



Title: **Interim arrangements for the replacement of the role of Chief Executive**

Public Agenda Item: **Yes**

Wards Affected: **All**

To: **Council** On: **16 July 2012**

Key Decision: **No**

Change to Budget: **No** Change to Policy Framework: **No**

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1. What we are trying to achieve and the impact on our customers

1.1 To ensure appropriate officer leadership and governance following the departure of the Chief Executive.

2. Recommendation(s) for decision

2.1 **That the Employment Committee be requested to undertake the recruitment of an internal interim Chief Operating Officer to include the role of Head of Paid Service, for a period ending no earlier than 31 March 2013 and on a part time basis (equivalent of 2 days per week spread over a full week). The terms and conditions of employment for the post to be in line with the Joint Negotiating Committee for Chief Executives of Local Authorities with the job description as set out at Appendix 2. (Note: The Employment Committee recommendations will be presented to the September 2012 Council meeting).**

2.2 **That the Executive Head Business Services be instructed to undertake a Hay Evaluation of the agreed Job Description, and in doing so, produce a Hay Know How score which will in turn determine the spot salary for this post in accordance with our Pay and grading scheme.**

2.3. **That the Council notes the Mayor will continue to exercise executive functions in accordance with the Mayoral system of governance and that the Mayor will (in consultation with the Employment Committee and Group Leaders' Task Group) review the existing Officer Scheme of Delegation in relation to the Chief Executive to ensure clarity of roles and responsibilities. The results of this exercise to be reported to members in**

September 2012.

2.4 That the Employment Committee make a recommendation to the Council at a forthcoming meeting on the long term proposals for the replacement of the Chief Executive functions.

3. Key points and reasons for recommendations

3.1 It is intended that the interim position be made from an internal appointment and retaining existing roles working on a 5 day per week basis. There may need to be arrangements for back-filling of certain elements of the successful applicant's present role to ensure capacity.

3.2 A focal point for officer leadership is ensured.

3.3 The interim arrangements allow for flexibility and review.

3.4 The statutory S4, Head of Paid Service role is assured.

3.5 Savings outlined previously are secured.

For more detailed information on this proposal please refer to the supporting information attached.

**Anthony Butler
Monitoring Officer**

Supporting information

A1. Introduction and history

- A1.1 In May 2012 the Council approved a voluntary redundancy from the Chief Executive. The request was made on the basis that the role of the chief executive has changed since 2000 and that these changes are further impacted with an electoral mayoral system which have reduced or shared the responsibilities of the role. In addition, the breadth of responsibility has decreased with the creation of arms-length arrangements for major services areas. Also, the Council needs to continue to review management arrangements to make savings to tackle future financial challenges.
- A1.2 A Council does not have to have a chief executive but must have a Section 4 officer – this is usually known as the Head of Paid Service. In essence, the Head of Paid Service is responsible for management and employment of the Council's staffs.
- A1.2 A Member Employment Committee and Group Leaders' Task Group was set up to look at the options and make proposals to Council. The Task Group met twice. The initial meeting concluded that an interim arrangement should be recommended. The second meeting reviewed the existing role of the Chief Executive and the requirements of Section 4 together with the responses to internal consultation with tiers 1 to 4 staff. The Task Group reviewed a number of options for an interim arrangement (as set out at Appendix 1). Following discussion and analysis of the options, members recommended option 1 and a review of officer delegations as set out in the recommendations above.
- A1.3 The Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities is the national negotiating body for the pay and conditions of service of Chief Executives in England and Wales. As such it is proposed that the Terms and Conditions of employment for the post of Interim Chief Operating Officer fall in line with these terms and conditions. It is also proposed that the Executive Head Business Services undertake a Hay Evaluation of the draft Job Description (as set out at Appendix 2), and in doing so, produce a Hay Know How score which will in turn determine the spot salary for this post in accordance with our Pay and grading scheme.

A2. Risk assessment of preferred option

A2.1 Outline of significant key risks

- A2.1.1 There is a risk of over reduction in the strategic capacity of the senior officer team. There is provision for capacity to be increased with the two Directors who currently work four days a week (subject to their agreement). In addition, the senior leadership team has merged to include Directors and Executive Heads which is a more effective working body. Backfilling and additional support will also be provided where needed. In addition, the arrangement will be reviewed and is flexible enough for changes to be made if required.
- A2.1.2 There is a risk of confused governance or governance failure. Roles and responsibilities need to be clear and the delegated powers in the Constitution to be amended where appropriate. The responsibilities of the Section 151 Officer

and the Monitoring Officer remain unchanged. This will be mitigated by the review of roles and responsibilities under the Officer Scheme of Delegation.

A2.2 Remaining risks

A2.2.1 As a small authority, the Council is always vulnerable to the departure of key senior managers but has traditionally managed this well. It will be important to ensure succession planning in all areas

A3. Other Options

A3.1 Please see appendix 1.

A4. Summary of resource implications

A4.1 There will be initial savings from the Chief Executive's salary as previously reported. The job description for interim Chief Operating Officer (set out at Appendix 2) will be subject to HAY evaluation. The interim role will be costed on a pro-rata basis with 2 days per week on the Chief Operating Officer salary and the remainder of the week on successful applicant's existing salary. Under the interim arrangements, acting up allowances will be paid to other officers, where appropriate, for any back-filling required to enable capacity.

A5. What impact will there be on equalities, environmental sustainability and crime and disorder?

A5.1 The process of selection will be undertaken in accordance with best practice.

A6. Consultation and Customer Focus

A6.1 The Council's key partners were offered the opportunity, along with all staffs and trades unions to comment on the role of the Chief Executive in the review last September – there were few responses. The Directors, Executive Heads and management tiers 1-4 have been given the opportunity to comment and their responses were fed back to the Task Group.

A7. Are there any implications for other Business Units?

A7.1 There will be implications for other business units depending upon the outcome of the selection process.

Appendices

Appendix 1 Options appraisal

Appendix 2 Chief Operating Officer Draft Job Description

Background Papers:

The following documents/files were used to compile this report: Chief Executive Voluntary Redundancy Request report to Adjourned Annual Council on 16 May 2012. Council approved the request.