

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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