

# WIRRAL COUNCIL

## EMPLOYMENT AND APPOINTMENTS COMMITTEE

22 MARCH 2012

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

### 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.

**REPORT AUTHOR:** **Bill Norman**  
Director of Law, HR and Asset Management  
telephone: 0151 691 8569  
email: [billnorman@wirral.gov.uk](mailto:billnorman@wirral.gov.uk)

## **APPENDICES**

*None*

## **REFERENCE MATERIAL**

*CIPFA Guidance*

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Employment and Appointments Committee	29 September 2011