

Meeting of the Full Council
Meeting to be held on Thursday, 26 October 2017

Report submitted by: Head of Legal and Democratic Services

Part A

Electoral Division affected:
None

Report of the Employment Committee - Senior Management Restructure

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Executive Summary

The Cabinet at its meeting on 14 September 2017 approved Option A as the Council's new senior management restructure. The Urgency Committee subsequently gave responsibility for appointment decisions in relation to the Council's new senior management structure and any dismissals due to redundancy to the Employment Committee. Any proposals to appoint or dismiss the Council's Chief Executive, Monitoring Officer or Chief Finance Officer must also be approved by the Full Council.

The Employment Committee has conducted interviews for the new senior management structure and this report sets out the recommendations of the Employment Committee in so far as they relate to the Council's statutory officers.

The report also recommends the establishment of an Employment Appeals Committee to determine appeals against dismissal which may be submitted by senior officers following the recruitment to the Council's new senior management structure.

Recommendation

The Full Council is asked to consider the recommendations of the Employment Committee from its meetings held on 29 September, 9, 19, 20 and 23 October 2017 and:

1. Agree to the dismissal of the Chief Executive, Jo Turton, on the basis of compulsory redundancy with three months' notice.
2. Agree to the dismissal of the Director of Governance, Finance and Public Services, Ian Young, on the basis of voluntary redundancy with three months' notice, as set out in the report.

3. Confirm the appointment of Angie Ridgwell as the Council's interim Chief Executive and Director of Resources (Head of the Paid Service and s151 officer) with effect from 3 January 2018.
4. Subject to the approval of 3. above, to confirm the appointment of the interim Chief Executive and Director of Resources as the Council's Returning Officer with effect from 3 January 2018.
5. Subject to the approval of 2. above, to confirm the appointment of the Director of Corporate Services, Laura Sales, as the Council's Monitoring Officer and Senior Information Risk Officer, as set out in the report.
6. Approve the re-designation of all other responsibilities held by the Director of Governance, Finance and Public Services to the new Director of Corporate Services, as set out in the report.
7. Note that the Council's new senior management structure will be effective as from 3 January 2018.
8. Authorise the Head of Legal and Democratic Services to make all necessary amendments to the Council's Constitution arising from the implementation of the new senior management structure.
9. Approve the establishment of an Employment Appeals Committee to determine appeals against dismissal which may be submitted by senior officers following the recruitment to the Council's new senior management structure.
10. Subject to the approval of 9. above, to agree to the establishment of the Committee on the basis of 3 members of the Conservative Group and 2 members of the Labour Group with nominations being submitted to Democratic Services by the respective political groups, and to agree that the Chair be appointed at the first meeting of the Committee.

Background and Advice

The Cabinet at its meeting on 14 September 2017 approved Option A as the Council's new senior management restructure. The Employment Committee was subsequently given responsibility for making appointments and any dismissals due to redundancy under the new structure.

The Committee's terms of reference provide that before an offer of appointment can be made or notice of dismissal is served in respect of the Council's statutory officers, Executive Directors and Directors the proposed action must be notified to all Cabinet Members and that either:

- (a) Within the period specified in the notification no objection has been made by the Leader on behalf of the Cabinet to the proposed action; or
- (b) the Committee making the decision is satisfied that any objection made is not material or is not well founded; or
- (c) the Leader has, within the period specified in the notification, notified the Committee that neither he/she nor any member of the Cabinet has any objections.

The terms of reference which reflect legislation also provide that where the Committee is appointing or dismissing the Chief Executive, the Monitoring Officer or Chief Financial Officer the Full Council must approve the appointment or dismissal before an offer of appointment is made or notice of dismissal is given.

The Employment Committee conducted interviews for the interim Chief Executive and Director of Resources on 9 October 2017. The Committee also met on 19, 20 and 23 October to confirm a number of direct appointments and to conduct ring fenced interviews where direct appointments could not be made under the new structure. The Committee at its meetings on 29 September and 19 October also considered applications for voluntary redundancy.

The Full Council will note that members of the Cabinet have been notified of the proposed appointments and dismissals under the new senior management structure and no objections have been made to any of the actions proposed by the Employment Committee.

As mentioned above, the Full Council is required to approve the appointment and dismissal of Council's Chief Executive, Monitoring Officer and Chief Finance Officer. The Full Council is now asked to consider the following recommendations made by the Employment Committee in respect of those positions:

Chief Executive and s151 officer

The Employment Committee was informed that the current Chief Executive, Jo Turton, had not applied for any of the posts under the new structure. The Committee agreed that, subject to no objections being made to the Leader by any member of the Cabinet, the Full Council be recommended to approve the dismissal of the Chief Executive, Jo Turton, on the basis of compulsory redundancy with three months' notice.

The Employment Committee also agreed that the Full Council should be recommended to approve the appointment of Angie Ridgwell (currently employed as Director General of Corporate Services Dept. Business, Energy and Industrial Strategy) as interim Chief Executive and Director of Resources (Head of the Paid Service and s151 officer) with effect from 3 January 2018. The role of s151 officer is currently held by the Director of Financial Resources who would relinquish that responsibility on 3 January 2018.

The Chief Executive would normally be appointed as the Council's Returning Officer and the Full Council is also asked to approve the appointment of the interim Chief Executive and Director of Resources, Angie Ridgwell, as the Council's Returning Officer with effect from 3 January 2018.

Monitoring Officer

The Employment Committee has considered an application for voluntary redundancy from the Director of Governance, Finance and Public Services, Ian Young, who is also the Council's Monitoring Officer. The Committee agreed that, subject to no objections being made to the Leader by any member of the Cabinet, the Full Council

be recommended to approve the dismissal of the Director of Governance, Finance and Public Services, Ian Young, on the basis of voluntary redundancy with three months' notice. The Committee also agreed that during the period of notice transitional/handover arrangements should be undertaken by the Director of Governance, Finance and Public Services and the new Director of Corporate Services and, if this period was less than three months, an earlier leaving date would be agreed between the post holder and the Head of HR in consultation with the Chair of the Employment Committee. The remaining notice period would be paid as Pay in Lieu of Notice.

The Director of Governance, Finance and Public Services is also the Council's Senior Information Risk Officer. The Employment Committee has appointed Laura Sales as the Director of Corporate Services and the Committee agreed that the Full Council should be recommended to approve the appointment of the Director of Corporate Services as the Council's Monitoring Officer and the Senior Information Risk Officer.

The Full Council is also asked to approve the re-designation of all other responsibilities held by the Director of Governance, Finance and Public Services to the new Director of Corporate Services. Such responsibilities include the signing of champion grant approvals, responsibilities under the Scheme of Delegation to Heads of Services and the appointment of members to serve on companies.

The effective date for the above-mentioned appointments and re-designations would be the date to be agreed for the Director of Governance, Finance and Public Services leaving the Council.

New Senior Management Structure – Implementation

The Full Council is asked to note that the Employment Committee has agreed that the implementation of the Council's new senior management structure will be effective as from 3 January 2018.

Appeal against dismissal

Council policy entitles employees to have the right of appeal against dismissal including dismissal by reason of redundancy. Normally the right of appeal would be to another senior officer but as responsibility for the appointment of all senior officers to the Council's new senior management structure has been delegated to the Employment Committee, it is felt that the right of appeal should also be determined by elected members not involved in the appointments process.

It is proposed therefore to establish an Employment Appeals Committee for the purpose of determining any appeals against dismissal which may be submitted by senior officers excluding the Chief Executive, Monitoring Officer and Chief Financial Officer following the recruitment to the Council's new senior management structure. Where it is proposed to dismiss the Chief Executive, Monitoring Officer and Chief Financial Officer the appeal stage is fulfilled by the Full Council when it considers the proposal to dismiss the respective post holder(s).

It is proposed that the Employment Appeals Committee would be established on the basis of 3 members of the Conservative Group and two members of the Labour Group.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

Local authorities are required to make appointments to the statutory positions set out in the report.

Finance

The financial implications were considered by the Employment Committee as part of the process to implement the new senior management structure.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A