



Epping Forest District Council

COMMITTEE FOR THE APPOINTMENT OF A CHIEF EXECUTIVE

Tuesday, 6th March, 2012

Place: Committee Room 1, Civic Offices, High Street, Epping

Time: 5.30 pm

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

Members:

Councillors J M Whitehouse (Chairman), Mrs C Pond (Vice-Chairman), Mrs A Grigg,
Mrs M McEwen, S Murray, J Philip and Mrs L Wagland

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

(Chief Executive) To declare interests in any item on the agenda.

3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

4. TERMS OF REFERENCE

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.”

In addition, the following additional terms of reference were added at the January 2012 Council meeting. These derive from the report of the Task & Finish Scrutiny Panel on Senior Recruitment:

“(h) clear and measurable performance management and supervision arrangements;

(i) ensuring those undertaking performance management and supervision to have undertaken appropriate training and have access to advice and authority from Council to undertake this role; and

(j) whether there should be any process put in place for dealing with employment issues short of formal dispute.”

5. MINUTES (Pages 5 - 12)

To confirm the minutes of the last meeting of the Committee (attached).

6. APPOINTMENT OF HR ADVISERS

To receive a report on discussions regarding the appointment of HR advisers for this recruitment.

7. CHIEF EXECUTIVE APPOINTMENT -JOB DESCRIPTION & PERSON SPECIFICATION (Pages 13 - 18)

To finalise and agree the attached revised job description and person specification in respect of the Chief Executive post.

8. RECRUITMENT PROCESS - NEXT STEPS

The appointed HR Advisers will attend the meeting at 6.15 pm in order to discuss the following matters:

- (a) market conditions and salary;
- (b) recruitment advertising;
- (c) management of applications/assessment centre;
- (d) liaison with the committee during the recruitment process;
- (e) dealing with internal applicants
- (f) training for members of the Committee;
- (g) recruitment timetable.

9. CHIEF EXECUTIVE - SALARY

To consider and agree the salary applicable to the post of Chief Executive, taking account of the previous discussions with the Consultants.

10. DATE OF NEXT AND FUTURE MEETINGS

To determine a forward programme of meetings to achieve an appointment by 31 August 2012.

11. EXCLUSION OF PUBLIC AND PRESS

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.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Committee for the Appointment of a Chief Executive **Date:** Thursday, 19 January 2012

Place: Cabinet Room, Civic Offices, High Street, Epping **Time:** 7.30 - 10.02 pm

Members Present: J M Whitehouse (Chairman), Mrs C Pond (Vice-Chairman), Mrs A Grigg, Mrs M McEwen, J Philip and Mrs L Wagland

Other Councillors:

Apologies: S Murray

Officers Present: P Maginnis (Assistant Director (Human Resources)) and I Willett (Assistant to the Chief Executive)

9. DECLARATIONS OF INTEREST

There were no declarations of interest made for this meeting.

10. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

The Committee noted that there were no substitute members notified for this meeting.

11. TERMS OF REFERENCE

The Committee noted the Terms of Reference for this Committee as set out on the Agenda and as agreed by the Council on 30 July 2010 (Minute 61) and subsequently amended at the Council meeting on 26 July 2011 (Minute 54).

The Committee also noted that the report of Ernst and Young on options for service efficiencies had not yet been formally considered by the Council.

12. ERNST AND YOUNG DRAFT PROPOSALS - STATEMENT OF PRINCIPLES

The Committee received a copy of a letter dated 9 January 2012 from Ernst and Young concerning a targeted review of the senior management structure. The letter had been requested in order to provide clarification to this Committee regarding the position of Chief Executive, which was currently vacant with its responsibilities being covered by the Deputy Chief Executive in an acting capacity.

The Committee noted that in the view of Ernst and Young there was "a specific need to initiate the process for a permanent appointment of a sole Chief Executive for Epping Forest District as a matter of priority". The Company had concluded that any future change to senior management structures should be led and fully supported by a permanent and sole appointment to this post. The Company took the view that it should be the responsibility of the permanently-appointed Chief Executive to

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determine the pace of change and the extent to which the option set out in the Company's main report should be implemented.

The Committee reviewed the other options for providing for the delivery of the Chief Executive role and concluded that opportunities for joint Chief Executives were limited and not in harmony with the current needs for this Council including the need for the Chief Executive to represent solely the interests of this Council on a number of important issues to argue its own case on a number of important issues.

The Committee took the view that the recruitment to the Chief Executive post should be based on internal and external advertising so as to ensure that the Council could demonstrate appointment on merit in accordance with its statutory responsibilities.

The Committee noted also that Ernst and Young had, in the letter, expressed the view that the current post of Deputy Chief Executive should be removed from the structure, whilst highlighting that the responsibilities of this post should be retained and appropriately re-allocated elsewhere within any revised structure.

The Committee were advised that the Terms of Reference of this Committee did not embrace consideration of the Deputy Chief Executive post.

RESOLVED:

- (1) That the advice contained in the Ernst and Young letter of 9 January 2012 be accepted and approval be given to proceeding with a recruitment exercise in respect of the Chief Executive post; and
- (2) That the Leader of the Council be asked to consider and approve the external advertising of the Chief Executive post in accordance with the current policy for external staff recruitment; and
- (3) That the advice that the Deputy Chief Executive position was outside the Terms of Reference of this Committee be noted.

13. SENIOR RECRUITMENT TASK AND FINISH SCRUTINY PANEL - DRAFT REPORT

The Committee noted that at the Council meeting on 26 July 2011 (Minute 59), it had been decided, on the recommendation of the Audit and Governance Committee, that a review should be undertaken by Overview and Scrutiny of processes and procedures for recruitment of staff to senior positions. In particular this review was aimed at a suite of written procedures for reporting complex and sensitive senior officer employment contracts, for the posts of Chief Executive, Deputy Chief Executive, Service Directors, Assistant to the Chief Executive and the Statutory Officers (Head of Paid Service, Monitoring Officer, Deputy Monitoring Officer, Chief Finance Officer and Deputy Finance Officer), procedures on how the Council should seek advice on the form of contract and other contractual considerations arising from staff appointments.

The review was to take account of past experience and to draw the Panel's conclusions to this Committee's attention for the appointment of a Chief Executive.

The Committee noted that the draft report circulated with the agenda had subsequently been amended by the Scrutiny Panel and was now being submitted for approval to the Overview and Scrutiny Committee on 24 January 2012 followed by the Council meeting on 14 February 2012. The Committee were briefed on three

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items which had been drawn specifically to the attention of this Committee by the Scrutiny Panel namely:

- (a) the need for clear and measurable performance management and supervision arrangements;
- (b) ensuring that those undertaking performance management and supervision have access to appropriate training and advice with authority from the Council to undertake that role; and
- (c) whether there should be any process put in place with dealing with employment issues short of formal disputes.

The Committee supported the conclusions of the Scrutiny Panel on the processes and practices being recommended and agreed to take account of the three points listed above which had been drawn to the specific attention of this Committee.

RESOLVED:

- (1) That the proposals of the Task and Finish Scrutiny Panel on Senior Officer recruitment be supported;
- (2) That this Committee commits to follow the recruitment process recommended by the Task and Finish Scrutiny Panel;
- (3) That reports be submitted to a future meeting on performance management and supervision arrangements and on ways of dealing with employment issues short of formal disputes; and
- (4) That a report be submitted to the Council recommending that the three points referred to the Committee by the Scrutiny Panel should be incorporated within the Committee's Terms of Reference.

14. CHIEF EXECUTIVE POST - RECRUITMENT DOCUMENTS AND REMUNERATION

The Committee considered in detail what should be the expectations of a Chief Executive for the Council once appointed. Clarification of this approach was felt to be important in determining the detailed provisions in the Job Description and Person Specification.

The Committee reviewed in detail the attitude to risk, commercial acumen and the balance between the internal and external profile of the Chief Executive and considered in detail the content and wording of the job description and person specification for this post with a view to receiving a revised draft at the next meeting.

On the question of the salary attributable to the post, the Committee took the view that pending any wider restructuring, the Council should research and agree a salary based on current market comparisons with similar authorities as a basis for this recruitment. The Committee accepted that at a later stage, as part of a wider restructuring, a decision would need to be made on evaluation of posts at senior level so as to ensure that there was consistency of approach. However, in view of the importance of securing the Council's own Chief Executive the interim stage of a market based salary was felt to be the most efficient and least time consuming option.

RESOLVED:

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- (1) That the central principles regarding the role of the Chief Executive be approved;
- (2) That research be carried out on an appropriate salary level for the position based on current market comparisons pending any wider job evaluation as part of a future management structure review; and
- (3) That a revised job description and person specification be submitted to the next meeting of the Committee for approval.

15. CHIEF EXECUTIVE RECRUITMENT - PROCUREMENT OF CONSULTANCY ADVICE

The Committee considered a report of the Assistant Director (Human Resources) on the procurement of external recruitment and advice in relation to the Chief Executive position.

The Committee noted that the report submitted outlined four options:

- (a) Essex County Council Framework Agreement;
- (b) London Boroughs Association Framework Agreement;
- (c) East of England Local Government Association; and
- (d) Direct procurement by this Council – under Contract Standing Orders.

The Committee noted that Option (d) would require at least three quotations and be time consuming and resource intensive as most documentation would need to be drafted by the Authority. The Committee concluded that the two Local Authority Framework Agreements (London Boroughs and Essex County Council) included many of the same companies. In view of this, it was felt that as this Council already worked with Essex County Council through the County HR Partnership, it was sensible to use that County resource for this purpose. It was noted that this would deliver three HR Consultancies which would each submit a proposal for consideration by the Council.

However, in order to demonstrate best value, the Committee also asked that the East of England Local Government Association be asked to make a proposal.

The Committee discussed the brief to the Consultant and the manner in which a preferred consultancy would be selected. Members concluded that, in order to speed the process of recruiting a Chief Executive, quotations should be obtained from the two sources identified and then circulated to each member of the Committee for views.

The Director of Corporate Support Services would be able to accept a tender as the likely value was within the limits of her delegated authority with the preferred company but only after consultation with the Chairman of this Committee and the Leader and Deputy Leader of Council.

RESOLVED:

- (1) That the external recruitment consultancy for the purposes of the Chief Executive Recruitment Process be engaged;

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- (2) That the proposed brief to the Consultants be noted as set out in the Appendix to these minutes;
- (3) That proposals be invited from the Essex HR Partnership and the East of England Local Government Association and the procurement brief be circulated to each member of the Committee for comment beforehand;
- (4) That the acceptance of a proposal by any of the recruitment consultancies be delegated to the Director of Corporate Support Services after consultation with the Chairman of this Committee and the Leader and Deputy Leader; and
- (5) That the successful Consultancy be invited to the next meeting of this Committee to discuss issues surrounding the appointment.

16. DATE OF NEXT AND FUTURE MEETINGS

The Committee asked for the next meeting to be convened as early as possible and that the appointed Consultants should attend on that occasion.

The Committee asked that, in the meantime, a progress report should be made at the next Council meeting on 14 February 2012 on the progress being made with this recruitment. Members asked that this report should cover the Committee's views about the desirability of this authority having its own Chief Executive in preference to previous ideas regarding joint postholders involving other Councils.

RESOLVED:

That a report be submitted to the Council indicating the progress now being made in the recruitment process.

17. EXCLUSION OF PUBLIC AND PRESS

The Committee noted that there were no items for discussion in private session at this meeting.

CHAIRMAN

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Appointment of Chief Executive

Introduction

Epping Forest District Council is based in south-west Essex bordering on the M25 and is looking to appoint a full time, permanent Chief Executive. The current Deputy Chief Executive has been acting into the role for approximately 18 months. Members have recently made the decision to externally advertise the role.

The Appointment Committee, consisting of 7 members, would like to procure specialist expertise and assistance with the appointment of this important role.

The Brief

The areas the Council would wish to procure are;

1. Provide a timetable to ensure successful applicant is in post by 31 August 2012 or as near to this date as possible;
2. Provide benchmark salary information for Chief Executive roles;
3. Executive Search and advertising. Further discussions would be required as to where the advertising takes place, however the cost should include setting up and hosting a micro-site or most appropriate method. Assistance with producing the 'pack' including the micro-site will be required;
4. Deal with initial enquiries from potential candidates;
5. Selecting a long list of applicants with an option to use a serving Chief Executive (or similarly experienced person) to carry out a technical interview. If this is not appropriate the consultants should specify the most effective method;
6. Work with the Appointment Committee to provide a short-list;
7. Work with the Council's Assistant Director HR to determine in-house administrative, facilities and equipment requirements;
8. Specify an appropriate assessment using a range of methods to test the applicants;
9. Carryout recruitment/selection training for the Appointment Committee;
10. Develop interview questions and scoring methodology;
11. Attend the final interviews as an observer/facilitator; and
12. Value added services – please include any services you will be able to provide as part of this exercise.

Items outside the Framework

13. Initial support/guidance/training for the Leader with on-going 1-2-1 performance management meetings, reviews, appraisals etc;
14. Assist with an appropriate induction process for the successful candidate.

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EPPING FOREST DISTRICT COUNCIL JOB DESCRIPTION

JOB TITLE: Chief Executive **CAR ALLOWANCE:** Casual Allowance

POST NO: XEX/01 **CRB CHECK:** Not applicable

PURPOSE OF THE JOB: To lead and inspire officers to deliver the vision, values and objectives of the Council.

DIRECTLY ACCOUNTABLE TO: Leader of Council: Performance Management
Executive Functions

The Council: Head of Paid Service including statutory duties under the relevant legislation
Other regulatory functions

DIRECTLY RESPONSIBLE FOR: Corporate Management Team
Assistant to Chief Executive
Chief Internal Auditor
Executive Assistant

MAIN DUTIES AND RESPONSIBILITIES:

THE ROLE:

- To create and maintain an effective organisation which delivers on the Council's objectives, strategies and policies.
- To ensure that all resources are used effectively in a co-ordinated way to deliver excellent customer services to local residents.
- To be the Head of Paid Service for the Council.
- 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 the Council is aware and able to take advantage of opportunities arising from new legislation or elsewhere to deliver modern and effective local government to our residents and business community.
- To be an ambassador for the Council and ensure it is fully engaged with stakeholders and local communities.
- To lead the Council's response to the changing financial climate by reassessing service delivery models, delivering efficiencies and seeking out opportunities for partnership working. Identify and assess risks/threats associated with this changing climate and lead on the most appropriate courses of action for the Council.
- Ensure that the Council is proactive in the economic development of the district, establishing appropriate links with the business community and supporting members in new initiatives to maximise opportunities.
- Ensure that the Council and Officers continue to work and make decisions with probity and within proper procedural and legal frameworks.

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 corporate integration by ensuring cross Council working.
- 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 they provide a leadership vision to the organisation and 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.

Member Relations

- Act as principal advisor on policy and ensure Members are able to formulate and determine policy in a way which is efficient, effect, financially prudent and in accordance with the Council's statutory duties.
- Establish and maintain effective working relationships with the Leader of the Council, the Cabinet, Chairman of Council, other Political Group Leaders, Overview & Scrutiny Chairmen 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.
- Work within the Protocol for managing the relationship between the Head of Paid Service and elected members as set out in the Council's Constitution.

Service Delivery

- Achieve high quality services of best value by the development and effective use of all Council resources and securing performance through target setting, monitoring and reviewing.
- 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.
- Provide leadership in the Council's desire to work in partnership with key partners including the County Council, Town and Parish Councils, LSP, neighbouring authorities, the Voluntary sector and a range of external agencies to deliver services.
- Ensure the Council is resourceful and robust in its approach to financial and human resource management.

Reputation Management

- To protect and enhance the positive image of the Council as an effective service provider to the residents and business community of the district.
- Continue to build the reputation of Epping Forest District Council 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.

POLITICALLY RESTRICTED POST:

Yes

REHABILITATION OF OFFENDERS ACT 1974:

Not Exempt

Signed: _____ Date: _____
(Leader of the Council)

Signed: _____ Date: _____
(Post Holder)

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PERSON SPECIFICATION

POST TITLE: Chief Executive

POST NO: XEX01

1. Background and Experience

Evidence of proven achievement at senior management level within the public sector environment or significant experience of working at a senior level including working with senior managers in the public sector.

Such experience will be assessed against the following criteria:

- Successful track record of establishing a strong performance culture, effective performance and service quality evaluation that involves users and drives up standards and performance.
- Successful track record of giving professional advice to, and building productive working relationships with senior managers and Elected Members or equivalent.
- Experience of leading and motivating a team of senior professional and managerial staff to a high level of achievement.
- 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.
- Proven business and commercial acumen in the management of public sector resources.
- Evidence of high level involvement in the preparation, management and control of complex budgets and capital programmes.
- 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.

2. Personal Qualities:

Highly motivated, enthusiastic and an excellent communicator.

An effective, internally visible leader with an approachable style who leads by example and has an appetite for challenge and to be challenged.

Committed, robust and adaptable enough to work within a changing, challenging and complex environment.

Objective and outcomes focused.

A team worker who can motivate and work across boundaries and achieve performance and results through others.

Personality, conduct and credibility that engages and commands the confidence of Councillors, senior managers, staff, local communities, external partners and other stakeholders.

Ability to evaluate, either immediate or long term, threats/risks and responds in the most effective way.

Be adaptable and flexible to be able to embrace, absorb and respond appropriately to changing requirements and priorities.

Strong partnership ambassador for the Council and the locality.

Proven commitment to local democracy and accountability to the community.

Able to build a strong working relationship with the Leader, manage expectations and deliver results.

Signed: _____ **Date:** _____
(Leader of the Council)