

Report to Overview and Scrutiny Committee

Date of meeting: 4 June 2013

Subject: Senior Recruitment Task and Finish Panel - Review

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Committee Secretary: Simon Hill



Recommendations/Decisions Required:

- (1) That Council agrees clear Terms of Reference for the Appointment Committee, in every senior management appointment process;**
- (2) That the proposed checklist (set out in Appendix 1 to this report) be approved and included in the Senior Management Appointment Guidance Notes; and**
- (3) That the following key elements be included in the accompanying Guidance Notes and agreed for future senior recruitment exercises:**
 - (a) Where appropriate, external recruitment advice should be procured on a competitive basis for senior positions;**
 - (b) The early appointment of a legal advisor to the recruitment process, whether internal or from an appropriate external source;**
 - (c) Contracts of employment should be drafted with legal advice at the earliest possible stage of recruitment and before a provisional offer is made, such contracts to conform to a standard form but reflecting, where necessary, any specific requirements of the Authority;**
 - (d) That for recruitment to the posts of Chief Executive, Deputy Chief Executive, Service Directors and equivalent Chief Officer positions (as defined in the Employment Procedure Rules of the Constitution) created by the Council in the future, the following be authorised to agree a starting date and agree any other detailed terms in the contract as may arise, subject to legal advice from a nominated employment law specialist, namely:**
 - (i) Chief Executive – Chairman of Appointing Panel and Leader of Council;**
 - (ii) All other posts as defined above - the Chairman of the Recruitment/Appointment Panel, Leader of the Council and Head of Paid Service**

(e) Where an appointment is made by Council, a transparent approach should be taken and the provisional appointee named in the report to Council subject to:

- (i) The agreement of the applicant at the time of disclosure,**
- (ii) The current employer (as appropriate) being notified; and**
- (iii) The completion of the Executive objection process set out in the Officer Employment Procedure Rules contained within the Constitution;**

(f) External venues should be used for the recruitment process for senior appointments; and

(g) Recruitment and selection of candidates should include a wide range of tests and exercises suitable to the post in question.

Report:

1. (Chairman of the Panel – Councillor Angold Stephens) The Senior Management Recruitment Task and Finish Panel has been asked to undertake a review of the recruitment processes and recommend any modifications to future processes that might be necessary. We have reviewed feedback received on the process from candidates, the Appointment Committee using web-based surveys and the Council's consultants.
2. In addition the Officers involved in this recruitment process have also had an input into the recommendations set out in our report.
3. Generally, the Appointments Panel, Candidates and Consultants were happy with venues, the interview processes and our appointed consultants. Our recommendations reflect on the future use of external venues and interview/exercise structure. No further recommendations are thought necessary for this element of the process.
4. Our main recommendations relate to guidance and checklist for future recruitment processes.

Terms of Reference and Makeup of the Appointment Committee

5. We are of the view that the Terms of Reference agreed by Council for the Chief Executive Appointment Committee gave the Committee the flexibility to manage the process and provide the Council with regular updates throughout the process. This arrangement worked very well and allowed the Appointment Committee to make the necessary decisions to progress the process.
6. We are of the view that very clear Terms of Reference for such a Panel are essential. To assist Council with what to include in the Terms of Reference, a Checklist has been developed at appendix 1 for future recruitment exercises which we are recommending to the Council. We also believe that the selection of Councillors to serve on any Panel needs careful consideration by Group Leaders to ensure those appointed have suitable experience.

Use of External Consultants

7. As the Panel will be aware the Council had not externally recruited to the Chief Executive role for over 20 years, therefore there is very little experience within the Council of this type of recruitment. The advantages of using external recruitment consultants were:

- They provided extensive experience to support the Council throughout the recruitment process to officers and members.
- They had thorough knowledge of the recruitment market for Chief Executive positions.
- They provided additional resources for setting up the micro site, response handling and the assessment centre

8. The type of support is likely to vary depending on the nature of the post, however the report recommends the Council using external recruitment consultants to support it recruiting to senior management posts. Such an appointment would be procured competitively.

Legal Advice

9. There were time delays at the end of the process due to the drafting and agreeing the employment statement. The report recommends that the drafting of the document happens at an early stage and the 'At a Glance' process diagram is amended accordingly. We are also recommending that a legal advisor should be appointed at an early stage, externally if appropriate.

10. We have also discussed how new appointees start dates and detailed terms of contract can be resolved. We are recommending that in the case of the Chief Executive appointment, this be delegated to the Chairman of the Appointing Panel and the Leader of the Council. For all other senior appointments, the Head of Paid Service would be included in this delegation. We are recommending that these decisions should only be taken after receiving specific legal advice from the nominated employment law specialist.

Disclosure of the Successful Candidate's Name

11. We understand that, following the most recent recruitment, a few Councillors voiced their dissatisfaction about the disclosure in the Appointment Committee's report to Council of the name of the successful candidate. Those members felt that the process of asking them to agree the appointment after the verbal offer had been made to the successful candidate was meaningless. However, it would be extremely difficult for Council to put itself in the position of the Appointment Committee as members would not have been involved in the assessment process. In practical terms, Council would be required to support the Committee's decision. Furthermore, it would be inappropriate for prospective candidates to be interviewed by the entire Council.

12. The Council does have the responsibility for appointing the Head of Paid Service (who is usually the Chief Executive) and therefore it is recommended that the name of the proposed candidate is made in open session only after the successful candidate has accepted the offer, had the opportunity of notifying their present employer; key members are aware of the appointment and that the Executive objection process, set out in the Officer Employment Procedure Rules in the Constitution, has been completed.

External Assessment Venue

13. The feedback we have received indicates that the use of an external venue was preferred to the Civic offices for the assessment centre and meant the assessment centre was undertaken in privacy and was easy to manage by the facilitators. We are recommending that use of such external facilities in senior recruitments.

Assessment Exercises

14. A number of challenging exercises were selected by the Appointment Committee to test a range of skills and behaviours of the candidates. The role play exercise proved to be challenging to candidates. We have agreed that the selection process should include a wide range of tests and exercises suitable to the post in question.

Resource implications:

Budget provision: Agreed at the outset of each recruitment exercise.

Personnel: Use of external consultants as required.

Land: None

Community Plan/BVPP reference: None

Relevant statutory powers: Local Government Act 1972, 1989

Background papers: Survey Forms – Additional Comments. Exempt information, categories 1 (information relating to an individual) and 2 (information which is likely to reveal the identity of an individual)

Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required) Not a key decision.

Senior Management Recruitment

Checklist

- Group Leaders to consider experience/suitability of proposed appointments to recruitment/appointment committee
- Appoint members to the Recruitment/Appointment Committee
- Terms of Reference – what responsibilities is the Committee to have? These may include some of all of:
 - Procurement of recruitment consultants, including the brief
 - Content of Job Description and Person Specification
 - Terms and conditions
 - Recruitment advert content, publication and how
 - Agree the Long List
 - Agree the Short list
 - Choice of venue for assessment centre/interviews
 - Content of assessment centre
 - Involvement in negotiations with the successful candidate regarding the determination of terms and conditions to make the appointment
 - Recommending an appointment to Council for statutory roles
 - Making an appointment under delegated powers
- Frequency of reports (could be determined by key milestones within the process)
- Timescales
- Officer Support – who will support the Appointment Panel
- Who will provide legal advice?
- Establish a budget
- Agree who will be the 'Proper Officer' for Cabinet liaison purposes

Once these issues have been agreed a work programme will be developed for the Appointment Committee