



# Northumberland County Council

## STAFF & APPOINTMENTS COMMITTEE

15<sup>th</sup> August 2022

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### PROPOSED APPOINTMENT PROCESS - HEAD OF PAID SERVICE, CHIEF EXECUTIVE & RETURNING OFFICER

Report of the Interim Director of HR/OD

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#### Purpose of the Report

This report sets out the proposed appointment process of a permanent Head of Paid Service and Chief Executive following agreement at both the Staff and Appointment Committee and Full Council on 27<sup>th</sup> July 2022 that Mr Rick O'Farrell be appointed on a temporary basis until a permanent appointment can be made.

This report aims to set out the structure of the permanent appointment process and remind the committee of the requirements under the Officer Appointment Procedure Rules in relation to the appointment of all Chief and Deputy Chief Officers.

#### Recommendations

##### To agree the following recommendations:

1. Approve the proposed Job Description for the Head of Paid Service and Chief Executive attached as Appendix 1 to this report.
2. To note the continued engagement of Penna Executive Recruitment in line with the previous procurement process
3. Approve the proposed timetable for the recruitment process attached as Appendix 2 to this report.
4. Approve the selection methodology and to nominate the names of members to be assigned to the various recruitment panels as set out in Appendix 3 attached to this report.

5. Approve the remuneration for the post of Head of Paid Service and Chief Executive with a suggested salary range of £195,000 - £199,950. Benchmarking information in this regard is available in Appendix which is attached and marked as commercially sensitive.
6. Approve access to staff benefits in line with all Council employees.
7. Approve the inclusion of role of the Returning Officer in the Job Description with the associated remuneration that this significant responsibility attracts.

### **Link to Corporate Plan**

This report is relevant to all areas of the Corporate Plan as it relates to ensuring that the Council is compliant with the constitution and fulfilling its legal duties and requirements to ensure that there is an effective and fit for purpose staffing establishment.

### **Key Issues and Background**

- It was recommended by this committee on the 27<sup>th</sup> July 2022 to Full Council, that Mr Rick O'Farrell be appointed on an interim basis until a permanent appointment can be made. The interim job description aligned to Mr O'Farrell's appointment sets out one of the primary roles will be to restructure the Executive Team and recruit permanent roles including a permanent Head of Paid Service and Chief Executive.
- In late summer of 2021, the Council carried out a procurement process and appointed Penna PLC - who provide Executive search services. Given that a procurement exercise had previously been carried which awarded Penna the contract to review the Senior Council Officer structure and within that made provisions for the necessary recruitment of Executive roles to be undertaken by Penna and the timetable within appendix 2 has been drawn up based on their involvement and the need to progress at pace.
- It is proposed that in order to secure the best field of quality candidates that this role be advertised nationally via Penna.
- The Council has not had a stable Leadership Team for some time and the proposed methodology of recruitment and onboarding is aimed at ensuring longevity of appointments going forward.
- There is an ongoing action plan following the Caller Review and the work being undertaken by the Strategic Shift programme which will form part of the responsibilities of the future role holder, for maximum benefit this should also form part of the recruitment and onboarding process.

### **Benchmarking**

The Interim Director of HR/OD requested salary benchmarking information via Penna. The full entirety of their findings are available in appendix 4. Please note this is commercially sensitive data. The suggested salary range is therefore circa £195,000 - £199,950.

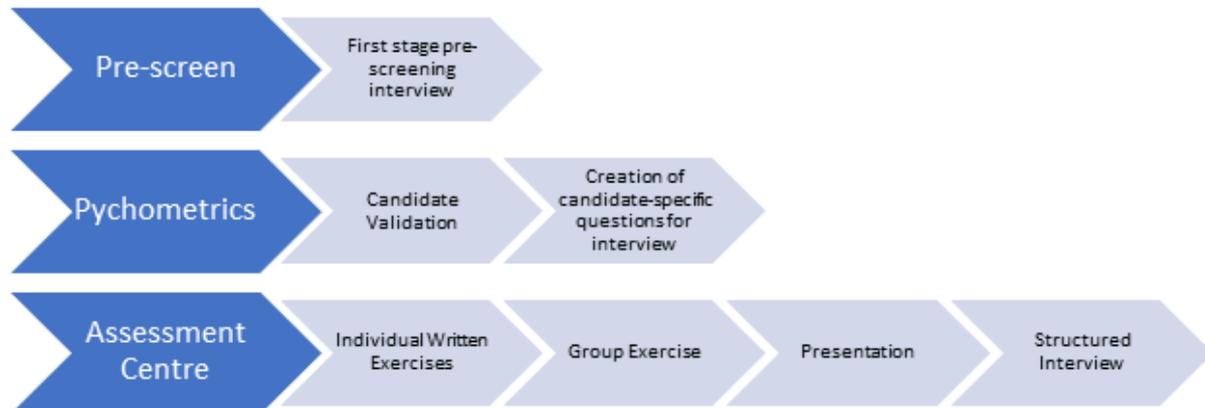
### **Outline Recruitment timeline and process/methodology**

1. Recruitment Foundations

The first step is to be very clear on what a good Executive Director looks like, so there is a clear and common understanding of the fundamental criteria of these leadership positions. This includes a;

- Review of the values, code of conduct and Nolan Principles to ensure that they are 'operationalised' to give clear, simple, selection criteria.
- Review of Job descriptions, person specifications and candidate packs – are they inclusive, unambiguous and inviting

## 2. Process



- First stage pre-screening interview to check for initial suitability against the essential criteria - This will be conducted by Penna.
- Psychometric Assessment (including validation with a chartered psychologist)
  - With the report being written with specific emphasis on the Nolan Principles/code of conduct
  - Additional information about choosing psychometrics in Appendix 6
- Creation of Executive Director Assessment Centre. This will be designed to be delivered in-person, using mostly in-house assessors and co-ordinators. This could include:
  - Written scenario-based to look at critical thinking, ethical leadership etc.
  - Group discussion exercise.
  - Presentation
  - Structured Interview & informal interview (we will need to devise the interview questions, based on the outcome of the recruitment foundations scoring matrix available in Appendix 5)

## 3. Timeline

The draft timeline is available in Appendix 2. The process has been timed to keep to very tight timelines, keeping candidate interest and momentum, while affording the opportunity to ensure the ensuing Full Council approval process is fully adhered to.

## 4. The next steps

Once a suitable candidate has been determined Staff and Appointments Committee will meet and make a recommendation to Full Council.

## **Statutory Obligations and Pay Policy**

There are certain statutory appointments which must be made. The Local Government and Housing Act 1989 section 4 requires that the Council designate one of its officers as Head of the Paid Service (usually the Chief Executive) who is responsible for preparing reports on the way the local authority's staff is organised, on the authority's staffing needs and on the coordination of the way in which the authority's functions are discharged.

In addition, by section 38 of the Localism Act 2011 the Council is required to produce a Pay Policy each financial year. Approval of the Pay Policy is a matter for full Council and cannot be delegated. The Council's current Pay Policy is 2022/2023 and sets out details, amongst other things, of the payment to chief officers.

The Staff & Appointments Committee is therefore required to consider and approve the appointments of the Head of Paid Service and Chief Executive on a salary of over £100,000 in line with the Council's agreed Pay Policy 2022/23 as follows,

*"Notwithstanding any other requirement of the Constitution, any appointment within the Council that attracts a salary package of £100,000 or more will be considered and approved by the Staff & Appointments Committee. Salary package in this respect includes salary and any other fees, allowances, bonuses and benefits in kind that the post holder would routinely be entitled to".*

In addition, one of the three roles of the Staff & Appointments Committee as set out within its terms of reference in the Council's Constitution is *"To make recommendations to Council on the appointment of the Head of Paid Service."*

## **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.

As the Council has designated the Chief Executive/Head of Paid Service as the proper officer for these purposes and given that in this situation this is not appropriate, the Monitoring Officer has responsibility to discharge those legal functions that are delegated to the Chief Executive. The Monitoring Officer has asked the Director of HR/OD to fulfil this proper officer function on her behalf and it will therefore be the Director of HR/OD who gives the necessary notice to the Leader and Cabinet and confirms whether any objections have been received within the relevant period

## Implications

<b>Policy</b>	Oversight of HR Policies and Procedure
<b>Finance and value for money</b>	A permanent appointment is deemed to be appropriate in relation to finance and value for money and it is a statutory requirement that the Council has a Head of Paid Service in situ. The cost of the appointment can be met from existing budgets.
<b>Legal</b>	<b>The Local Government and Housing Act 1989 section 4 requires that the Council designate one of its officers as Head of the Paid Service.</b>  <b>Insert and include from the MO report – summary of the StAC functions[SB1]</b>
<b>Procurement</b>	Agreed via procurement process through Full Council for Penna PLC
<b>Human Resources</b>	The appointment will be made in line with appropriate employment recruitment processes. Relevant legal implications have been set out in the body of this report.
<b>Property</b>	N/A
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A X	The recruitment for this process has been in line with best practice in relation to promoting equality and diversity within the Council's recruitment processes.
<b>Risk Assessment</b>	Consistent with Independent Corporate Governance Review (Caller Report)
<b>Crime &amp; Disorder</b>	N/A
<b>Customer Consideration</b>	N/A
<b>Carbon reduction</b>	N/A
<b>Health and Wellbeing</b>	The recommendations will support the health and wellbeing of Council Employees at varying levels within the organisation
<b>Wards</b>	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)	Staff & Appeals Committee
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**Authors and Contact Details**

*This report has been prepared by HR & OD Service Director*

*Contact details:*

