



# Northumberland County Council

## **STAFF & APPOINTMENTS COMMITTEE**

**15 June 2023**

---

### **Appointment of Chief Fire Officer and Director of Public Protection, Head of Legal Services and Head of Member Services and Elections**

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 the selection process for the Chief Fire Officer and Director of Public Protection and to seek approval for the appointment of the preferred candidate. The report also confirms the outcome of the selection process for the Head of Legal Services and the Head of Member Services and Elections following the Tier 3 & 4 management restructure. Attached to this report is a confidential (part 2) exempt Appendix 1 (a,b,c), setting out the applications of the preferred candidates.
- 1.2 The Committee will recall at its meeting on 25 April 2023, that arrangements for the permanent recruitment to the Chief Fire Officer role was agreed. The meeting of 25 April 2023 agreed arrangements for the permanent recruitment of the Head of Legal Services and Head of Member Services and Elections.
- 1.3 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 panels that the preferred candidate be appointed to the role of Chief Fire Officer and Director of Public Protection. Details are set out in the attached confidential appendix 1a.
- 2.2 To accept the findings of the selection panels that the preferred candidate be appointed to the role of Head of Legal Services. Details are set out in the attached confidential appendix 1b.
- 2.3 To accept the findings of the selection panels that the preferred candidate be appointed to the role of Head of Member Services and Elections. Details are set out in the attached confidential appendix 1c.
- 2.4 To agree that in the event that any objection is received from the Leader and/or Cabinet that the appointments in question be referred back to this Committee for urgent consideration.
- 2.5 To note that offers of employment will be subject to all necessary pre-employment checks.
- 2.6 To note that the effective date of commencement of employment is to be confirmed following all the necessary pre-employment checks.
- 2.7 To agree that the Chief Fire Officer and Director of Public Protection will align to the National Joint Council for Brigade Managers of Fire And Rescuer Services terms and conditions ('Gold Book') with remuneration aligning to NCC pay grade of Band 17, £139,366 SCP 73. This cost excludes employer's national insurance and employer's pension contributions.
- 2.8 To agree that the Head of Legal Services will align to National Joint Council for local government terms and conditions with remuneration at £79,240 (SCP 58) on NCC pay grade of Band 14, which ranges between a salary of £73,511 to £82,100.
- 2.9 To agree that the Head of Member Services and Elections will align to National Joint Council for local government terms and conditions with remuneration at £79,240 (SCP 58) on NCC pay grade of Band 14, which ranges between a salary of £73,511 to £82,100.

### **3. Process and Timeline**

- 3.1 At the meeting of the Staff and Appointments Committee on 25 April 2023 the appointment process for the role of Chief Fire Officer and Director of Public Protection was agreed. Also agreed was the Job Description (and salary range), the indicative timetable for the recruitment process and the selection methodology.
- 3.2 The assessment and selection process for the single shortlisted candidate involved the following:
- 3.2.1 A staff panel question and answer session with 6 employees from Northumberland Fire and Rescue Service facilitated by Human Resources.
  - 3.2.2 A presentation with a question and answer session with a panel of internal and external Stakeholders consisting of two Executive Directors, Superintendent from Northumbria Police and a Senior HR Manager.
  - 3.2.3 Psychometric assessment using Lumina Spark, with full outcome report presented to strategic interview panel.
  - 3.2.4 A summary session was conducted to discuss the outcomes of the earlier assessment centre exercises - Staff Panel, Stakeholder Panel and Lumina Spark. This was held with the interview panel prior to the structured interview.
  - 3.2.5 A presentation and structured interview with a panel comprising an Elected Member representing the Leader and the Portfolio Holder, the Chief Executive to whom the role reports, an experienced Chief Fire Officer from a neighbouring Fire Authority and a Senior HR Manager.
- 3.3 At the meeting of the Staff and Appointments Committee on 25 April 2023 the appointment process for the role of Head of Legal Services and Head of Member Services and Elections was agreed as part of the Tiers 3 & 4 restructure. Also agreed was the Job Description (and salary range), the indicative timetable for the recruitment process and the selection methodology.
- 3.4 On the basis that external appointment to the Monitoring Officer role in late 2022 / early 2023 was extremely challenging, with few appropriately qualified candidates available, a decision was taken to offer the initial opportunity for internal, suitably qualified and experienced candidates to apply for both the vacant Head of Legal Services and Head of Member Services and Elections roles. Accordingly, these posts were advertised internally, and two employees were shortlisted.
- 3.5 The current Monitoring Officer has appointed the two successful candidates as his deputy Monitoring Officers, in accordance with the Local Government and Housing Act 1989. This will allow for talent retention, succession planning for the Monitoring Officer role and will provide future role resilience.

### **4. The Preferred Candidates**

- 4.1 With regard to the Chief Fire Officer appointment following the completion of the assessments set out above, the interview panel identified the preferred candidate for the role, currently employed as Deputy Chief Fire Officer.

- 4.2 Conclusions were reached following a thorough assessment of the candidate's skills, knowledge and experience. The processes also considered candidate fit against the Council's values and the Nolan Principles. The candidate's application form (confidential) is attached at appendix 1.
- 4.3 The candidate has been informed that he is the preferred candidate for the role and has indicated acceptance of the conditional offer of appointment. The offer been made subject to the recommendation of this Committee and the Officer Employment Procedure Rules (as set out below).
- 4.4 Regarding the roles of the Head of Legal Services and Head of Member Services and Elections interviews were held on 6<sup>th</sup> June 2023; part of the interview process candidates provided a presentation to the interview panel. Psychometric assessment using Lumina Spark, with full outcome report presented to interview panel.
- 4.5 The candidates have been informed they are the preferred candidates for each role, and both have indicated acceptance of the conditional offer of appointment. The offer been made subject to the recommendation of this Committee and the Officer Employment Procedure Rules (as set out below).
- 4.6 The preferred candidates are currently Deputy Monitoring Officers (appointed by the Monitoring Officer, in accordance with the Local Government and Housing Act 1989) and will continue in this capacity, as deputy monitoring officers alongside their substantive roles. This will allow for talent retention, succession planning for the Monitoring Officer role and will provide future role resilience.

## **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, appointment of the Chief Fire Officer is a deemed to be a chief officer and the appointment of the two Heads of Services roles, for Legal Services and Member Services and Elections are deemed to be deputy chief officers.

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

<b>Policy</b>	Oversight of HR policies and procedures
<b>Finance and value for money</b>	Permanent appointments to these roles are deemed to be appropriate and the cost of appointment will be met from within the Council's revenue budget.
<b>Legal</b>	<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"> <li>• The head of the authority's paid service</li> <li>• The monitoring officer</li> <li>• Any statutory chief officer:             <ol style="list-style-type: none"> <li>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.</li> <li>2. The Director of Children's Services appointed under s18 of the Children Act 2004.</li> <li>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).</li> <li>4. The Director of Public Health appointed under s73A (1) of the National Health Service Act 2006.</li> <li>5. The Director of Education appointed under s532 of the Education Act.</li> <li>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.</li> </ol> </li> <li>• Any non-statutory officer:             <ol style="list-style-type: none"> <li>1. A person for whom the head of the authority's paid service is directly responsible.</li> </ol> </li> </ul>

	<p>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> <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>
<b>Procurement</b>	N/A
<b>Human Resources</b>	All processes referenced in this report will be made in line with appropriate employment policies and relevant legal advice has been sought as required.
<b>Property</b>	N/A
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	This process will be conducted in line with best practice in relation to promoting equality and diversity within the Council's employment processes.
<b>Risk Assessment</b>	Consistent approved Management Restructure with Corporate Governance Review
<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 employees
<b>Wards</b>	Not related to any ward but cover the whole of Northumberland

## Appendices

### Background papers:

N/A

### Linked Reports

- 1) StAC report and Minutes – February 2023
- 2) StAC report and Minutes – April 2023

**Report sign off.**

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

	<b>Full Name of Officer</b>
Monitoring Officer / Interim Director of Governance	Suki Binjal
Executive Director of Transformation & Resources	Jan Willis
Chief Executive	Helen Paterson

**Authors and Contact Details**

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