

COUNCIL

7 June 2021

SENIOR MANAGEMENT TEAM APPOINTMENTS

Report of the Chief Executive

Strategic Aim:	All	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader of the Council	
Contact Officer(s):	Mark Andrews, Interim Chief Executive	01572 758339 mandrews@rutland.gov.uk
	Carol Snell, Head of Human Resources	01572 720969 csnell@rutland.gov.uk
Ward Councillors	NA	

DECISION RECOMMENDATIONS

That Council:

1. Approves the disestablishment of the following posts:
 - Strategic Director People
 - Deputy Director Children Services
 - Deputy Director Adult Services
2. Approves the establishment and recruitment to two Director posts:
 - Director Adults and Health
 - Director Childrens and Families
3. Approves the Chief Executive to utilise residual budget to determine resources where needed, in line with the Chief Executive delegations outlined in the Council's Constitution.

1 PURPOSE OF THE REPORT

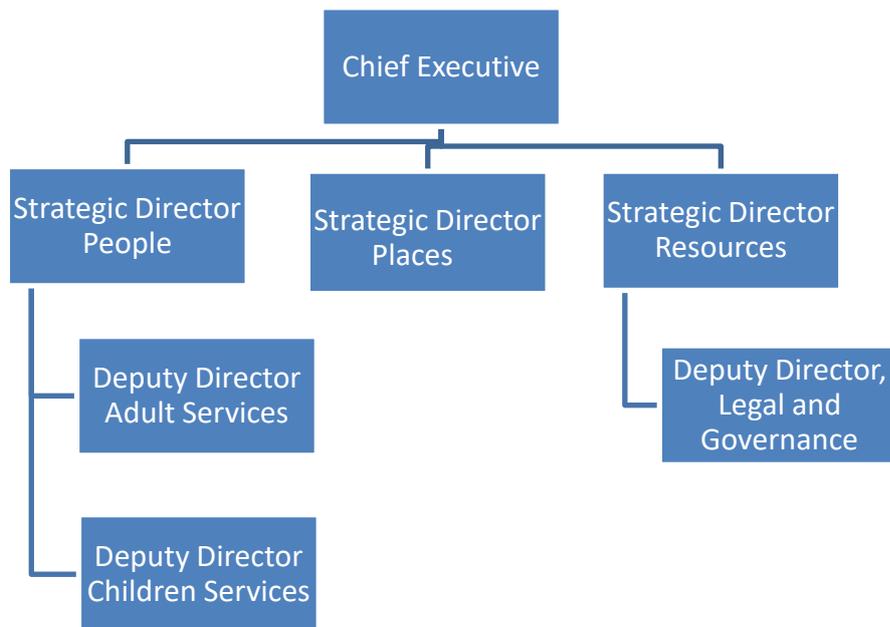
- 1.1 Subject to approval of the appointment of Mr Mark Andrews to the post of Chief Executive, this report proceeds to confirming permanent arrangements at Director level for posts leading the People Directorate.

2 BACKGROUND AND MAIN CONSIDERATIONS

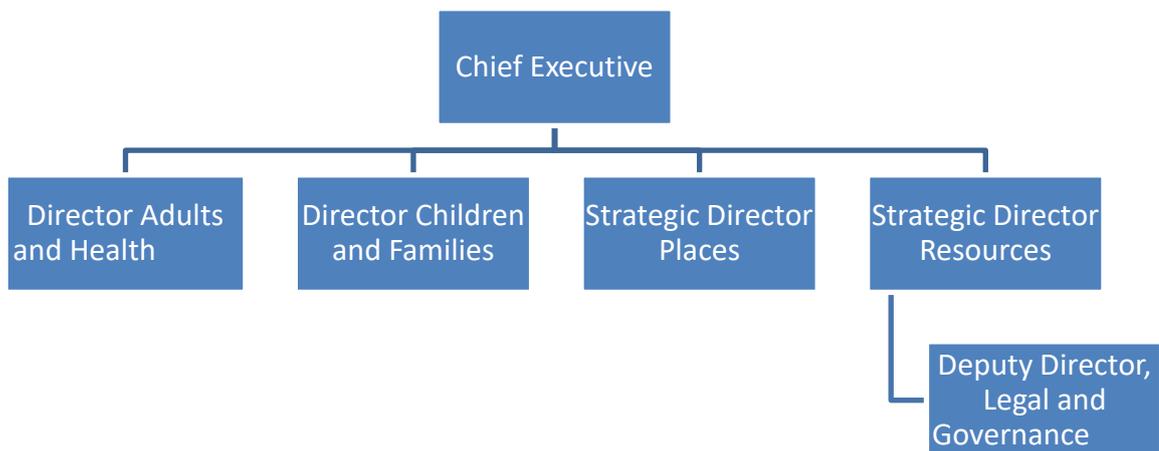
- 2.1 In June 2020 Full Council approved temporary arrangements whilst Mr Mark Andrews undertook the role of Interim Chief Executive. Report No. 73/2021 deals

with the permanent arrangements for this position. These posts included the positions of Director Adult and Health and Director Children and Families (both of which carry statutory roles as detailed below) and interim internal arrangements have been in place since July 2020.

2.2 Subject to Full Council approval of the Chief Executive appointment, it is now appropriate to review this position and put in place more permanent arrangements. This would also include the deletion of the Strategic Director post in the People Directorate, previously held by Mr Mark Andrews, and the deletion of the previous Deputy Director roles. In summary, the previous structure was:



The proposed new structure is:



2.3 The Strategic Director of People held (amongst others) 2 key statutory roles:

2.3.1 Director of Children Services under the Children Act 2004 (Section 18); and

2.3.2 Director of Adult Social Services under the Local Authorities Social Services Act 1970 (Section 6).

These statutory functions would be transferred to the respective posts under the new structure.

- 2.4 There are no additional costs to this model and it provides some continuity and strength at the senior leadership level. Under the Council's Constitution, the Chief Executive, as Head of Paid Service has delegated authority 'To determine all staffing matters (within approved budgets) including determining matters relating to structure (additions, reductions, post title changes and other changes to the establishment).' It is therefore proposed that the posts of the Strategic Director and two Deputy Directors are replaced with two Director posts; this enables the Chief Executive to determine resources needed across Council services that provide capacity aligned to corporate priorities.

3 RECRUITMENT PROCESS – DIRECTOR ROLES

- 3.1 Procedure Rule 343 deals with appointment of Chief Officers and Deputy Chief Officers - this includes a statutory Chief Officer as mentioned in paragraphs (a), (c) or (d) of Section 2(6) of the Local Government and Housing Act 1989.
- 3.2 The deletion of the 2 Deputy Director roles creates a situation where the 2 post holders would be redundant unless there were suitable alternative roles. As described in paragraph 2.1 the post holders have been 'acting up' into the suggested statutory roles under the interim arrangements. This has effectively provided a year-long period which has enabled the Council to assess the capability of the two officers in performing these roles.
- 3.3 The Council is entitled to take this time into account when considering its recruitment process. In line with the Restructure Policy, Council Constitution and previous practice for other posts in the organisation, it is proposed that the recruitment process would comprise the following:
- Internal advert – to invite suitable candidates from our existing workforce. This is in line with our Recruitment Policy in developing from within the organisation and will provide an opportunity for the existing incumbents to make an application for the respective permanent position.
 - Convene a Chief Officer Appointment Committee (Member appointments panel).
 - Subject to the proposal of the appointments panel and no objections from Cabinet, the Monitoring Officer shall report to the Council:
 - a) whether, in his opinion, the appointment can be made
 - i) without the contravention of any provision of Part I of the Local Government and Housing Act 1989, and
 - ii) without taking into account any matter which ought not to be taken into account either because of any statute, enactment or any provisions of these Procedure Rules; or
 - b) if, in his opinion, the appointment cannot be made as mentioned in sub paragraphs i) and ii) of paragraph a above, his reasons for that opinion.
- 3.4 The internal only recruitment process provides the Council with full opportunity to explore the quality of candidates within the organisation. Qualities such as strength of leadership, extensive service knowledge and experience, and the Rutland context, have proved significant for the Council in delivering continuity of service

and our Covid response. The proposed process will enable the Panel of Councillors to explore this area, and ensure that the views of the challenges ahead, both through COVID and other pressures, align with the organisation and its strategic direction.

- 3.5 The recruitment market for these two key Director roles is highly competitive as the roles are some of the most challenging to fill. As with all our roles we are competing in the same field as larger Unitaries and Counties where their salary levels exceed our pay band by £20k to £30k. In addition, the cost of external marketing and search would cost in the region of £25k-£30k each for this level of post.

4 CONSULTATION

- 4.1 There are no further consultation requirements arising from this report.

5 ALTERNATIVE OPTIONS

- 5.1 The Council could consider alternative options and structures. The model presented is considered, at this time, to deliver the consistency of leadership and the support needed as we move out of lockdown, continue to support our community and workforce, and to drive forward the Future Rutland Conversation.
- 5.2 Council could choose to immediately offer the appointments to the 2 post holders in light of the change of structure and the extensive interim period. This would be outside the Council's Restructure and Recruitment Policies.

6 FINANCIAL IMPLICATIONS

- 6.1 There are no additional costs associated with the proposals within this report with regard to an internal recruitment process. Funding from the deletion of the Strategic Director post supports the uplift for two Director posts from the previous two Deputy Director level posts, and enables the Chief Executive to re-distribute any balance as identified in paragraph 2.4.
- 6.2 Costs would be incurred for external recruitment and appointment as outlined in paragraph 3.4. In addition, redundancy costs would be approximately £16,500 plus pension capital costs.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

- 7.1 There are no further considerations to this report other than those already outlined in paragraph 3.

8 DATA PROTECTION IMPLICATIONS

- 8.1 A Data Protection Impact Assessments (DPIA) has not been completed as the information contained in the report is information that will be publicly available.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Assessment (EqIA) has not been completed in relation to the appointment process. The Council is required to have regard to its equality duty in making all decisions and the open nature of the recruitment process provides an opportunity for internal staff to be considered. It is not a legal requirement to advertise all posts externally.

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no community safety implications arising from this report.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 There are no health and wellbeing implications arising from this report.

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 It is recommended that Full Council approves the deletion of the Strategic Director and two Deputy Director posts in the People Directorate and supports the appointment process to two Director posts.
- 12.2 The reasons for the recommendation are as set out in this report and enables the Council to move from some existing interim arrangements to permanent posts.

13 BACKGROUND PAPERS

- 13.1 None

14 APPENDICES

- 14.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.