



Northumberland County Council

STAFF & APPOINTMENTS COMMITTEE

5 December 2023

Appointment of Deputy Chief Officer – Head of OD and Culture

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 a course of action taken in response to the unexpected withdrawal of the preferred candidate for the Head of OD and Culture and the sourcing and approval of an alternative 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 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 appointment referred to in this report is 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 conclusion of the hiring manager that the preferred candidate has been appointed to the role of Head of OD and Culture. The candidate's CV outlining their skills and experience 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 has been subject to all necessary pre-employment checks and is for an initial fixed term period of 3 months.
- 2.4 To agree that this initial 3 month fixed term period can be extended for the full 3-year fixed term period upon satisfactory performance during the initial 3 months of employment. Thereafter, the standard probationary policy would apply.
- 2.5 To note that the effective date of commencement of employment is 13 November 2023.
- 2.6 To agree that the Head of OD and Culture receives staff benefits in line with all Council employees and remuneration of £76,364 per annum within pay band 14 (this cost excludes employer's national insurance and employer's pension contributions). Band 14 is presented below

2.6.1

BAND 14	SCP	Value
	56	£76,364
	57	£79,336
	58	£82,315
	59	£85,286

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 An initial exercise to recruit a Head of OD and Culture was undertaken in June 2023 and an offer was made shortly afterwards. The preferred candidate was approved by this committee on 28 July 2023.
- 3.3 A start date of 6 November 2023 was agreed with the candidate in order to accommodate their notice period and work commitments within their existing role.
- 3.4 Time critical projects were delayed until the Head of OD and Culture's 6 November start date, including initiation of significant pieces of work to be delivered under the BEST programme.
- 3.5 On 12 October 2023, the original approved candidate unexpectedly withdrew their acceptance of the post due to a change in their personal circumstances.

This was approximately 3 weeks prior to their planned start date.

- 3.6 Given the work programme that had accrued whilst awaiting their start date and the time limited funding of the role, it has been essential to identify an alternative candidate promptly.
- 3.7 The vacancy created by the preferred candidate's withdrawal was advertised externally on an interim consultancy basis pending longer term direct recruitment to the role. Candidate sourcing was undertaken with the assistance of a recruitment partner 'Sullivan Brown'.
- 3.8 A number of interim candidates were longlisted. Longlisted candidates were invited to an informal discussion with the Director of Workforce and OD.
- 3.9 During this initial selection phase, a strong candidate was identified and, fortuitously, expressed an interest in applying for the role in a directly employed, longer term capacity.
- 3.10 A formal interview process was subsequently arranged with the candidate and they were also invited to meet the Director of Strategic Change and Service Improvement who they would be working closely with on the BEST programme.
- 3.11 The preferred candidate was invited to complete a Lumina psychometric assessment.
- 3.12 Following conclusion of the process the preferred candidate was identified as a high quality, experienced, strategic OD leader capable of undertaking the role of Head of OD and Culture.

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 CV (confidential) is attached as appendix 1 to this report.
- 4.2 Given the pace of the OD interim market and competition for quality candidates, a conditional offer was made subject to standard pre-employment checks with a start date to be agreed as soon as possible.
- 4.3 The candidate was available immediately and due to the risk of delay to critical BEST activities, a start date of 13 November was agreed.
- 4.4 It is recognised that appointments of Deputy Chief Officers such as this require prior approval by this committee but on this occasion, as an immediate start date was achievable and beneficial for the council, and there was a risk of the candidate receiving an alternative offer, StAC are requested to retrospectively ratify the appointment.

4.5 The initial 3 month fixed term contract period offered to the preferred candidate is in recognition of the requirements outlined in 4.4 above and to minimise any potential risk to the council.

4.6 All pre-employment checks have been satisfactorily completed and the candidate commenced in role on 13 November 2023. They have been advised that their appointment is subject to 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	Appointment to this fixed term role is deemed to be appropriate and the cost of appointment will be met from within the Council's transformation budget.
Legal	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. 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

	<p>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	Contracting of the recruitment partnering company mentioned at 3.7 was conducted in accordance with procurement guidelines

Human Resources	All processes referenced in this report have been 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 was conducted in line with best practice in relation to promoting equality and diversity within the Council's employment processes.
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 candidate

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 Officer)	Jan Willis
Chief Executive (Head of Paid Service)	Dr Helen Paterson

Authors and Contact Details

This report has been prepared by:
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