



Epping Forest District Council

COMMITTEE FOR THE APPOINTMENT OF A CHIEF EXECUTIVE

Tuesday, 16th November, 2010

Place: Cabinet Room, Civic Offices, High Street, Epping

Room: Council Chamber

Time: 6.30 pm

Democratic Services Officer I. Willett (Office of the Chief Executive)
E mail: iwillett@eppingforestdc.gov.uk Teil 01992 564243

Members:

Councillors Mrs D Collins, A Green, Mrs A Grigg, S Murray, Mrs C Pond, C Whitbread and J M Whitehouse

1. ELECTION OF CHAIRMAN FIELD_PAGE_RANGE

To elect a Chairman of the Committee for the remainder of the municipal year.

2. APPOINTMENT OF VICE CHAIRMAN FIELD_PAGE_RANGE

To appoint a Vice Chairman of the Committee for the remainder of the municipal year.

3. APOLOGIES FOR ABSENCE FIELD_PAGE_RANGE

4. MINUTES FIELD_PAGE_RANGE

This is the first formal meeting of the Committee.

5. TERMS OF REFERENCE FIELD_PAGE_RANGE

To note the following terms of reference for this Committee as agreed by the Council at its meeting on 30.7.10 (Minute 61):

“(a) to consider, in consultation with the Council’s Recruitment Consultants, the person specification, job description and associated matters relating to the recruitment and appointment of the Council’s Chief Executive (Head of Paid Service);

(b) to consider arrangements of advertising the vacancy;

(c) to consider the arrangements for interviewing, assessment and appointment to the Chief Executive position;

(d) to report back to full Council on progress on 28 September 2010;

(e) to report back subsequently to full Council with a recommendation on the person to be appointed to the position of Chief Executive;

(f) to consider alternative means by which the duties of the Chief Executive may be conducted; and

(g) to consider the remuneration appropriate to the role recommended by the Appointment Committee.”

6. APPOINTMENT OF PROPER OFFICER FIELD_PAGE_RANGE

To consider the attached report of the Assistant to the Chief Executive.

7. ACTING CHIEF EXECUTIVE - EXTENSION OF CONTRACT FIELD_PAGE_RANGE

To consider the attached report of the Assistant to the Chief Executive.

8. OPTIONS FOR THE DELIVERY OF THE CHIEF EXECUTIVE ROLE FIELD_PAGE_RANGE

To consider the attached report.

9. CHIEF EXECUTIVE POST - JOB DESCRIPTION, PERSON SPECIFICATION AND REMUNERATION FIELD_PAGE_RANGE

To consider the attached report

10. DATE OF NEXT AND FUTURE MEETINGS FIELD_PAGE_RANGE

(a) Next Meeting – 30 November 2010

(b) Future Meetings – To determine (1 December 2010 was agreed provisionally)

11. EXCLUSION OF PUBLIC AND PRESS FIELD_PAGE_RANGE

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<i>Agenda Item No</i>	<i>Subject</i>	<i>Exempt Information Paragraph Number</i>
<i>Nil</i>	<i>Nil</i>	<i>Nil</i>

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Report to the Committee for Appointment of a Chief Executive

Date of Meeting:

Portfolio Holder: Leader of the Council

Subject: Appointment of a Proper Officer – Chief Executive Recruitment

Responsible Officer: I Willett (Assistant to the Chief Executive) (Tel 01992 564243)

Democratic Services Officer: I Willett (Assistant to the Chief Executive) (Tel 01992 564243)

Recommendation:

That a report be submitted to the Council recommending as follows:

(a) that this Committee be delegated the task under regulation 3(i) and Part II of Schedule 2 to the Local Authorities (Standing Orders) Regulations 2001 of notifying the Proper Officer of the person to whom it is intended to make an offer of the position of Chief Executive; and

(b) that the Assistant to the Chief Executive be appointed as Proper Officer for the purpose of this appointment under those regulations.

Report:

1. The 2001 Standing Orders Regulations makes provision for the procedure to be followed in respect of the appointment of a Chief Executive/Head of Paid Service. Its provisions identify:
 - (a) as appointor – the Council body or officer to make any appointment
 - (b) a proper officer (i.e. an officer appointed for the purpose) to carry out actions required by these regulations.
2. In the current recruitment, the appointor will be the full Council. Under these regulations, the Council (as appointor) is required to notify the appointed proper officer of the name and any other relevant particulars of the appointment of the person to whom it plans to make an offer of employment.
3. When this notification has been received, the Proper Officer is required –
 - (a) notify every member of the Cabinet of the name of that person and those particulars;
 - (b) the period during which an objection to making an offer can be made by the Leader on behalf of the Executive.

4. During the period specified under 3(b) above, the Leader may advise that no member of the Executive has raised any objection to the making of the offer. The Proper Officer must then notify the Council (as appointor) of the fact that there is no objection or that an objection has been received and the reasons given for that objection.
5. The Council may satisfy itself any objection received from the Executive Leader is not material and is not well founded.
6. Appointments may not be made unless this procedure has been followed. Although, the Leader of Council is a member of the Committee, her role is to ensure that any objection from a Cabinet Member is reported back to the Council. As the "appointor" is the Council itself and there is no proper officer to carry out the task of notifying the Cabinet, two actions are necessary.
 - (a) to delegate the task of notifying the Proper Officer of the intended appointment to this Committee; and
 - (b) to appoint a Proper Officer.Item (a) would permit the Council to be advised of any objection at the meeting at which the appointment is considered.
7. These two actions should be the subject of recommendations from this Committee to the December 2010 Council meeting.

Z:C/WILLET/L2010/REPORT – APPOINTMENT OF PROPER OFFICER.DOC

Report to the Committee for the Appointment of a Chief Executive

Date of Meeting:

Portfolio: Leader of the Council

Subject: Acting Chief Executive – Extension of Contract

Responsible Officer: I Willett (Assistant to the Chief Executive) (Tel 01992 564243)

Democratic Services Officer: I Willett (Assistant to the Chief Executive) (Tel 01992 564243)

Recommendation:

- (1) That a report be submitted to the Council recommending that Mr D Macnab's appointment as Acting Chief Executive be extended on the same terms as agreed by the Council pursuant to the decisions made on 27 July 2010; and**
- (2) That the Committee determine the revised termination date under (1) above for inclusion in the report to the Council.**

Report:

1. At the Council meeting on 27 July 2010, Mr D Macnab was appointed to the position of Acting Chief Executive with effect from 28 July 2010 until 31 December 2010 (Minute 61). At that meeting Mr Macnab was also appointed as Head of Paid Service.
2. The Acting Chief Executive appointment was to terminate on 31 December 2010 as the Council also decided to launch the recruitment process for a permanent Chief Executive. However, the latter is now going to take longer than anticipated and it is recommended that Mr Macnab's appointment as Acting Chief should be extended.
3. The extension of this contract will be on exactly the same terms and the Committee is requested to agree the new termination date and recommend accordingly to the Council.
4. The cost of the contract extension can be met from existing resources in the current financial year from salary provision for the budget for the Chief Executive's post, for 2010/11, less the cost of the Acting Chief Executive's "acting up" salary addition.

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Discussion Paper

Alternative Ways to Deliver the Chief Executive Role

Introduction

The Council agreed at its meeting in July terms of reference for the Chief Executive Appointment Committee. The Terms of Reference included;

‘to consider alternative means by which the duties of the Chief Executive may be conducted’.

At the informal briefing of the Committee held on 29 October it was agreed that this item would be considered at the first formal meeting arranged for 16 November 2010. Members asked for a discussion paper to clarify the likely stance on this issue. It was felt most appropriate to deal with this issue as questions.

Discussion Points

1. What are the options for carrying out the functions of the Council's own Chief Executive in other ways?
2. If options other than a direct appointment are to be pursued, what interim arrangements are required in order to achieve them? Is there a lead-in timescale for implementing alternative arrangements?
3. What are the national political requirements? (i.e. salaries/shared Chief Executive arrangements/cluster working)
4. What are the Council's requirements at this time? Does the Council require a direct appointment?
5. If the Council's own Chief Executive is to be appointed, is part of that objective to reduce the top management structure and reduce costs?
6. What attitude is to be taken to redundancies to achieve a reduction in the top management structure?
7. What will be the position of the Deputy Chief Executive role if an internal appointment is made?
8. What policy is to be adopted regarding internal applicants?
9. If the Council is to appoint its own Chief Executive, is this a fixed term or permanent appointment?
10. Can alternatives be considered and run in parallel with the recruitment process?

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Report to the Committee for the Appointment of a Chief Executive

Date of Meeting: 16 November 2010

Portfolio: Leader of the Council

Subject: Chief Executive Recruitment Documents and Remuneration

Responsible Officer: Paula Maginnis (Assistant Director (HR) (Tel 01992 564536)

Democratic Services Officer: I Willett (Assistant to the Chief Executive) (Tel 01992 564243)

Recommendation:

- (1) That the job description and person specification is agreed subject to any amendments made by the Committee; and**
- (2) That the agreed job description and person specification is passed to external consultants Hay for evaluation.**

Report:

Introduction

1. At the Council meeting on 27 July 2010 members agreed the terms of reference for the Chief Executive Appointment Committee which included;
 - 'to consider in consultation with the Council's recruitment consultants the person specification, job description and associated matters relating to the recruitment and appointment of the Council's Chief Executive (Head of Paid Service)' and;
 - 'to consider the appropriate remuneration appropriate to the role recommended by the Appointment Committee'.

Job Description, Person Specification and Behaviours

2. A draft job description and person specification is attached for discussion and consideration by the Committee. At the informal briefing of the Committee it was agreed that if a direct appointment is required members would also wish to discuss what behaviours and values the Chief Executive should possess.
3. The conclusion of the discussion will be relayed to Tribal in the form of a very clear brief of the Council's requirements to take forward into the recruitment process.
4. To assist members of the Committee in the discussion a number of values and behaviours have been listed below;

- What Leadership behaviours does the Council require? E.g. adaptability, emotional maturity, leads by example, passionate, determined, visionary.
- What Values should they possess? E.g. integrity, honesty, fairness, compassionate
- What should their Communication style be? E.g. effective listening, decisive, clarity, positive.
- What Personal behaviours are required? E.g. – courage/self-confidence, wisdom, commitment, intuitive

This list is not exhaustive and has been included for the purpose of encouraging discussion.

Job Evaluation

5. As members are aware the Council undertook a major restructure in 2007/2008 which included the senior management team. The Director, Deputy Chief Executive and the Chief Executive posts were evaluated by the Hay Group.
6. The job description and person specification has been amended to reflect the current challenges to public finances, alternative ways of delivering public services and partnership working. The documents may also be amended further subject to these discussions. In addition, the Local Government market has changed regarding Chief Executive salaries therefore it is recommended that the post is evaluated prior to any search and selection activity.

Other Options for Action:

Members can decide not to have the post evaluated but to use benchmark information instead.

Members can decide to use another method of evaluation.

Alternative methods of providing the Chief Executive role are considered in the Discussion Paper.

Resource Implications:

If Hay are to provide the evaluation the cost will be approximately £1,400.00 excluding VAT and can be met from the under spend of the current Chief Executive salary budget. This cost will cover the evaluation and one Pay Benchmark exercise against the national Local Government Market. If the Committee decides it would like to undertake further Pay Benchmark exercises there will be additional costs.

CHIEF EXECUTIVE
Epping Forest District Council

The Role:

- To lead and inspire officers to deliver the vision, values and objectives of the Council.
- To ensure that all resources are used effectively in a co-ordinated way to deliver excellent customer services to local residents.
- To work in partnership with Members, the Corporate Management Team, Officers and key stakeholders to provide leadership, strategic direction and change management to the Council.
- To ensure that Epping Forest Council is at the forefront of modern and effective local government and in doing so, to lead on initiatives arising from new legislation affecting local government.
- To be an ambassador for the Council and ensure it is fully engaged with stakeholders and communities.
- To be the Head of Paid Service for the Council.
- To lead the Council's response to the changing financial climate over the coming years by reassessing service delivery models, delivering efficiencies and seeking out opportunities for partnership working.
- To operate locally, regional and internationally as an ambassador for Epping Forest.

Key Accountabilities:

Leadership and Management

- Work in partnership with Members and guide, support and advise them on the development and implementation of the Council's policies.
- Provide decisive leadership for the organisation in pursuing the vision, strategic goals and priorities of the Council.
- Create a business like culture of continuous improvement and integration.
- Inspire and shape the organisation to deliver effective and efficient services.
- Promote learning and development and support a performance management culture.
- Lead and develop the Corporate Management Team to ensure that all resources are deployed effectively.
- Promote the development of effective policies and services in response to the changing demands imposed by legislation, government intervention and service demands.
- Provide leadership and vision by including modern business methods and technology.

Member Relations

- Act as principal advisor on policy and ensure Members are able to formulate and determine policy in a way consistent with the effective, financially prudent and legal operation of the Council.
- Establish and maintain effective working relationships with the Leader of the Council, other Political Group Leaders and all Members.
- Work with political understanding and sensitivity, whilst acknowledging the political framework of the Council.

- Promote a culture of political awareness that helps translate political will into appropriate future strategies.

Service Delivery

- Ensure that all service delivery is customer focused.
- Provide a framework within which to challenge service provision ensuring that effective and efficient services are delivered.
- Provide good value for communities through public engagement, maximising resources, incorporating best practice and utilising new technology and innovation.
- Ensure that service delivery is supported by a comprehensive performance management system that tracks the implementation of corporate priorities and objectives for the organisation.
- Provide leadership in the Council's desire to work in partnership with key partners including the County Council, Town and Parish Councils, Police, Health and the Voluntary sector to deliver services.
- Ensure the Council is commercial in its approach to financial and human resource management.

Reputation Management

- Proactively promote and market a positive image of the Council as an effective service provider and as a place to live and work.
- Continue to build the profile of Epping Forest locally, regionally and nationally.

Valuing Diversity

- Promote the Council's commitment to valuing diversity and providing equal access to service delivery.
- Ensure the Council's commitment to equality of opportunity for all employees and Members within a culture of fairness, equality and respect is achieved.

Other

- Undertake all duties in accordance with the Council's policies and statutory obligations.

PERSON SPECIFICATION

Background and Experience:

- Evidence of proven achievement at senior management level within the public sector environment.
Such experience will be assessed against the following criteria:
 - Successful track record of giving professional advice to, and building productive working relationships with, senior managers and/or Elected Members.
 - Demonstrable success in change and improvement management, managing a diverse range of services and translating organisational ambitions into real achievements and service delivery improvements.
 - Demonstrable success in developing partnerships and collaborative ways of working in order to secure greater levels of efficiencies.
 - Successful track record of establishing a strong performance culture, effective performance and service quality evaluation that involves users and drives up standards and performance.
 - Operating in an environment where the engagement of local people is critical to the reputation of a Council.
 - Considerable involvement in the preparation, management and control of complex budgets and capital programmes, including budget formulation, rigorous financial monitoring and control.
 - Experience of leading and motivating a team of senior professional and managerial staff to a high level of achievement.
 - A strategic knowledge and understanding of the benefits of using technological solutions.
 - Achievement of equal opportunities in both employment and service delivery and a demonstration of personal leadership in the value of diversity.
 - A proven track record of implementing effective, innovative strategy in a large, multi-disciplinary environment.
 - Qualified to degree level or equivalent. Some advanced management qualifications are desirable although a proven interest in personal and organisational development is essential.

Personal Qualities:

- Highly motivated, enthusiastic and an excellent communicator.
- An effective, highly visible leader with an approachable style who is also prepared to challenge and take risks.
- Committed, robust and resilient enough to work within a changing, challenging and complex environment.
- Strategic change enabler
- A team worker who can motivate and work across boundaries and achieve performance and results through others.
- An inspirational, motivational, enthusing leader and corporate player.
- Personality, conduct and credibility that engages and commands the confidence of Councillors, senior managers, staff, local communities, external partners and other stakeholders.
- Strong partnership ambassador for the Council and the locality.
- Proven business and commercial acumen in the management of public sector resources.
- Committed to local democracy, social justice and accountability to the community.
- Objective and outcomes focused.
- Able to build a strong working relationship with the Leader, manage expectations and deliver results.

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