

MINUTE EXTRACT

EMPLOYMENT AND APPOINTMENTS COMMITTEE

12 JUNE 2019

3 APPOINTMENT OF HEAD OF PAID SERVICE

The Director of Governance and Assurance, Philip McCourt, introduced a report on the options to appoint to the role of Head of Paid Service following the resignation of Mr Eric Robinson.

In introducing his report the Director of Governance and Assurance apologised to the Committee that the report had not been made exempt prior to its publication, in accordance with the Council's Standing Order No. 14, 'Motions affecting persons employed by the Council'. He stated that he had apologised to the officers concerned. He suggested that if at any point during the meeting Members wished to go into exempt discussion then he would invite Members to do so.

Councillor Jeff Green expressed the view that the members of the Committee had been put in an invidious position because the Chief Executive had circulated an email to all staff with a date of when he was leaving and that Mr Paul Sator would be taking over. Whilst he did believe that the report should be discussed in public to be open and transparent, he considered that it was disrespectful to the committee to have done that.

Councillor Lesley Rennie expressed the view that it was unfortunate to have got off on the wrong foot at the start of a new municipal year and asked what consultation had been undertaken by the Chief Executive before the Executive View email was sent to all staff.

Councillor Janette Williamson expressed the view that what had happened had been a mistake but that she didn't feel disrespected as a Committee Member by it.

The Director of Governance and Assurance reiterated his apology to the Committee, accepted that full accountability in respect of this matter sat with him, and stated that measures would be put in place to ensure it did not happen again.

The Director of Change and Organisational Design, Mrs Nikki Boardman, assured the Committee that all Political Group Leaders had received an apology.

Members agreed to accept the apologies that had been given.

The Director of Governance and Assurance suggested that the four recommendations within the report could be taken in turn with a debate on each.

With regard to the first recommendation the Director of Governance and Assurance went through the timeline of Mr Robinson's resignation. Mr Robinson had been

informed on the morning of 28 May, 2019 that the Secretary of State would be making an announcement in respect of his appointment (the press release being made on 29 May, 2019). Discussions were held with the Leader and Mr Robinson had requested that he be allowed to leave with 2 months' notice taking account of 11 days annual leave remaining.

Councillor Pat Hackett informed the meeting that the Chief Executive had spoken to him in his role as the Council's Leader on 29 May and explained his offer of a new opportunity with the Disclosure and Barring Service and that he had accepted his resignation. A conversation had taken place over leaving dates and he had made a judgement call over a hand-over period with a new officer leadership in place sooner rather than later. For the sake of the organisation he felt the need to move on as soon as possible.

Councillor Lesley Rennie suggested that Mr Robinson could leave with immediate effect.

Councillor Anita Leech suggested that it would be good practice to have a hand-over period as without this it could put some undue pressure on the interim appointee.

The Director of Governance and Assurance stated the requirement in law for every local authority to have a designated Head of Paid Service in post confirmed by a meeting of the full Council. The next scheduled meeting of ordinary Council was on 15 July, the earliest date for which an appointment could therefore be made.

Councillor Jenny Johnson commented that she would expect Mr Robinson to meet his contractually obliged notice period of three months.

Councillor Phil Gilchrist asked that it be placed on record his dissatisfaction with the notice period being shortened.

On a motion by Councillor Jeff Green, seconded by Councillor Lesley Rennie, it was –

(1) Resolved (5:4) (One abstention) – That this Committee confirms the termination of employment of Mr Eric Robinson as Chief Executive (Head of Paid Service) with effect from 15 July, 2019.

The Director of Governance and Assurance then spoke to the second recommendation regarding the appointment of Mr Paul Satoor to the post of Chief Executive for a period of twelve months, or until such time as a permanent appointment was made.

Councillor Lesley Rennie commented upon whether the authority needed to have a Chief Executive in the future and suggested that the Council had a Head of Paid Service with separate officers as Returning Officer and Electoral Registration Officer. A period of twelve months was a long time and any appointment should be subject to a satisfactory quarterly performance appraisal. Also no Chief Officer should be paid more than the Prime Minister.

The Director of Governance and Assurance stated that for most local authorities the role of Returning Officer and Electoral Registration Officer was held by the Chief Executive or by the Monitoring Officer. If the Council sought to offer the post on different terms and conditions then further discussions would need to take place with the proposed appointee.

Councillor Jeff Green commented upon the need for a wider discussion on the number of highly paid officers within the authority and whether or not they were all required. The Head of Paid Service could be any Chief Officer though the level of remuneration should be no more than the Prime Minister. Given that it was proposed for Mr Paul Satoor to be undertaking this role on an interim basis he should be offered a salary of £153,000, the same as the Prime Minister.

Councillor Chris Jones stated that she did not think it reasonable to ask Mr Satoor to take on the role at less than the current incumbent.

Responding to comments from Members, Mr Tony Williams, Head of HR, stated that the Chief Executive's salary range was £158,000 to £178,000 and Mr Satoor would be paid at the bottom of that range. There was one Corporate Director paid at the next level below that range at £145,000 - £161,000, the Corporate Director of Children's Services and he was managed by the Chief Executive. Within the Liverpool City Region Chief Executives were paid an average of £159,000 and a top rate of £166,000, excluding Liverpool City Council. Metropolitan Authorities averaged between £179,000 to £186,000. A comprehensive report on comparator salaries and issues around the Head of Paid Service would be brought to a future meeting.

Councillor Pat Hackett suggested that it would be irresponsible to act impulsively without careful consideration and of the need to have someone in place at this crucial time for the organisation.

Councillor Jenny Johnson suggested the need to go out to the marketplace to recruit the best possible interim.

Councillor Mike Collins suggested that any officers taking an interim role shouldn't expect the full salary and that some of the work being undertaken could be shared out amongst the senior leadership team.

Councillor Chris Jones commented that going out to the marketplace for a locum interim could take just as long as recruiting a new Chief Executive, whereas a seamless transition to an in-house interim would be less disruptive.

It was then moved by Councillor Anita Leech and seconded by Councillor Pat Hackett, that –

““This Committee recommends to Council that Mr Paul Satoor be appointed to the post of Chief Executive (Head of Paid Service), to include the appointment as Returning Officer and Electoral Registration Officer, for a period of twelve months or until such time as a permanent appointment is made.”

It was moved as an amendment by Councillor Lesley Rennie and seconded by Councillor Jeff Green, that –

“This Committee recommends to Council that Mr Paul Satoor be appointed to the post of Chief Executive (Head of Paid Service), to include the appointment as Returning Officer and Electoral Registration Officer, for a period of twelve months on an interim basis subject to a successful quarterly performance appraisal and that no officer be paid more than the Prime Minister.”

The amendment was put and lost (4:6).

The motion was put and carried (10:0).

(2) Resolved (10:0) – That this Committee recommends to Council that Mr Paul Satoor be appointed to the post of Chief Executive (Head of Paid Service), to include the appointment as Returning Officer and Electoral Registration Officer, for a period of twelve months or until such time as a permanent appointment is made.

The Director of Change and Organisational Design, then spoke to the third recommendation in respect of a proposed report on the review of all the options as to how to appoint a Head of Paid Service.

Councillor Phil Gilchrist suggested the need to include a full explanation as to the differentials between the lowest paid Council workers and the highest paid and how these could be reduced.

Some Members expressed the view that they would not want to commit to a report on differentials which reduced salaries.

It was then moved by Councillor Anita Leech and seconded by Councillor Janette Williamson that –

“A report concerning the considerations and requisite steps for the permanent appointment to the position of Head of Paid Service be brought to the Committee by the Director of Change and Organisational Design at a convenient date which would include a full exploration of the role, remuneration and appointment process.”

It was moved as an amendment by Councillor Phil Gilchrist and seconded by Councillor Jeff Green that –

“A report concerning the considerations and requisite steps for the permanent appointment to the position of Head of Paid Service be brought to the Committee by the Director of Change and Organisational Design at a convenient date. The report must include the results of a full exploration of how the differential salaries between a permanent Chief Executive and other Corporate Directors, Deputy Directors and other Directors can be reduced whilst paying full regard to concerns expressed by Members regarding a salary multiplier.”

The amendment was put and lost (5:6 on the Chair's casting vote).

The motion was put and carried (6:5 on the Chair's casting vote).

(3) Resolved (6:5 on the Chair's casting vote) – That a report concerning the considerations and requisite steps for the permanent appointment to the position of Head of Paid Service be brought to the Committee by the Director of Change and Organisational Design at a convenient date which would include a full exploration of the role, remuneration and appointment process.

The Director of Change and Organisational Design then spoke to the fourth recommendation in respect of the vacant post of Corporate Director for Economic and Housing Growth, which Mr Paul Satoor had been acting into since the resignation of the previous postholder in December, 2018.

Responding to Members' comments, the Director of Change and Organisational Design stated that an appointment would be made on an interim basis subject to further conversations about filling the role on a permanent basis. This would be an internal recruitment. With regard to a replacement for Mr Paul Satoor's current role as Corporate Director for Business Management it was Mr Paul Satoor's intention to look at the senior management structure. A report would be brought to a meeting in September / October. It was then –

(4) Resolved (9:0) (One abstention) – That a recruitment process be undertaken to recruit on an interim basis to the vacant post of Corporate Director for Economic and Housing Growth.

The Director of Governance and Assurance advised the Committee of the possibility of appointing an appointments panel for this post but if a Panel was not appointed then the appointment could be made by the Committee.

A Panel was not appointed.