joined by the Regional Director of Public Health and a Faculty of Public Health Assessor.
- At the conclusion of each day a session will be convened to agree which candidates will be recommended as the preferred candidates at the meeting of StAC on 30 January 2023. Given the tight timescales involved, details of the selection exercises and associated preferred candidates will be provided in a supplementary report made available on the same day as the StAC meeting.
- Should appointments be approved by StAC, it will be necessary to refer the appointments of Executive Director – Transformation and Resources (s151) and the Director of Corporate Law and Governance (MO) to full Council for approval due to the statutory responsibilities that they perform.

4. Officer Appointment Procedure Rules

The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended) requires that, where a Council is operating a Cabinet and Leader model of governance, before any offer of appointment is made to a Chief or Deputy Chief Officer, the Proper Officer designated for that purpose, notifies the Leader and every member of the Cabinet of the intention to make the appointment, the name, salary and other relevant particulars of the post, and allows the Leader and Cabinet an opportunity to make any substantial or well-founded objections to that appointment, before the appointment is made. These provisions apply irrespective of whether the appointment is made by the full Council, a committee, or by an officer of the Council delegated to do so. The provisions are broadly set out in Part 4.3 of the Northumberland County Council Constitution.

The Proper Officer designated for this purpose is the Chief Executive/Head of Paid Service. Accordingly, the Council’s current interim Chief Executive and Head of Paid Service will discharge the functions as required under the Officer Appointment Procedure Rules.

Implications

| | |
|------------------------------------|---|
| Policy | Oversight of HR Policies and Procedure |
| Finance and value for money | Permanent appointments to these roles are deemed to be appropriate in relation to finance and value for money. The cost of the appointments can be met from existing budgets. |

| | |
|--|---|
| Legal | StAC has been appointed to discharge the Council's functions of the employer in relation to Chief and Deputy Chief Officers. Chief Officers is defined as the Head of Paid Service, the Monitoring Officer and any officer as defined in S2 (1) (b) (c) and (d) as in the Local Government and Housing Act 1989. All other legal implications have been addressed within the body of this report. |
| Procurement | Agreed via procurement process to commission Penna PLC to support the recruitment and assessment process. |
| Human Resources | The appointments will be made in line with appropriate employment recruitment processes. Relevant legal implications have been set out in the body of this report. |
| Property | N/A |
| Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A X | The recruitment for this process is in line with best practice in relation to promoting equality and diversity within the Council's recruitment processes. |
| Risk Assessment | Consistent with Independent Corporate Governance Review (Caller Report) |
| Crime & Disorder | N/A |
| Customer Consideration | N/A |
| Carbon reduction | N/A |
| Health and Wellbeing | The recommendations will support the health and wellbeing of Council Employees at varying levels within the organisation |
| Wards | The recommendations not related to any particular ward but cover the whole of Northumberland. |

Report sign off.

Authors must ensure that officers and Members have agreed the content of the report:

| | |
|---|---|
| | Full Name of Officer |
| Monitoring Officer / Interim Director of Governance | Suki Binjal |
| Executive Director of Finance & S151 Officer | Jan Willis |
| Interim Chief Executive | Rick O'Farrell in conjunction with the Interim Service Director for HR/OD |
| Portfolio Holder(s) | N/A |

Appendices

Appendix 1 – Details of the Interview Panel memberships set out role by role.

Background information

N/A

Linked reports

- 15 December 2022 Staff and Appointments report prepared by the Interim Director of HR/OD – providing details of the proposed recruitment process.

Authors and Contact Details

This report has been prepared by the interim Director of HR & OD

Contact details:

Sarah Farrell
Interim Director of HR/OD
sarah.farrell@northumberland.gov.uk
07770 971 861

**Preferred candidate appointment process -
Executive directors and director of corporate law and governance**

Appendix 1 – Details of the Interview Panel memberships set out role by role.

NB. This list indicates those that have been invited and confirmed attendance. They are subject to change and final panel memberships, reflecting actual participation, will be issued in the supplementary report after selection exercises have been concluded.

Executive Director of Place and Regeneration – Monday 23 January 2023

Senior Managers and Staff:

| Name | Role |
|-------------------|--|
| Alison Elsdon | Service Director – Finance |
| Janice Rose | Service Director – Planning and Economic Regeneration |
| Trevor Railton | Senior Manager - Adults |
| Kelly Gardner | Senior Service Director – Improvement and Innovation |
| Paul Jones | Service Director – Local Services |
| Peter Judd | Trade Union Representative |
| Philip Soderquest | Service Director – Housing and Public Protection |
| Sarah McMillan | Assistant Service Director – Regeneration and Economic Development |
| Tracy Jennings | Staff Network Rep |

External Stakeholders:

| Name | Organisation |
|----------------|--|
| Andy Dean | Community Action Northumberland |
| Graeme Binning | NFRS |
| Graeme Popay | National Association of Local Councils |
| John Johnston | Bernicia Homes |
| John Sparkes | NOTCA |
| Karen Anderson | Homes England |
| Martin Lawlor | Port of Blyth |

Elected Member interview panel:

| Name |
|---|
| Leader of the Council – Cllr Glen Sanderson |
| Cllr Richard Wearmouth –Deputy Leader |
| Cllr Jeff Reid (Lib Dem Group Leader) |
| Cllr Nick Morphet (Green Party Group Leader) |
| Cllr Anne Dale - (Independent Group Representative) |
| Cllr Scott Dickinson (Labour Group Leader) |

| |
|--|
| Cllr Colin Horncastle (Portfolio Holder) |
| Cllr John Riddle (Portfolio Holder) |
| Cllr Wojciech Ploszaj (Portfolio Holder) |

Executive Director – Adults, Ageing and Wellbeing (DASS) – Tuesday 24 January

Senior Managers and Staff:

| Name | Role |
|----------------|---|
| Alison Elsdon | Service Director – Finance |
| Kelly Gardner | Senior Service Director – Improvement and Innovation |
| Peter Judd | Trade Union Representative |
| Tracy Jennings | Staff Network Rep |
| Donna Lathaen | General Manager - Adults |
| Karen Martin | Service Director – Adult Safeguarding |
| Margaret Proud | Head of Service - Adults |
| Rob Murfin | Interim Executive Director of Planning & Local Services |
| Sean Brennan | Senior Manager - Adults |
| Susan Ogle | Housing Operations Manager |
| Tracey Moore | Operations Manager - Adults |

External Stakeholders:

| Name | Organisation |
|------------------|----------------------------------|
| Lynda Cox | MIND |
| Amy Whyte | Age UK |
| Dr Graham Syers | Healthwatch |
| Liz Prudhoe | Adapt |
| Paula Shandran | Northumbria NHS Foundation Trust |
| Rachel Mitcheson | ICB |

Elected Member interview panel:

| Name |
|---|
| Leader of the Council - Cllr Glen Sanderson |
| Cllr Richard Wearmouth - Deputy Leader |
| Cllr Jeff Reid - (Lib Dem Group Leader) |
| Cllr Nick Morphet (Green Party Group Leader) |
| Cllr Georgina Hill (Independent Group Representative) |
| Cllr Scott Dickinson (Labour Group Leader) |
| Cllr Wendy Pattison (Portfolio Holder) |

**Executive Director - Public Health, Inequalities and Stronger Communities (DPH) –
Wednesday 25 January**

Senior Managers and Staff:

| Name | Role |
|-------------------|--|
| Alison Elsdon | Service Director – Finance |
| Kelly Gardner | Senior Service Director – Improvement and Innovation |
| Peter Judd | Trade Union Representative |
| Tracy Jennings | Staff Network Rep |
| Alan Curry | Safeguarding & Strategic Commissioning Manager |
| Jim Brown | Public Health Consultant |
| Pam Lee | Public Health Consultant |
| Karen Lounton | Service Manager – Registrars, Coroners and Archives |
| Paul Brooks | Head of NCT |
| Paul Jones | Service Director – Local Services |
| Philip Soderquest | Service Director – Housing and Public Protection |

External Stakeholders:

| Name | Organisation |
|---------------------|---|
| Suzanne Lamb | Harrogate and District NHS Foundation Trust |
| Abi Conway | CAB |
| Andrew Hetherington | Coroner |
| Chloe Mann | CNTW |
| Jim Mackey | NHCFT |
| Name TBC | Northumbria Police |

Elected Member interview panel:

| Name |
|---|
| Leader of the Council – Cllr Glen Sanderson |
| Cllr Richard Wearmouth – Deputy Leader |
| Cllr Jeff Reid - (Lib Dem Group Leader) |
| Cllr Nick Morphet (Green Party Group Leader) |
| Cllr Anne Dale (Independent Group Representative) |
| Cllr Scott Dickinson (Labour Group Leader) |
| Cllr Colin Horncastle (Portfolio Holder) |
| Cllr Jeff Watson (Portfolio Holder) |

PH Representatives (to accompany Elected Members at interview)

| Name |
|---|
| Peter Kelly – Public Health England |
| Ellis Friedman – Faculty of Public Health |

Executive Director – Children, Young People and Education - Thursday 26 January

Senior Managers and Staff:

| Name | Role |
|----------------|--|
| Alison Elsdon | Service Director – Finance |
| Kelly Gardner | Senior Service Director – Improvement and Innovation |
| Peter Judd | Trade Union Representative |
| Tracy Jennings | Staff Network Rep |
| David Street | Deputy Director of Education |
| Graham Reiter | Service Director Childrens |
| Andrea Cross | Head of Service - Adults |
| Paul Jones | Service Director – Local Services |
| Sue Aviston | Head of School Organisation and Resources |

External Stakeholders:

| Name | Organisation |
|-------------------|---|
| Adrian Dougherty | SEN Parent/ Carer Forum |
| Brian Palmer | Founder Tharsus Group |
| Paul Rickeard | Diocesan Director of Education |
| Paula Mead | Independent Scrutineer of Safeguarding Partnership |
| Sally Collingwood | Headteacher and Chief Executive, Diamond Hall Academy |

NB – there will be an additional presentation panel including Children and Young People.
Participant names are withheld due to confidentiality

Elected Member interview panel:

| Name |
|---|
| Leader of the Council – Cllr Glen Sanderson |
| Cllr Richard Wearmouth – Deputy Leader |
| Cllr Jeff Reid - (Lib Dem Group Leader) |
| Cllr Nick Morphet (Green Party Group Leader) |
| Cllr Georgina Hill (Independent Group Representative) |
| Cllr Scott Dickinson (Labour Group Leader) |
| Cllr Wendy Pattison (Portfolio Holder) |

Executive Director - Transformation and Resources (s151) – Friday 27 January 2023

Senior Managers and Staff:

| Name | Role |
|-------------------|--|
| Alison Elsdon | Service Director – Finance |
| Kelly Gardner | Senior Service Director – Improvement and Innovation |
| Peter Judd | Trade Union Representative |
| Tracy Jennings | Staff Network Rep |
| Colin Dickson | Head of Service - Adults |
| Paul Jones | Service Director – Local Services |
| Philip Soderquest | Service Director – Housing and Public Protection |
| Pam Hindhaugh | Head of Procurement |
| Chris Thompson | Director of Information and Technology |

External Stakeholders:

| Name | Organisation |
|---------------|---------------------|
| John Anderson | Advance |
| John Ritchie | NOTCA |

Elected Member interview panel:

| Name |
|---|
| Leader of the Council – Cllr Glen Sanderson |
| Cllr Richard Wearmouth – Deputy Leader |
| Cllr Jeff Reid - (Lib Dem Group Leader) |
| Cllr Nick Morphet (Green Party Group Leader) |
| Cllr Anne Dale (Independent Group Representative) |
| Cllr Scott Dickinson (Labour Group Leader) |
| Cllr Colin Horncastle (Portfolio Holder) |

Director of Corporate Law and Governance (MO) – Friday 27 January 2023

Senior Managers and Staff:

| Name | Role |
|-------------------|--|
| Alison Elsdon | Service Director – Finance |
| Kelly Gardner | Senior Service Director – Improvement and Innovation |
| Peter Judd | Trade Union Representative |
| Tracy Jennings | Staff Network Rep |
| Colin Dickson | Head of Service - Adults |
| Paul Jones | Service Director – Local Services |
| Philip Soderquest | Service Director – Housing and Public Protection |
| Lynsey Denyer | Senior Manager – Legal |
| Clare Sample | Employment Lawyer |
| Neil Masson | Senior Manager – Legal |
| Philip Hunter | Senior Service Director – Policy and Comms |

Elected Member interview panel:

| Name |
|--|
| Leader of the Council – Cllr Glen Sanderson |
| Cllr Richard Wearmouth –Deputy Leader and Portfolio Holder |
| Cllr Jeff Reid - (Lib Dem Group Leader) |
| Cllr Nick Morphet (Green Party Group Leader) |
| Cllr Georgina Hill (Independent Group Representative) |
| Cllr Scott Dickinson (Labour Group Leader) |



Northumberland County Council

STAFF & APPOINTMENTS COMMITTEE

30th January 2023

Recommended Approval of the Voluntary Redundancy of the Interim Executive Director of Communities and Business Development.

Report of the Interim Chief Executive

1. Purpose of the Report

1.1 This report sets out the current position following Mrs Maureen Taylor's application for Voluntary Redundancy (VR).

1.2 It also asks that Mrs Taylor's current arrangement be extended until 31 March 2023 – this should have been included on the paper that was submitted in December regarding the extension of the other interim arrangements.

2. Recommendations

2.1 Members are asked to agree the following recommendations:

- 1) To approve the voluntary redundancy application of Mrs Taylor, following the business case approval attached as Appendix 1 by the Interim Chief Executive.
- 2) To also approve the payment of £559.92 to cover for the early termination fee associated with Mrs Taylor's leased vehicle for the reasons as set out in paragraph 3.18 below in this report.
- 3) To agree to extend the arrangement under which Mrs Taylor is undertaking the role of interim Executive Director of Communities and Business Development until 31 March 2023.

3. Key Issues and Background

- 3.1 Mrs Taylor joined the Council in August 2019 under the job title of 'Director of Business Development (Care Services)', the current salary of which is £126,665.00 (£169,489.00 including oncosts).
- 3.2 In February 2022, Mrs Taylor was placed into the position of Interim Executive Director of Communities and Business Development. The promotion was on an interim basis to support the Interim Executive Management structure pending permanent appointments being made. Her current annual salary is £150,820.00 (£202,050.00 including on costs of Employers pension and NI contributions).
- 3.3 The current interim arrangements for Mrs Taylor are due to end on 28 February 2023. Staffing and Appointments Committee in December agreed to extend all of the current interim arrangements, but due to an oversight, Mrs Taylor's role was omitted from the report. It is therefore necessary to extend Mrs Taylor's arrangement in line with the others, though in this case, up to her leaving date of 31 March 2023.
- 3.4 The Council launched a VR scheme in September 2022 and Mrs Taylor submitted an application to be considered.
- 3.5 Mrs Taylor's request was considered alongside the Senior Management structure work that is being undertaken within the Council.
- 3.6 The Executive Director post that Mrs Taylor is currently acting up into is not one that exists within the new structure. The agreed Executive Director posts are currently out for recruitment with appointments expected to be made at the end of January. Mrs Taylor did not submit an application for any of the roles.
- 3.7 Mrs Taylor's substantive post of Director of Business Development (Care Services) is not one that has been included in the proposed draft structure at tier 3 and 4 as it is not one of the agreed directorates.
- 3.8 Allowing Mrs Taylor to leave the authority on Voluntary Redundancy allows there to be one less person within the group of impacted staff, potentially avoiding a compulsory redundancy from that group, whilst also contributing to the £1m management savings target included in the 2022/23 budget.
- 3.9 Mrs Taylor is contractually entitled to 12 week's paid notice in the case of dismissal – which redundancy is, in law.

- 3.10 During a conversation between Mrs Taylor and Mr O'Farrell on 22 December 2022, Mrs Taylor expressed a desire to leave on 31 March 2023.
- 3.11 As Mrs Taylor's notice period cannot commence prior to approval by the Staffing and Appointments Committee, to meet her agreed leaving date, Mrs Taylor needs to waive her right to the remainder of her notice period being paid. Mrs Taylor has agreed to this during a meeting with Mr O'Farrell on 17 January 2023.
- 3.12 It has become custom and practice in the case of redundancy that the Council covers the early termination fee charged to employees if they exit their NHS Fleet vehicle agreement prior the end of the contract. Mrs Taylor had a vehicle which she returned in early January 2023 and the termination fee has been provided as being £559.92. This payment is potentially a Special Severance Payment (see below).
- 3.13 A business case has been submitted outlining the background and financial justification. This was agreed through the usual internal HR recorded process, pending agreement from Staff and Appointments Committee.
- 3.14 The Business Case is appended (Appendix 1). The estimated cost of the redundancy package, based on a leaving date of 31 March 2023, is as follows:
- A redundancy payment of £13,015.99
 - Early release of pension with the Council paying the strain cost of £56,470.00.
 - Total redundancy package = **£69,485.99**
- 3.15 As outlined above, Mrs Taylor has returned a lease car that the Council have agreed to pay the early termination fee of £559.92 for. It does not come under the costs for the redundancy package but has been included in the calculations for the payback period.
- 3.16 Incorporating all costs that will be incurred as a result of granting Mrs Taylor voluntary redundancy, the total figure is **£70,045.91**. This figure does not meet the threshold, of £100,000, to require approval by Full Council. In addition, as a redundancy payment (voluntary or compulsory) does not constitute a Special Severance Payment, there is no specific requirement for the approval of the Head of Paid Service or the Leader (see below).
- 3.17 Special Severance Payments are payments made to employees outside of statutory, contractual or other requirements when leaving employment in public service. By way of example, they include payments reached under a settlement agreement to end legal proceedings, compensation for pay in lieu of notice, write off any outstanding loans. Voluntary and compulsory redundancy payments are not Special Severance Payments. The Government has issued

guidance about how Special Severance Payments can be made and how they should be authorised. Payments should be made in exceptional circumstances and only when they constitute a proper use of public money. The guidance sets out recommended levels of authority depending on the level of payment:

- Payments of £100,000 and above must be approved by a vote of full council, as set out in the Localism Act 2011
- Payments of £20,000 and above, but below £100,000, must be personally approved and signed off by the Head of Paid Service with a clear record of the Leader's approval and that of any other who has signed off the payment.
- Payments below £20,000 must be approved according to the local authority's scheme of delegation.

3.18 It should be noted that irrespective of whether Mrs Taylor were to leave under voluntary or compulsory redundancy, the payment schedule laid out above would be the same and in any event are what Mrs Taylor is legally entitled to in a redundancy situation, except for the early termination fee associated with her leased vehicle. However, as outlined, this does not form part of the redundancy policy, it is custom and practice within the Council to cover this for any member of staff made redundant. This came about because, under the previous lease scheme, it was a contractual requirement to pay the termination fee on behalf of the employee. When the Council moved to Fleet Solutions, this remained the case even though it was no longer a contractual requirement. Whilst not specifically referenced in the Special Severance Payments Guidance, it is likely that the payment of £559.92 is a Special Severance Payment. In absence of a clear officer delegation under the Council's current scheme of management delegations StAC is being asked to approve this payment for the reasons set out in the paragraph.

3.19 The 'payback period' for Mrs Taylor (i.e., the amount of time it will take for the savings made from not paying her salary to cover the cost of her exit), is in the region of 0.41 years. The Council's general rule is that anything under 2 years represents value for money. Each case is however considered on its merits and where it is in the Council's financial and managerial interests, for example, to facilitate a wider restructure or improve the operational efficiency or effectiveness of the service, this requirement can be waived with the agreement of the S151 Officer.

4. Pay Policy

4.1 The Council's pay policy states:

"The Staff and Appointments Committee has delegated authority from the Full Council to approve severance and redundancy payments for Chief and Deputy Chief Officers. For clarity, this requirement applies to all those posts that fall into the scope of s43 of the Localism Act and all Heads of Service. All exit packages over 100k will be approved by Full Council."

4.2 As a Chief Officer, it is therefore incumbent on the Staff and Appointments Committee to decide whether to approve this voluntary redundancy application from Mrs Taylor, but as the total cost is under £100k, there is no requirement for it to go to Full Council for approval.

5. Link to Corporate Plan

5.1 The Council's Executive structure is made up entirely of Interim members of staff. The Caller Report called for stability and exercises have been ongoing to develop a permanent and sustainable structure at the top 4 tiers of the organisation. That process is ongoing, but it is identified that there will not be a post within the structure for Mrs Taylor.

6. Implications

| | |
|------------------------------------|---|
| Policy | The process has followed the Council's Voluntary Redundancy Policy and Management of Organisational Change Policy and Redundancy Policy. |
| Finance and value for money | <p>The 'payback period' for Mrs Taylor (i.e. the amount of time it will take for the savings made from not paying her salary to cover the cost of her exit), is in the region of 0.41 years. The Council's general rule is that anything under 2 years represents value for money.</p> <p>The best value duty, as set out in section 3 of the Local Government Act 1999 ("the 1999 Act"), provides that "A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The best value duty is relevant to local authority duties to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in spending decisions.</p> |
| Legal | <p>Under s2 of the Local Government and Housing Act 1989 the Staff and Appointments Committee discharges the Council's functions of the employer in relation to the Chief and Deputy Chief Officers. The Committee must also approve any voluntary severance, settlement or ex-gratia payment to be made to any Chief or Deputy Chief Officer.</p> <p>Mrs Taylor is a Chief Officer, as defined by s43 of the Localism Act</p> <p>The definition of a redundancy is as follows: The dismissal of an employee will be by reason of redundancy if it is "wholly or mainly attributable to" the employer:</p> <ul style="list-style-type: none"> • Ceasing or intending to cease to carry on the business for the purpose of which the employee was employed by it (business closure) |

| | |
|--|---|
| | <ul style="list-style-type: none"> Having a reduced requirement for employees to carry out work of a particular kind or to do so at the place where the employee was employed to work (reduced requirement for employees) <p>The proposed payments owed to Mrs Taylor are legal requirements in a redundancy situation. The process has followed the Council's redundancy policy which is reviewed regularly in accordance with The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations.</p> |
| Procurement | n/a |
| Human Resources | The process has followed the Council's Voluntary Redundancy and Management of Organisational Change Policy and Redundancy Policy. |
| Property | N/A |
| Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> | Mrs Taylor approached the Council initially and is the only post holder. |
| Risk Assessment | N/A |
| Crime & Disorder | N/A |
| Customer Consideration | N/A |
| Carbon reduction | N/A |
| Health and Wellbeing | N/A |
| Wards | N/A |

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

| | |
|---|--------------------------------|
| | Full Name of Officer |
| Monitoring Officer / Interim Director of Governance | Suki Binjal |
| Executive Director of Finance & S151 Officer | Jan Willis |
| Interim Chief Executive | Rick O'Farrell |
| Portfolio Holder(s) | Staff & Appointments Committee |

Authors and Contact Details

This report has been prepared by Rick O'Farrell, Interim Chief Executive

Contact details:

Rick.o'farrell@northumberland.gov.uk

Appendix 1

VR Approval Business Case Submission

This document should be completed in full and submitted to your HR Adviser who will then attach it to the VR Approval form to go to your Executive Director, the S151 Officer and the Chief Executive to approve.

- 1) **Name of Employee:** Maureen Taylor
- 2) **Position:** Interim Executive Director of Communities and Business Development
- 3) **Proposed Leaving Date:** 31/3/2023
- 4) **Is the employee working their notice period?** (*this should be the default position, pay in lieu of notice should only be paid in exceptional circumstances*): The majority of. Mrs Taylor has asked to leave on 31 March 2023 and has waived her right to the remainder of her notice being paid.
- 5) **Is the employee currently in their substantive role, or acting up into a higher graded post?** Maureen's substantive post is Director of Business Development (Care Services). She has been acting into the interim Executive Director role since February 2022.
- 6) **Have you seen the estimated costs for the employee and confirmed they are affordable and within payback?** Yes, Maureen does not have much service in with the Council so her redundancy and pension strain costs are comparatively low and well within the 2 year payback period.
- 7) **Please outline why you are able to lose the post:** Following the review of the Council's structures, there will not be a post in the new structure for Mrs Taylor. Her application for voluntary redundancy makes the process of filling the posts in the new structure less stressful for those remaining staff that will be impacted and contributes towards the desired budget savings.
- 8) **Will the work need to be covered elsewhere in the service? If so, is it able to be covered amongst current staff at a similar grade?** Mrs Taylor's work will be able to be spread across two directorates and several members of staff at a lower grade (but within their current workload), with some also being incorporated in the role of the new Executive Director.
- 9) **Is it the intention to increase the grade of any staff needing to cover the work?** No, the work can be incorporated into existing workloads and at an appropriate grade.

10) If so, has that increase been discussed with finance and the extra cost factored into savings calculations? N/A

11) Please complete the below fully once you have agreed the 2023-24 salary budgets and any additional costs with your Finance Manager (Andy Stewart, Kris Harvey or Suzanne Dent)

| | |
|---|-------------------|
| 2023-24 Salary Budget for redundant post | £ |
| | |
| Gross Salary | 126,665.00 |
| NI | 16,224.00 |
| Pension | 26,600.00 |
| Total | 169,489.00 |
| | |
| Less: any Grant Funding/Income attributable to this post (please list below or enter "None" and a zero): | |
| None | 0 |
| | |
| | |
| Total A | 169,489.00 |

Are there any additional costs to be incurred as a result of this redundancy, for example changing Banding of staff required to cover role (please delete as applicable): No

If Yes:

| | |
|---|----------|
| Other Costs re: (specify post and changes below as well as additional costs) | £ |
| Post: | |
| Employee: | |
| Details of requested change: | |
| | |
| Costs associated with the change: | |
| 2023-24 Salary Budget: | |
| Gross Salary | |

| | |
|--------------------------------------|--|
| NI | |
| Pension | |
| Any other costs (please list below): | |
| | |
| | |
| Total B | |

| | |
|---|------------------|
| Cost of the Exit Package | £ |
| Redundancy Cost | 13,015.99 |
| Strain on the Fund Cost | 56,470.00 |
| PILON (Pay In Lieu Of Notice) | |
| Any other Costs (e.g. outstanding holiday pay) (please list below): | |
| | |
| Early termination fee for NHS Fleet Vehicle | 559.92 |
| Total C | 70,045.91 |

| | |
|-----------------------------------|-----------------------------|
| Payback Period (B+C) / A = | 0.41 years (to 2 dp) |
|-----------------------------------|-----------------------------|

The payback period should be 2 years or less. If the payback period is greater than 2 years is there a case for approving the redundancy request in the managerial interests of the Council? Please explain below:

N/A

Name of Manager completing form: Rick O Farrell

Position: Interim Chief Executive

Date: 18/1/2023

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