

SPECIAL COUNCIL

To: All members of the Council

You are hereby summoned to attend a special meeting of South Norfolk Council for the purpose of transacting the business set out in this agenda.

Yours sincerely



Trevor Holden
Managing Director

Mr J Overton
Chairman of the Council

Mr G Minshull
Vice-Chairman of the Council

AGENDA

Date

Tuesday 23 April 2019

Time

10.00 am

Place

Cavell and Colman rooms
South Norfolk House
Cygnet Court
Long Stratton
Norwich
NR15 2XE

Contact

Claire White
01508 533669
democracy@s-norfolk.gov.uk
www.south-norfolk.gov.uk

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council's guidance on filming and recording meetings available in the meeting room.

If you have any special requirements in order to attend this meeting,
please let us know in advance

Large print version can be made available

The Council's Prayer

A G E N D A

1 Apologies for absence

2 Urgent Items:

Any items of business which the Chairman decides should be considered as matters of urgency pursuant to Section 100 B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, "by reason of special circumstances" (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3 To Receive Declarations of Interest from Members

(please see guidance – pages 3 & 4)

4 Senior Management Posts;

(report attached – page 5)

5 Appointment to Outside Body: Transport for Norwich Member Group

Greater Norwich is one of twelve city areas shortlisted to apply for a share of the Government's Transforming Cities Fund. This £1.2bn fund aims to improve productivity and spread prosperity through investment in public and sustainable transport. In March 2019 Greater Norwich was awarded £6.1m, from DfT's initial Tranche 1 allocation of £60m, to deliver six transport schemes across the area in 2019/20. Schemes are now being developed to put forward for submission to access the main wave of funding, Tranche 2, in Summer 2019.

A Transport for Norwich Member Group is being established with representation from all three Greater Norwich Councils and the County Council to provide a detailed oversight to the delivery of Transforming Cities Fund schemes. The Group will comprise three members from Norfolk County Council and one from each of Norwich, Broadland and South Norfolk Councils.

With the deadline fast approaching for the Tranche 2 submission to DfT it is necessary for the first meeting of this group to take place in advance of the elections and a meeting has been arranged for 30 April. Therefore, it is not possible to wait until the AGM at the end of May and the Leader has nominated Cllr K Mason Billig to represent South Norfolk Council on this Group.

Members are therefore requested to agree that South Norfolk Council appoint a representative to the Transport for Norwich Member Group and that Cllr K Mason Billig be appointed as the Council's representative for the remainder of the municipal year 2018/19.

Phil Courtier – Director of Place

DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. affect yours, or your spouse / partner's financial position?
2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.

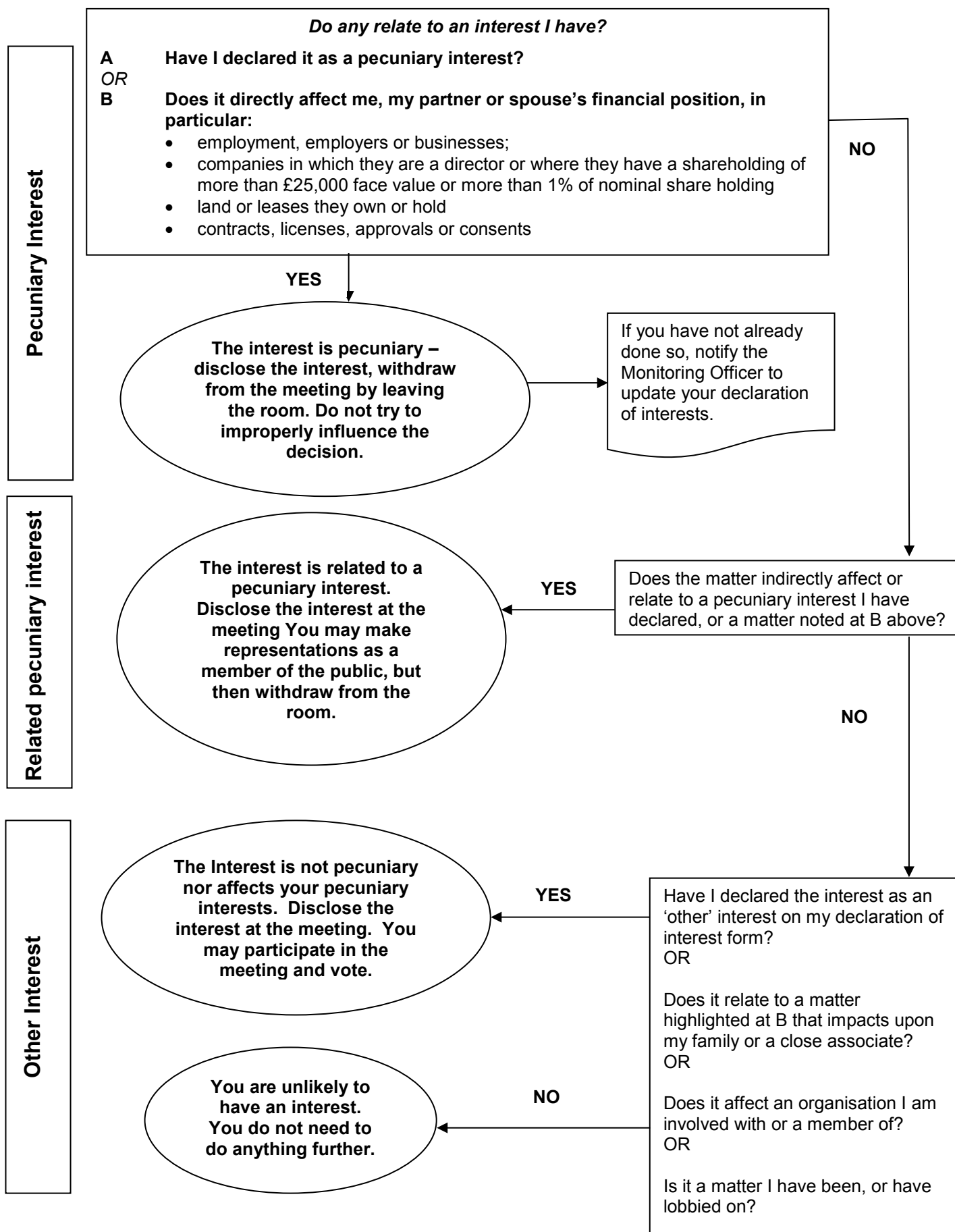
Is the interest not related to any of the above? If so, it is likely to be an 'other' interest. You will need to declare the interest but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST
INSTANCE**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

What matters are being discussed at the meeting?



Agenda Item: 4

SENIOR MANAGEMENT POSTS

Report Author(s): Trevor Holden, Managing Director
MDtoBDCandSNC@s-norfolk.gov.uk
01508 533601 or 01603 430458

Portfolio Holders: Cllr J Fuller / Cllr S Vincent

Ward(s) Affected: All

Purpose of the Report:

This report seeks to approve the appointments made by the Joint Appointment Panel, as a result of the recent senior management structure interviews. The report is for consideration and agreement by both Broadland District Council and South Norfolk Council due to the proposed senior management appointments being joint roles across both Councils. The creation and use of these joint roles is in accordance with Section 113 of the Local Government Act 1972.

Recommendations:

1. To appoint Debbie Lorimer as the Director of Resources with immediate effect. This is a joint appointment across both Councils.
2. To appoint Jamie Sutterby as the Director of People and Communities with immediate effect. This is a joint appointment across both Councils.
3. To appoint Phil Courtier as the Director of Place with immediate effect. This is a joint appointment across both Councils.
4. (South Norfolk to note, Broadland to agree) To appoint Debbie Lorimer as the Council's Chief Financial Officer (Section 151 Officer) from 28 May 2019 on the departure of Jill Penn the current Broadland District Council Section 151 Officer. This is a joint appointment across both Councils.
5. (South Norfolk to note, Broadland to agree) To appoint Emma Hodds as the Council's Monitoring Officer with immediate effect. This is a joint appointment across both Councils.

6. (For South Norfolk to note, Broadland to agree) Following the outcome of the Joint Appointment Panel interviews and all parties agreeing there are no suitable alternative employment opportunities, Council is asked to ratify the redundancy of the Deputy Chief Executive with the delegation of the exit arrangements, including the effective date and terms, to the Managing Director and HR Manager, the details of which will be shared with the Broadland Leader and the Deputy Leader. This is in line with Broadland District Council's Constitution and the Local Authorities (Standing Orders) (England) Regulations 2001.

1 SUMMARY

- 1.1 This report seeks to approve the appointments made by the Joint Appointment Panel, as a result of the recent senior management structure interviews.

2 BACKGROUND

- 2.1 The following outlines the background and approach taken to the recruitment of the senior management appointments.
- 2.2 On 12 July 2018, both Councils agreed the Collaborative Working Feasibility Report, agreeing both to the proposals set out in the report to form one Joint Officer Team across the two autonomous Councils and the elements to deliver it as set out in the routemap for delivery. The routemap activities and timescales were followed, in particular the following key items from the Feasibility routemap (section 10.10 of Feasibility report):
- **Sept 2018: MD selection.** The Joint Appointments Panel for Managing Director was established in July, followed by candidate selection and then recruitment in September. Ratification of Trevor Holden as the Managing Director by both Councils' took place on 4 October 2018.
 - **Jan 2019: MD starts in post.** Trevor Holden took up post as Managing Director and the Head of Paid Service on 2 January 2019. The Section 113 agreement was finalised to enable the Managing Director and all staff to work legally across both Councils.
 - **Jan to March 2019: Consultation on the above draft senior structure and terms and conditions.** The draft structure went to Council in January and formal consultation with senior management and UNISON was held between 28 January to 15 February 2019.
 - **March to April 2019: New joint senior management appointments and ratification.** In March, candidates undertook psychometric testing and a rigorous assessment centre facilitated by an external recruitment specialist. The Joint Appointment Panel interviews were held 15, 25, 26 and 28 March 2019. Full Councils' meetings to ratify posts are booked for 23 April 2019

(South Norfolk Council) and 25 April 2019 (Broadland District Council).

- **April to June 2019: New joint senior management team in post.**

- 2.3 On 7 December 2018 the Joint Lead Members Group discussed the proposed approach to appointing the senior management team and in January 2019 both Councils met separately to agree this. A subsequent report was then produced as a result of both Councils agreeing in January to the draft senior structure to start formal consultation process but postponing a decision on approving the preferred composition of the appointments panel until further discussion could be held at Joint Lead Members, the new formal Joint Scrutiny, Cabinet and Council.
- 2.4 Following Joint Lead Members, the new formal Joint Scrutiny and Cabinet in February, the Full Councils' meetings on the 28 February 2019 agreed that a Member Panel would carry out the interviews for the Chief Officer and Deputy Chief Officer posts in the new senior management structure. In line with the Constitution the Chief Officer (Director) posts and the statutory posts require ratification by the Council. Council also agreed in February that the interview panel would comprise four Members from each Council with a political balance of three Conservatives to one Liberal Democrat. Council further agreed that the panel would include the Managing Director who would have a formal role and vote only if the panel votes were tied and that a representative from the external recruitment provider would attend but with no vote, in order to advise on HR procedure and the results from the Strengths Based Assessment.
- 2.5 As outlined in the 28 February 2019 Council report, the draft senior structure, job descriptions and terms were included in the Employee Pack that underwent formal consultation with affected senior managers and UNISON. Roles were ring fenced to ensure a fair, open and transparent process for candidates. The ring fencing was such that it did not create the potential for an officer at one tier to be displaced by one at a lower tier ie, the Joint Appointment Panel determined appointments at one tier before opening up any residual vacancies for interview to the lower ring fenced tier. As outlined in the February Council report, the appointments process was in two stages:
- i) Strengths Based Assessment Centre
 - ii) Formal Interview.
- 2.6 At the end of the Assessment Centre the external HR provider made recommendations to the Joint Appointment Panel about which individuals should progress to formal interview. The Panel agreed that all candidates should progress to interview.

3 APPOINTMENTS

- 3.1 Following the above previously agreed process, the Joint Appointment Panel met on four occasions to interview for the posts in the new senior management structure. The panel has now completed the role that was delegated to it by

Council. Appendix A shows the senior management structure and proposed appointments.

- 3.2 On conclusion of the interviews on the 15 March 2019 the Joint Appointment Panel resolved to appoint Debbie Lorimer as Director of Resources and Jamie Sutterby as Director of People and Communities. These officers were immediately seconded into these roles, with their substantive appointments being subject to a 5-day Cabinet objection period as well as ratification at this Council meeting.
- 3.3 On conclusion of the interviews on the 25 March 2019 the Joint Appointment Panel resolved to appoint Phil Courtier as Director of Place. This officer was immediately seconded into this role. As above, the substantive appointment is subject to a 5-day Cabinet objection period as well as ratification at this Council meeting.
- 3.4 Section 151 of the Local Government Act 1972 requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its financial affairs. It is proposed that Debbie Lorimer is appointed as the Section 151 Officer from 28 May 2019 on the departure of Jill Penn the current Broadland District Council Section 151 Officer. This is a joint appointment across both Councils, South Norfolk Council agreed Debbie Lorimer as their Section 151 Officer on 18 February 2019.
- 3.5 On conclusion of the interviews on the 28 March 2019 the Joint Appointment Panel resolved to appoint Emma Hodds as Assistant Director of Governance and Business Support which includes the statutory role of Monitoring Officer. Section 5 of the Local Government and Housing Act 1989 requires every local authority to designate one of their officers as the officer responsible for performing those specific duties as set out in the Constitution. It is proposed that Emma Hodds is appointed as the Monitoring Officer with immediate effect at Broadland District Council. South Norfolk Council agreed Emma Hodds as their Monitoring Officer on 11 December 2017.
- 3.6 In line with the Constitution, Cabinet were notified of the offer of appointment for all the Director and Assistant Director roles and had the opportunity to object to these, within five days of the offer being made. Such objections would need to be significant and well-founded, and raised through the Leader. No such objections were received.
- 3.7 The Broadland District Council Constitution reserves power to the Council regarding the early retirement and redundancy of the Managing Director and Deputy Chief Executive. Following agreement of the new senior management structure and the subsequent outcome from the Joint Appointment Panel interviews, the role of Deputy Chief Executive was removed and all parties agreed there are no suitable alternative employment opportunities. The Council is therefore asked to approve the ceasing of employment of the Deputy Chief Executive with the delegation of the exit arrangements, including the effective date and terms, to the Managing Director and HR Manager, the details of which will be shared with the Broadland Leader and the Deputy Leader.
- 3.8 As stated in prior Council reports, there is a presumption of no redundancies and following the outcome of the candidate assessments and interviews, the process

for unsuccessful candidates is being followed as per Council policy and includes appropriate efforts to support individuals. The process includes seeking to secure alternative employment opportunities for unsuccessful candidates as well as support in their career transition.

- 3.9 Vacant posts that remain in the senior management structure will be sought to be filled on an interim basis by the Managing Director using the delegated authority agreed by Council. In parallel, expressions of interest from internal staff to these posts will be sought and the Joint Appointments Panel will be reformed as soon as possible after the May election.

4 ISSUES AND RISKS

- 4.1 **Resource Implications** – a single management structure is necessary to help both Councils work collaboratively and to realise their ambitions. Budget provision to cover the cost of redundancies will be allocated. As stated in the Council paper of 14 January 2019, should a redundancy situation arise, each Authority will honour the cost implications for their individual employees.

The senior management restructure is expected to save an estimated annual gross saving of £330k across both Authorities. In addition, an annual gross saving of £110k per year across both Authorities is estimated in moving from two Chief Executive posts to one Managing Director.

- 4.2 **Legal Implications** – the Council's statutory obligations are set out in the body of the report.
- 4.3 **Equality Implications** – a fair, robust and equitable recruitment process has been applied to all applicants regardless of any protected characteristic, notwithstanding, any reasonable adjustment an applicant may have required as a result of a protected characteristic.
- 4.4 **Environmental Impact** – there is no impact on the environment.
- 4.5 **Crime and Disorder** – there is no impact on the crime and disorder.
- 4.6 **Risks** – the Council has a statutory responsibility to appoint a Section 151 Officer and Monitoring Officer. Making the appointments as suggested in this report ensures that the Council meets this duty. Any appointments (Directors and statutory officers) not confirmed by Council will run the risk of constructive and/or unfair dismissal claims, furthermore, not being able to appoint to these roles having followed the previously agreed rigorous appointment process may lead to a perceived lack of confidence in the Council and perception of a difficult working environment.

5 CONCLUSION

- 5.1 This report seeks the ratification of the decisions made by the Joint Appointment Panel.

6 RECOMMENDATIONS

- 6.1 To appoint Debbie Lorimer as the Director of Resources with immediate effect. This is a joint appointment across both Councils.
- 6.2 To appoint Jamie Sutterby as the Director of People and Communities with immediate effect. This is a joint appointment across both Councils.
- 6.3 To appoint Phil Courtier as the Director of Place with immediate effect. This is a joint appointment across both Councils.
- 6.4 (South Norfolk to note, Broadland to agree) To appoint Debbie Lorimer as the Council's Chief Financial Officer (Section 151 Officer) from 28 May 2019 on the departure of Jill Penn the current Broadland District Council Section 151 Officer. This is a joint appointment across both Councils.
- 6.5 (South Norfolk to note, Broadland to agree) To appoint Emma Hodds as the Council's Monitoring Officer with immediate effect. This is a joint appointment across both Councils.
- 6.6 (For South Norfolk to note, Broadland to agree) Following the outcome of the Joint Appointment Panel interviews and all parties agreeing there are no suitable alternative employment opportunities, Council is asked to ratify the redundancy of the Deputy Chief Executive with the delegation of the exit arrangements, including the effective date and terms, to the Managing Director and HR Manager, the details of which will be shared with the Broadland Leader and the Deputy Leader. This is in line with Broadland District Council's Constitution and the Local Authorities (Standing Orders) (England) Regulations 2001.

=====

Appendices –

Appendix A – Senior Management Structure and proposed appointments

APPENDIX A – Senior Management Structure and proposed appointments

