



Employment and Appointments Committee

Date:	Thursday, 22 March 2012
Time:	6.15 pm
Venue:	Committee Room 2 - Wallasey Town Hall

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AGENDA SUPPLEMENT

10. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR
(PART 1) (Pages 1 - 6)

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WIRRAL COUNCIL

EMPLOYMENT AND APPOINTMENTS COMMITTEE

22 MARCH 2012

SUBJECT:	PROPOSED CHANGE TO SENIOR MANAGEMENT ARRANGEMENTS
WARD/S AFFECTED:	All
REPORT OF:	Acting Chief Executive
RESPONSIBLE PORTFOLIO HOLDER:	Leader of the Council

1.0 EXECUTIVE SUMMARY

1.1 This report sets out the proposed changes to the Council's senior management arrangements in relation to the roles of Chief Executive, Head of Paid Service and Monitoring Officer considered necessary and prudent in view of the absence of the Chief Executive due to ill health.

2.0 BACKGROUND AND KEY ISSUES

2.1 The Employment and Appointments Committee on 29 September 2011, considered a report by the Chief Executive in relation to proposed changes to the Council's senior management structure. The Committee resolution of 29 September 2011 is set out at Appendix 1.

2.2 Under the Council's current senior management arrangements, where the Chief Executive is absent or otherwise unavailable for work, the Council's Director of Finance/Section 151 Officer assumes the role of "Acting Chief Executive/Head of Paid Service".

2.3 Recent absences at a senior level have highlighted the need for the Council to increase its senior management capacity in relation to the roles of Chief Executive/Head of Paid Service and Monitoring Officer.

2.4 In order to address the issue of capacity and ensure that there is clarity with regards which Council officers will undertake the roles referred to in paragraph 2.3 above, it is proposed that:

- a. the Acting Director of Children's Services be appointed the Acting Deputy Chief Executive/Head of Paid Service to act in the absence or unavailability of the Acting Chief Executive/Head of Paid Service or where the Acting Chief Executive/Head of Paid Service is unable to act due to a conflict of interest; and
- b. the Head of Legal and Member Services be appointed the Deputy Monitoring Officer in the absence or unavailability of the Monitoring Officer.

- 2.5 The appointment of the Acting Director of Children's Services as the Deputy Chief Executive/Head of Paid Service on the terms set out in paragraph 2.5a above requires Council approval. Whereas the appointment the Deputy Monitoring Officer is a personal appointment of the Council's Monitoring Officer (under Section 5(7) Local Government and Housing Act 1989). The role of Deputy Monitoring Officer only becomes operative in the event that the Monitoring Officer is absent or ill.
- 2.6 The Head of Legal and Member Services is currently the Council's Scrutiny Officer which is a statutory role. A Council Officer cannot be both Deputy Monitoring Officer and Scrutiny Officer simultaneously. Accordingly, the Head of Legal & Member Services will formally relinquish the role of Scrutiny Officer in order that he can be appointed the Deputy Monitoring Officer.
- 2.7 With regards the appointment of an alternative Scrutiny Officer, it is proposed that the Committee recommends to Council the appointment of the Council's Democratic Services Manager to this role.

3.0 RELEVANT RISKS

- 3.1 The Council could be exposed to risk where insufficient capacity exists in relation to its senior management arrangements relating to statutory officers.
- 3.2 Statutory Officers, whether interim or deputies, must discharge specific statutory duties and obligations as and when required by the Council.
- 3.3 The proposals outlined in this report seek to strengthen the Council's interim and contingency arrangements in relation to the capacity of its senior management.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 No other options were considered.

5.0 CONSULTATION

- 5.1 All necessary consultation has been undertaken (where possible) with relevant officers.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 There are no such implications arising.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 The proposed appointments referred to in this report do not give rise to any immediate financial implications. Under the Council's policy, the Acting Director of Children's Services and Head of Legal and Member Services would only be entitled to an honorarium if either undertook their respective roles of Acting Deputy Chief Executive/Head of Paid Service and Deputy Monitoring Officer for a continuous period of 4 weeks or more. There are no financial implications arising in relation to the appointment of the Democratic Services Manager as Scrutiny Officer.

8.0 LEGAL IMPLICATIONS

8.1 Such implications are set out within the report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no such implications arising.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications arising.

12.0 RECOMMENDATION/S

12.1 That the Committee recommends to Council that the:

- a. Acting Director of Children's Services be appointed the Acting Deputy Chief Executive/Head of Paid Service to act in the absence or unavailability of the Acting Chief Executive/Head of Paid Service or where the Acting Chief Executive/Head of Paid Service is unable to act due to a conflict of interest; and
- b. Proposed appointment of the Deputy Monitoring Officer detailed within this report be noted; and
- c. Democratic Service Manager be appointed as the Council's Scrutiny Officer.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 The recommendations are considered necessary to strengthen the Council's senior management arrangements in relation to the roles of Chief Executive, Head of Paid Service and Monitoring Officer.

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APPENDICES

None

REFERENCE MATERIAL

CIPFA Guidance

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Employment and Appointments Committee	29 September 2011

Relevant resolutions of the Committee of its meeting on 29 September 2011

The Committee then considered and voted upon each recommendation in turn, and it was

Resolved -

(1) (5:3) That the Director of Finance be appointed as Deputy Chief Executive and Director of Finance for a fixed period until the end of April 2012, and that for the time being Corporate Performance Management be placed under the Deputy Chief Executive.

(2) (8:0) That the Cabinet Committee be asked to consider the creation of a dedicated Policy Unit working directly to the Chief Executive, and the creation of a new post of Head of Policy Unit.

(3) (5:4 on the Chair's casting vote) That the post holder of Interim Head of Corporate Planning, Engagement and Communications be assigned to a newly designated post of Head of Communications and Community Engagement with the responsibilities set out in paragraph 5.9 of the report.

(4) (5:3) That the posts of Director of Regeneration, Housing and Planning; Head of Strategic Development and Regeneration and Head of Housing be established on a permanent basis and that an appropriate recruitment process to fill these posts be commenced.

(5) (8:0) That the post of Head of Personal Support in the Department of Adult Social Services be established on a permanent basis and the current post holder be appointed (see minutes 32 and 35 ante).

(6) (8:0) That the post of Head of Joint Adults and Children's Safeguarding be established on a permanent basis and that the current post holder be assimilated into this post (see minutes 32 and 35 ante).

(7) (5:3) That the post of Head of Finance and Performance in the Department of Adult Social Services be established on a permanent basis, and that a recruitment process to fill the post is commenced.

(8) (8:0) That the Interim Director of Children's Services be asked to continue as the Acting Director of Children's Services for a further year on a fixed term basis, and that an external recruitment process takes place to ensure that a new Director of Children's Services is in post by the end of September 2012.

(9) (8:0) On the new Director of Children's Services taking up post, the current Interim Director of Children's Services be assigned to a new post of Deputy Director until his retirement, to provide support to the new Director.

(10) (5:3) To support the Acting Director of Children's Services it is recommended that the two current Heads of Service act as Deputy Directors until the end of September 2012 when this will be reviewed.

(11) (5:4 on the Chair's casting vote) That responsibility for the Strategic Change Programme be transferred to the Deputy Chief Executive / Director of Finance and that the post of Head of Technical Services, be re-designated as the Deputy Director of Technical Services, to provide the necessary support to the Director on a permanent basis.

(12) (5:3) That the appointment or assignment of current employees be agreed as outlined in the Exempt Appendix One.

(13) (8:0) That the former posts no longer required are deleted or changed on the establishment as outlined in the Exempt Appendix Two.

(14) (5:3) That to move the external recruitment process forward, the Chief Executive be given delegated responsibility to engage external recruitment consultants at a maximum cost of £15,000 per job, plus external advertisement costs. The Chief Executive report back with a timetable for recruitment at the earliest possible opportunity.