

WIRRAL COUNCIL

COUNCIL: 18 OCTOBER 2010

REPORT OF THE DIRECTOR LAW, HR AND ASSET MANAGEMENT

APPOINTMENT OF INTERIM CHIEF EXECUTIVE, APPOINTMENT OF RETURNING OFFICER AND AMENDMENTS TO THE SCHEME OF DELEGATION OF FUNCTIONS TO OFFICERS

Executive Summary

The purpose of this report is to:

- refer to Council the recommendation of the Employment and Appointments Committee on 17 August 2010 that the Deputy Chief Executive be appointed to the position of Interim Chief Executive for up to nine months;
- invite Council to appoint a Chief Officer, subject to any necessary consultation, to the posts of Returning Officer and Electoral Registration Officer; and
- seek approval of the amended Scheme of Delegation of Functions to Officers (Part 3, Schedule 4 of the Council's Constitution) reflecting the above matters and the re-organisation of the former Regeneration Department as set out at Appendix 1.

1 Background

- 1.1 Council will be aware that the Director of Regeneration retired on 31 March 2010 and interim management arrangements for the various service divisions within the Department of Regeneration were implemented.
- 1.2 Staff consultation has been undertaken on a proposal which made permanent the temporary reassignment of all the functions undertaken by the:
 - I. Housing and Regeneration Division to the Department of Corporate Services;
 - II. Regulation Division to the Department of Law, HR and Asset Management; and
 - III. Cultural Services Division (with the exception of the Library service) to the Department of Technical Services.
- 1.3 The consultation with staff also included a proposal for the Library Service to be reassigned permanently to the Department of Finance and all asset management responsibilities relating to the built assets of the Council's Leisure Estate to be reassigned permanently to the Department of Law, HR and Asset Management.

- 1.4 There were no significant issues identified following the consultation and on 23 September 2010 Cabinet resolved to make permanent the arrangements described in paragraphs 1.2 and 1.3 above.
- 1.5 On 17 August 2010, the Council's Employment and Appointments Committee acceded to a request made by Steve Maddox, the then Chief Executive of the Council, for early retirement. Steve Maddox retired on 30 September 2010.
- 1.6 Under the Council's Constitution, the holder of the post of Chief Executive is also the Council's Head of Paid Service as defined by the Local Government and Housing Act 1989, section 4.
- 1.7 On 17 August 2010, the Council's Employment and Appointments Committee also resolved to recommend to Council the appointment of the Council's Deputy Chief Executive, Jim Wilkie, as Interim Chief Executive for up to nine months.

2 Proposals

2.1 Interim Chief Executive

- 2.2 Under the Local Government and Housing Act 1989, section 4, the Council has a legal obligation to appoint an officer of the Council as its Head of Paid Service. Under the Council's Constitution (Part 3, Schedule 4, Paragraph 36(1)) this role and its functions are undertaken by the Council's Chief Executive.
- 2.3 Following the retirement of Steve Maddox on 30 September 2010, the Council must appoint an officer of the Council to the post of Head of Paid Service.
- 2.4 This appointment has been considered by the Council's Employment and Appointments Committee on 17 August 2010 and Council is now invited to approve the recommendation of the Committee and formally appoint the Council's Deputy Chief Executive, Jim Wilkie, as interim Chief Executive for a period of up to nine months.
- 2.5 As reported to Employment and Appointments Committee on 17 August 2010, it is not proposed that any officer will be appointed to the post of Deputy Chief Executive.
- 2.6 **Appointment to the post of Returning Officer and Electoral registration Officer**
- 2.7 Under the Representation of People Act 1983, sections 8 and 35, the Council has a legal obligation to appoint an Electoral Registration Officer and Returning Officer.

2.8 Under the Council's current Scheme of Delegation of Functions to Officers, the posts of Returning Officer and Electoral Registration Officer are undertaken by the Chief Executive (Part 3, Schedule 4, Paragraph 36(32)). The Council is accordingly invited to appoint a Chief Officer to these posts, subject to the outcome of any consultation with the relevant Chief Officer.

2.9 *Amendments to the Scheme of Delegation of Function to Officers*

2.10 As a result of making permanent the temporary assignments and reassignment of services and functions referred to in paragraph 1.4 above, the Council's Scheme of Delegation of Functions to Officers needs be amended to take account of the permanent reassignment of functions and be duly approved by Council.

2.11 Additional amendments have also been made to the Scheme of Delegation of Functions to Officers of a minor nature in the interests of greater clarity and efficacy of service delivery.

2.12 The Scheme of Delegation forms part of the Council's Constitution and any amendment or variation can only take effect providing Council has approved the same.

2.13 The amended Scheme of Delegation of Functions to Officers is set out Appendix 1 to this report and Council is invited to approve the amendments that have been made.

5 Financial Implications

5.1 It was reported to Employment and Appointments Committee on 17 August 2010 that the retirement of Mr Maddox and the resulting interim arrangements articulated in the report will result in a saving of approximately £50k. Further interim arrangements are likely to be considered by the Cabinet on 14 October and, if approved, are likely to reduce the overall saving to approximately £14k.

6 Staffing Implications

6.1 The appointment of an officer to the posts of Returning Officer and Electoral Registrations Officer will be subject to the outcome of any consultation with the officer involved.

7 Equal Opportunities Implications/Health Impact Assessment

7.1 There are no such implications arising.

8 Community Safety Implications

8.1 There are no such implications arising.

9 Local Agenda 21 Implications

9.1 There are no such implications arising.

10 Planning Implications

10.1 There are no such implications arising.

11 Anti Poverty Implications

11.1 There are no such implications arising.

12 Social Inclusion Implications

12.1 There are no such implications arising.

13 Local Member Support Implications

13.1 There are no such implications arising.

14 Background Papers

14.1 None

15 Recommendations

15.1 That Council:

- a. considers the recommendation of the Employment and Appointments Committee made on 17 August 2010 and duly appoints the Deputy Chief Executive, Jim Wilkie, , as interim Chief Executive of the Council for up to nine months, with immediate effect
- b. Approves the amended Scheme of Delegation of Functions to Officers set out at Appendix 1 to this report which shall take effect immediately.
- c. Appoints, subject to the outcome of any consultation, a Chief Officer to the posts of Returning Officer and Electoral Registration Officer for the Council and that the Scheme of Delegation of Functions to Officers be further amended to reflect this appointment.

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