

# WIRRAL COUNCIL

## EMPLOYMENT AND APPOINTMENTS COMMITTEE

24 JANUARY 2013

<b>SUBJECT:</b>	<b>THE EMPLOYMENT CONTRACT OF THE CHIEF EXECUTIVE AND HEAD OF PAID SERVICE</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>THE HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>THE LEADER OF THE COUNCIL</b>
<b>KEY DECISION?</b>	<b>YES</b>

### 1. EXECUTIVE SUMMARY

1.1 Cabinet received a report on 24 January 2013 concerning the employment contract for the Chief Executive. The Cabinet was invited to recommend to the Employment and Appointments Committee that it recommends to Council at its meeting on 28 January 2013 that Graham Burgess be offered the position of Chief Executive and Head of Paid Service on a permanent basis.

### 2. BACKGROUND AND KEY ISSUES

2.1 On 16 July 2012, the Council agreed the appointment of the Chief Executive and Head of Paid Service on a two-year fixed term contract following an open recruitment process with a number of applicants for the position. The appointment was made through a panel of the three group leaders, advised by the Chair of the Improvement Board.

2.2 Graham Burgess commenced employment on 3 September 2012 and his fixed-term appointment is therefore due to expire in August 2014.

2.3 At Council on 16 July 2012, The Leader of the Council informed Members that a decision had been made to appoint Graham Burgess as Wirral Council's Chief Executive on a two-year fixed term contract.

He indicated that Graham was appointed for his proven track record in a career that had spanned 38 years in local government. Graham, who was from and lived in Liverpool, was currently the Chief Executive of Blackburn with Darwen Borough Council, which had consistently been recognised as one of the highest performing Councils in the UK. During his time there, the authority had twice received the prestigious Council

of the Year title. Graham was also recognised nationally in 2011/12 when he was voted the 4th most influential person in Local Government.

Graham had significant experience in leading major regeneration projects and delivering excellent services, along with a strong influence at both a regional and national level. Since the beginning of the year, he had been a member of the Wirral Council Improvement Board, which was established with the Local Government Association to assist the authority in transforming how it operated. As one of only three people in the country to hold the dual role of Council and Primary Care Trust Chief Executive, his experience of leading the integration of local authority and health services will be of great benefit as responsibility for Public Health functions transfers to Wirral Council over the next year.

Council resolved unanimously on a motion by Councillor P. Davies, seconded by Councillor J. Green and endorsed by Councillor T. Harney, to appoint Mr Burgess as Chief Executive on a fixed term basis.

(Extract from minutes Council 16.07.2012. Item 21)

- 2.4 In the period since then the scale of the Council's financial challenge and the timescales over which savings must be delivered has become clearer and an Improvement Plan has been put in place to ensure the necessary improvements to the Council's Corporate Governance arrangements are implemented. Mr Burgess has also strengthened Individual accountability through the introduction of performance appraisal at a senior level.
- 2.5 The recent Peer Challenge Review concluded that significant progress had been made against the Improvement Plan and that the plans that are in place are appropriate, but come with high risk. A permanent appointment will help reduce that risk as the review also states that having the corporate leadership to deliver the improvement and change agendas are fundamental.
- 2.6 The Peer Challenge Review also found that there was a recognition throughout the organisation of the strategic grip and open style of the Chief Executive and clear and visible leadership that promotes and a feeling of trust in the direction of travel now proposed. The report noted there is a feeling in the organisation that, this time, the changes will be for real. This provides the organisation with an opportunity to achieve the change, improvement and transformation required.
- 2.7 The Council requires stability and leadership at Senior Management Level over a longer period of time which will allow the focus to remain on addressing the financial challenge facing the organisation while delivering the essential improvements required to the Council's corporate governance.

- 2.8 It is therefore recommended that the current Chief Executive and Head of Paid Service, Graham Burgess is offered the post on a permanent basis and if accepted, be appointed accordingly.
- 2.9 The appointment of a Chief Executive and Head of Paid Service is a Council decision. Therefore Cabinet are asked to consider the proposal and recommend it to the Employment and Appointments Committee who will be asked to consider the proposal and recommend to Council that the Graham Burgess be offered the post on a permanent basis as Chief Executive and Head of Paid Service and if accepted that the appointment be confirmed with immediate effect from that date.

### **3 RELEVANT RISKS**

- 3.1 There is a potential risk of instability and uncertainty of a continued fixed-term arrangement at Chief Executive level in the context of such a challenging financial environment.
- 3.2 The current fixed term arrangement is due to expire in August 2014. Should the Council need to start the recruitment process to succeed the current postholder this would potentially commence in December 2013/January 2014. This would potentially have a negative impact on the Council's medium and long term strategic and financial planning at a critical time and cause some uncertainty and distraction for a significant period of the current fixed term period.

### **4 OTHER OPTIONS CONSIDERED**

- 4.1 Continuation of an extended fixed-term arrangement has been considered. However this option does not provide the longer-term stability that the Council requires at senior level at this time.

### **5. CONSULTATION**

- 5.1 N/A

### **6. IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 N/A

### **7. RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 Mr Burgess is paid at the top of the Chief Executive salary range of £121,807 - £135, 341 per annum. Whilst the Council retains a Chief Executive post, there will be a cost of employment regardless of whether

it is a fixed term or permanent arrangement. There is no increase in the costs to the Council.

7.2 There are no pension costs associated with Mr Burgess' employment. This saves the Council approximately £16,376 per annum.

## **8. LEGAL IMPLICATIONS**

8.1 Mr Burgess will be entitled to the same employment rights as any permanent Chief Executive.

## **9. EQUALITIES IMPLICATIONS**

9.1 Equality impact assessments are published for all options for change. All equalities issues are considered as part of consultation.

9.2 The EIA attached to this report, and is available at:

<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments>

## **10. CARBON REDUCTION IMPLICATIONS**

10.1 Not applicable for this report.

## **11. PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 Not applicable for this report.

## **12. RECOMMENDATION/S**

12.1 That the Employment and Appointments Committee considers the issues raised in the report and that a recommendation be made to Council at its meeting on 28 January 2013 that: Graham Burgess be offered the position of Chief Executive and Head of Paid Service on a permanent basis with immediate effect on 28 January 2013.

## **13. REASON/S FOR RECOMMENDATION/S**

13.1 A permanent appointment will provide the stability and leadership required by the organisation at senior management level at a period of significant and unprecedented change.

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**APPENDICES**

None

**REFERENCE MATERIAL**

None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Council	16 July 2012