



Northumberland County Council

Your ref:

Our ref:

Enquiries to: Lesley Bennett

Email: Lesley.Bennett@northumberland.gov.uk

Tel direct: 01670 622613

Date: 12 September 2023

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, MORPETH** on **WEDNESDAY, 20 SEPTEMBER 2023** at **10.00 AM**.

Yours faithfully

Dr Helen Paterson
Chief Executive

To Staff and Appointments Committee members as follows:-

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



Dr Helen Paterson, Chief Executive
County Hall, Morpeth, Northumberland, NE61 2EF
T: 0345 600 6400
www.northumberland.gov.uk



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
- 4)

Minutes of the meeting of the Committee held on Friday, 30 August 2023, 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 Registrable Interest or Non Registrable 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. APPOINTMENT OF DEPUTY CHIEF OFFICER - HEAD OF POLICY AND PERFORMANCE (Pages 5 - 10)

The purpose of this report is to confirm and set out to the Staff and Appointments Committee the outcome of a selection process for the Head of Policy and Performance and to seek approval for the appointment of the preferred candidate

Attached to this report is a confidential (part 2) exempt appendix setting out the application of the preferred candidate.

The Committee will recall at its meeting on 25 April 2023, that the above vacancy resulted from the senior management review.

This report also reminds the Committee of the requirements under the Officer Employment Procedure Rules in relation to the appointment (or dismissal) of all Chief and Deputy Chief Officers. Accordingly, please note that the appointments referred to in this report are subject to no substantial and well-founded objections being notified to the Leader of the Council, in accordance with Part 4.3 of the Constitution (Officer Employment Procedure Rules).

5. 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.

6. DATE OF NEXT MEETING

The next meeting is scheduled for Wednesday, 30 August 2023, at 9.00 am in the Council Chamber, County Hall, Morpeth.

PART II

It is expected that matters included in this part of the Agenda will be dealt with in private. Reports referred to are enclosed for members and officers only, coloured pink and marked "Not for Publication".

7. 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 |
|-------------|---|
| 8 | 1 and 2 Information relating to any individual and information which is likely to reveal the identity of an individual |
| AND | The public interest in maintaining the exemption outweighs the interest in disclosure because |

8. APPOINTMENT OF DEPUTY CHIEF OFFICER - HEAD OF POLICY AND PERFORMANCE (Pages 11 - 14)

To consider the attached Appendix 1 under Agenda item 4 in Part 1 of this agenda.

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.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

| Subject | Description |
|--|---|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.] |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — a. under which goods or services are to be provided or works are to be executed; and b. which has not been fully discharged. |
| Land and Property | Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income. |
| Licenses | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer |
| Corporate tenancies | Any tenancy where (to the councillor’s knowledge)— |

| | |
|-------------------|---|
| | <ul style="list-style-type: none"> a. the landlord is the council; and b. the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of. |
| Securities | <p>Any beneficial interest in securities* of a body where—</p> <ul style="list-style-type: none"> a. that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and b. either— <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a. any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b. any body
 - i. exercising functions of a public nature
 - ii. any body directed to charitable purposes or
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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 Wednesday, 30 August 2023 at 9.00 am.

PRESENT

Councillor G. Sanderson
(in the Chair)

MEMBERS

| | |
|------------|---------------|
| Flux, B. | Purvis, M.A |
| Hunter, I. | Wearmouth, R. |

OFFICERS IN ATTENDANCE

| | |
|---------------|---|
| Bennett, L.M. | Senior Democratic Services Officer |
| Denyer, L. | Head of Members Services, Elections and Deputy Monitoring Officer |
| Farrell, S. | Director of Workforce and Organisational Development |
| Paterson, H. | Chief Executive and Head of Paid Services |
| Sample, C. | Lawyer |

8. APOLOGIES

Apologies were received from Councillors A. Dale, S. Dickinson, E. Simpson and J. Watson.

9. MINUTES

RESOLVED that the minutes of the meeting of the Committee held on 28 July 2023, as circulated, be confirmed as a true record and signed by the Chair.

10 EXECUTIVE DIRECTOR PERFORMANCE APPRAISAL

Sarah Farrell presented the report which sought approval to agree an appraisal process for Executive Directors of the Council in line with the guidance laid out within the JNC Chief Officer Handbook (Appendix 2). The report also outlined a

Ch.'s Initials.....

defined process for appraisal (Appendix 1) for the Committee to consider and agree.

RESOLVED that

- (1) the appraisal process defined in appendix 1 to the report be agreed.
- (2) the Executive Directors' appraisals be conducted by their line manager, the Chief Executive.

11. PROPOSED APPOINTMENT PROCESS OF DEPUTY CHIEF FIRE OFFICER

Dr. Helen Paterson, Chief Executive, presented the report which set out the proposed appointment process for the role of Deputy Chief Fire Officer (DCFO) within Northumberland Fire & Rescue Service. The current postholder had been successful in their application and had been appointed to Chief Fire Officer, therefore, the DCFO post will become vacant from 28 August 2023.

The final appointment would be brought back to the Committee for approval. The advert would refer to NCC pay grade Band 17, SCP 70. It was hoped that this would make the post attractive to potential applicants whilst maintaining the salary differential between that post and the Chief Fire Officer post.

RESOLVED

- (1) To agree that the Deputy Chief fire Officer will align to the National Joint Council for Brigade Managers of Fire and Rescue Services terms and conditions (Gold Book) with remuneration aligning to NCC pay grade of Band 17, £126,665 SCP 70. The cost excludes employer's national insurance and employer's pension contributions.
- (2) To approve external advertisement of the post following consideration at this meeting of the Staffing and Appointments Committee for the period 25 September 2023 to 23 October 2023. Shortlisted candidates will be required to attend an Assessment Day at the beginning of November 2023 (date TBA). The assessment will include psychometric testing, staff panel comprising senior manager.
- (3) To accept the findings of the selection panels that the preferred candidate be offered the role of Deputy Chief Fire Officer subject to the final approval of Staff and Appointments Committee.
- (4) To agree that in the event that any objection is received from the Leader and/or urgent consideration.
- (5) To note that offers of employment will be subject to all necessary pre-employment checks.

- (6) To note that the effective date of commencement of employment is to be confirmed following completion of all the necessary pre-employment checks.

12. DATE OF NEXT MEETING

The next meeting will be held on 20 September 2023, at 10.00 am in the Council Chamber, County Hall, Morpeth.

CHAIR.....

DATE.....

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Northumberland County Council

STAFF & APPOINTMENTS COMMITTEE

20 September 2023

Appointment of Deputy Chief Officer – Head of Policy and Performance

Report of the Chief Executive and Head of Paid Service

1. Purpose of the Report

- 1.1 The purpose of this report is to confirm and set out to the Staff and Appointments Committee the outcome of a selection process for the Head of Policy and Performance and to seek approval for the appointment of the preferred candidate
- 1.2 Attached to this report is a confidential (part 2) exempt appendix setting out the application of the preferred candidate.
- 1.3 The Committee will recall at its meeting on 25 April 2023, that the above vacancy resulted from the senior management review.
- 1.4 This report also reminds the Committee of the requirements under the Officer Employment Procedure Rules in relation to the appointment (or dismissal) of all Chief and Deputy Chief Officers. Accordingly, please note that the appointments referred to in this report are subject to no substantial and well-founded objections being notified to the Leader of the Council, in accordance with Part 4.3 of the Constitution (Officer Employment Procedure Rules).

2. Recommendations

To agree the following recommendations:

- 2.1 To accept the findings of the selection panel that the preferred candidate be appointed to the role of Head of Policy and Performance. Details are set out in the attached confidential appendix 1.
- 2.2 To agree that in the event that any objection is received from the Leader and/or Cabinet that the appointment in question be referred back to this Committee for urgent consideration.
- 2.3 To note that the offer of employment will be subject to all necessary pre-employment checks.
- 2.4 To note that the effective date of commencement of employment is to be confirmed following all the necessary pre-employment checks.
- 2.5 To agree that the Head of Policy and Performance receives staff benefits in line with all Council employees and remuneration of £73,511 per annum within pay band 14 (this cost excludes employer's national insurance and employer's pension contributions)

3. Process and Timeline

- 3.1 All vacancies at Head of Service level and above were shared with this committee on 25 April 2023 in the context of the senior management review report. The rate of recruitment to these roles has varied due to different processes being deployed dependent on the specific nature of the role.
- 3.2 This role was advertised externally on The Council's own platform, on 'Indeed', 'Linked In' and 'Northeast Jobs. The advert closed on 31st July 2023. A total of 28 applications were received and of these, 4 were shortlisted to take part in a selection process.
- 3.3 The selection process took place on 5 September 2023. The process consisted of a 10 minute presentation followed by interview questions. The interview selection panel consisted of the: Executive Director - Children, Young People and Education; Director of Corporate Strategy and Communications; and, HR Manager.
- 3.4 Following the conclusion of the selection process, Jill Davison was identified as the preferred candidate.

4. The Preferred Candidate

- 4.1 The conclusion above was reached following a thorough assessment of the candidates' skills, knowledge and experience. The process also considered the preferred candidate's fit against the Council's values and the Nolan Principles. The candidate's application form (confidential) is attached as appendix 1 to this report.
- 4.2 The candidate has been informed that they are the preferred candidate for the role and has indicated acceptance of the conditional offer of appointment. The

offer has been made subject to relevant pre-employment checks, the recommendation of this Committee and the Officer Employment Procedure Rules (as set out below).

5. Officer Employment Procedure Rules

5.1 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.

5.2 Accordingly, for these purposes, the aforementioned role is deemed to be a deputy chief officer.

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

Implications

| | |
|------------------------------------|--|
| Policy | Oversight of HR policies and procedures |
| Finance and value for money | Permanent appointments to this role is deemed to be appropriate and the cost of appointment will be met from within the Council's revenue budget. |
| Legal | <p>Under the Pay Policy Statement, the Council has delegated to StAC the function to appoint and approve any roles that attract a salary of £100k or more.</p> <p>Under the Local Authorities (Standing Orders) (England) Regulations 2001, where a Council operates a Leader and Cabinet model of governance, before any appointment is made to Chief or Deputy Chief Officer, the Proper Officer designated for that purpose notifies the Leader and every member of the Cabinet on the intention to make the appointment, the name, the salary and other relevant particulars of the post, allowing any well-founded objections, before an appointment is made.</p> <p>Chief Officer is defined in s43 of the Localism Act 2011 as follows:</p> |

| | |
|------------------------|---|
| | <ul style="list-style-type: none"> • The head of the authority's paid service • The monitoring officer • Any statutory chief officer: <ol style="list-style-type: none"> 1. The person having responsibility for all statutory purposes (inc. s151 of the Local Government Act 1972), for the administration of the authority's financial affairs. 2. The Director of Children's Services appointed under s18 of the Children Act 2004. 3. The Director of Adult Social Services appointed under section 6 (A1) of the Local Authority Social Services Act 1970 (as amended by the Children Act 2004). 4. The Director of Public Health appointed under s73A (1) of the National Health Service Act 2006. 5. The Director of Education appointed under s532 of the Education Act. 6. The Chief Fire Officer of a fire brigade maintained under the Fire Services Act 1947 and appointed under regulations made under section 18(1)(a) of that Act. • Any non-statutory officer: <ol style="list-style-type: none"> 1. A person for whom the head of the authority's paid service is directly responsible. 2. A person who in relation to most of their duties is required to report direct or is directly accountable to the head of paid service and any person who similarly is required to report direct or is directly accountable to the authority or its committees. <p>A Deputy Chief Officer is a person who, as respects all or most of the duties of their post, is required to report directly to one or more of the Chief Officers.</p> <p>StAC will also determine the terms and conditions relating the employees of the Council including the remuneration and terms of employment for the Head of Paid Service and Chief and Deputy Chief Officers.</p> |
| Procurement | N/A |
| Human Resources | All processes referenced in this report will be made in line with appropriate employment policies and relevant legal advice has been sought as required. |
| Property | N/A |
| Equalities | This process will be conducted in line with best practice in relation to promoting equality and diversity within the Council's employment processes. |

| | |
|---|---|
| (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> | |
| Risk Assessment | Consistent approved Management Restructure with Corporate Governance Review |
| Crime & Disorder | N/A |
| Customer Consideration | N/A |
| Carbon reduction | N/A |
| Health and Wellbeing | The recommendations will support the health and wellbeing of employees |
| Wards | Not related to any ward but cover the whole of Northumberland |

Appendices

Appendix 1 - Confidential CV of preferred candidates

Background papers:

N/A

Linked Reports

StAC report and minutes – 25 April 2023

Report sign off.

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

| | Full Name of Officer |
|---|-----------------------------|
| Director of Law and Corporate Governance (Monitoring Officer) | Stephen Gerrard |
| Executive Director of Transformation & Resources (s151) | Jan Willis |
| Chief Executive (HoPS) | Dr Helen Paterson |

Authors and Contact Details

This report has been prepared by:
Sarah Farrell – Director of Workforce and OD
07770 971 861

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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