



Northumberland County Council

STAFF & APPOINTMENTS COMMITTEE

25 October 2023

Director of Law and Corporate Governance (Monitoring Officer) - Contractual Change

Report of the Chief Executive and Head of Paid Service

1. Purpose of the Report

- 1.1 The purpose of this report is to seek approval that the current postholder in the role of Director of Law and Corporate Governance (Monitoring Officer) be contracted on a permanent basis.
- 1.2 The Committee will recall at its meeting on 9 March 2023, and subsequently at a meeting of Full Council on 22 March 2023, the fixed term appointment of Stephen Gerrard to the role of Director of Law and Corporate Governance (Monitoring Officer) was approved.

2. Recommendations

To agree the following recommendations:

- 2.1 To approve that the current postholder be offered a permanent contract in the role of Director of Law and Corporate Governance (Monitoring Officer).
- 2.2 Subject to the approval of this committee, to recommend to full Council on 1 November 2023 that the offer of a permanent contract be made.
- 2.3 To agree that, subject to approval of recommendation 2.1 above, and approval by full Council on 1 November 2023, permanent contractual status be offered from 2 November 2023.

2.4 To note that all other terms and conditions of employment, including salary of £139,366 per annum, will remain unchanged.

3. Background

3.1 As detailed in a supplementary report to this committee dated 30 January 2023, a selection exercise to recruit a permanent Director of Law and Corporate Governance (Monitoring Officer) took place on 27 January 2023 and a preferred candidate was identified. A conditional job offer was made to this candidate but was subsequently declined.

3.2 A commitment was made at the meeting of 30 January 2023 that alternative arrangements for filling the vacancy would be explored and outcomes would be reported at a future meeting.

3.3 During February 2023, our strategic recruitment partners, Penna, were able to offer candidates available for interim work only and through thorough and robust consideration of the candidates put forward by Penna, the current postholder was identified as being significantly high calibre and worthy of appointment.

3.4 On 9 March 2023, a report was considered by this committee for the approval of the appointment of the preferred candidate, Stephen Gerrard. Approval was given and subsequently approved at a meeting of Full Council on 22 March 2023.

3.5 Whilst a fixed term appointment was not the council's preferred outcome, it reflected the availability of candidates at that time. The 2-year fixed term appointment however did provide the council with the prospect of a period of stability and the opportunity to consider an appropriate medium term succession plan.

3.6 Stephen Gerrard commenced employment on 5 June 2023 and has successfully completed the 4-month progress review outlined in the council's Probationary policy.

4. Proposal

4.1 Suitably qualified and experienced Monitoring Officers continue to be in scarce supply.

4.2 Since joining, Stephen Gerrard has consistently contributed to the effectiveness of the Executive Management team and has established himself as integral to ensuring the council can deliver our commitment to improve and strengthen our approach to governance.

4.3 It is proposed that Stephen Gerrard be offered a permanent contract in place of his current 2-year fixed term contract.

4.4 Offering a permanent contract will provide greater assurance of stability and continuity, essential for continued progress and growth.

4.5 Provisional discussions between the Chief Executive and the postholder regarding the proposal have resulted in Stephen Gerrard indicating that he would accept an offer of a permanent contract.

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>Whilst the appointment of the Monitoring Officer must be approved by Full Council, authority has been delegated to StAC to discharge the Council's functions of the employer in relation to Chief Officers, including the Monitoring Officer.</p> <p>StAC also has delegated authority to determine the terms and conditions relating to employees of the Council including the remuneration and terms of employment for the Head of Paid Service and Chief and Deputy Chief Officers. The proposal contained within this report is a proposed change to terms and conditions and can, therefore, be authorised by StAC.</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 (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	This process has been conducted in line with best practice in relation to promoting equality and diversity within the Council's employment processes.
Risk Assessment	
Crime & Disorder	N/A
Customer Consideration	N/A
Carbon reduction	N/A
Health and Wellbeing	N/A

Wards	Not related to any ward but cover the whole of Northumberland
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Appendices

N/A

Background papers:

N/A

Linked Reports

[StAC supplementary report](#) and minutes – 30 January 2023
[StAC report ‘Preferred candidate appointment – Director of Law and Corporate Governance \(Monitoring Officer\)’](#) - 9 March 2023
[Full Council report ‘Appointment of the Council’s Monitoring Officer’](#) - 22 March 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)	Neil Masson (on behalf of Stephen Gerrard)
Executive Director of Transformation & Resources (s151)	Jan Willis
Chief Executive (HoPS)	Dr Helen Paterson

Authors and Contact Details

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