

Joint Scrutiny Committee

Agenda

Date

31 January 2019

Members of the Joint Scrutiny Committee

Broadland District Council Members

Mr A Adams
Mr J Emsell
Mr D Harrison
Mr G Nurden
Mrs K Vincent
Mr D Ward

South Norfolk Council Members

Mr B Bernard
Mr L Dale
Mr B Duffin
Mr C Gould
Mr G Minshull
Mrs J Wilby

Time

10.00am

Place

Council Chamber
South Norfolk House
Cygnet Court
Long Stratton, Norwich
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- 1 Apologies for absence;
- 2 Urgent Items;
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- 4 [Senior Management Recruitment and Appointment Arrangements;](#) 3 – 12

Trevor Holden
Managing Director

SENIOR MANAGEMENT RECRUITMENT AND APPOINTMENT ARRANGEMENTS

Report Author(s):	Trevor Holden, Managing Director, 01508 533603 / 01603 430458 MDtoBDCandSNC@s-norfolk.gov.uk
Portfolio Holders:	Cllr John Fuller / Cllr Shaun Vincent
Ward(s) Affected:	All
Purpose of the Report:	This report seeks Joint Scrutiny recommendation to Cabinet on the preferred appointment panel options for the recruitment and appointment of the Senior Management roles for Broadland District Council and South Norfolk Council that will facilitate a single paid service. This version is for Joint Scrutiny, the version to the 28 February Councils will also include the outcome from the formal staff consultation with the affected senior staff and UNISON.

Recommendations

For Joint Scrutiny to:

1. Note the recruitment process and associated timeline for appointment of Chief Officer and Deputy Chief Officer roles to the Senior Management structure.
2. To recommend to Cabinet the proposed panel format as set out in section 4.11 for the Member appointments panel of Chief Officer roles.
3. To recommend to Cabinet a preferred option from the table of options in section 4.12 for the appointments panel of Deputy Chief Officer roles.
4. To recommend to Cabinet that the Managing Director be given delegated authority to appoint on an interim basis in the event that any external appointments are required after all internal senior staff and wider internal staff groups are complete.

1. SUMMARY

- 1.1 This report sets out the proposed arrangements for selection and appointment to the Senior Management staffing structure for Broadland District Council and South Norfolk Council that will facilitate a single paid service. In January 2019, both Councils agreed the draft senior management structure that would be used for the formal consultation process with affected staff. Both Councils also agreed that formal consultation could commence in parallel with this report to seek agreement of the selection and appointment arrangements.
- 1.2 The following report describes the proposed process, involvement of Members and anticipated timeline for the whole assessment process. This report has been drafted taking into consideration the feedback that was received from both Council meetings.

2. BACKGROUND

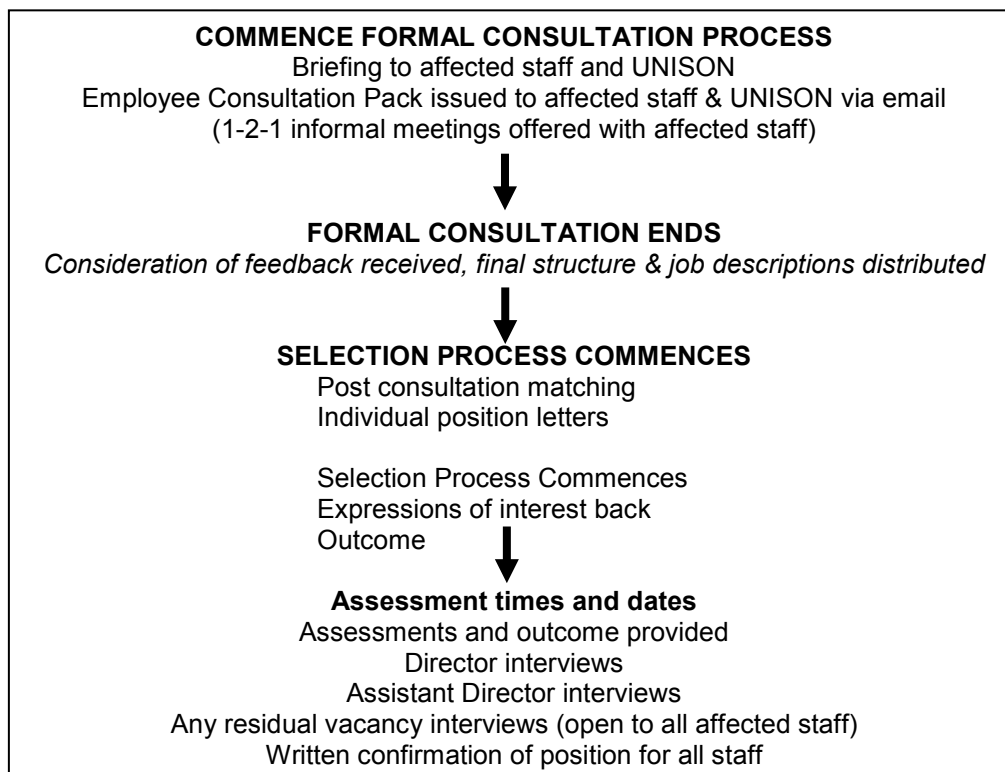
- 2.1 The Managing Director commenced employment on 2 January 2019 and proposes a senior management structure for Chief Officers and Deputy Chief Officers to support the delivery of both Councils' ambitions. At Broadland these officers are the Deputy Chief Executive and the Heads of Service, and at South Norfolk these officers are the Directors, Assistant Director and the Heads of Service.
- 2.2 These ambitions were stated within the feasibility report which was approved by Council in July 2018 and are to drive economic and housing growth and improve the services delivered to the residents. The feasibility report also agreed that subsequent to the appointment of the Managing Director, the establishment of a joint senior management team and one joint officer team across the two autonomous Councils was to be progressed.
- 2.3 The Managing Director has been entrusted to take the Councils forward in delivering a single paid service across two autonomous Councils, hand in hand with this, Members also need to own, and be accountable for, the appointment of the senior management structure who will go on to deliver the Council services and ensure that the aspirations will be achieved.
- 2.4 The key driver through the whole appointment process is to ensure that individuals have the opportunity to demonstrate their keys strengths and aptitude to meet the Councils' overall objectives. Thus, ensuring that the right people are in the right jobs through an open and transparent process.

3. CURRENT POSITION

- 3.1 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. This report has been produced as a result of both Councils agreeing the draft senior structure to start formal consultation process but postponing a decision on approving the preferred composition of appointments panel until further discussion could be held at Joint Lead Members, the new formal Joint Scrutiny, Cabinet and Council.

4. RECRUITMENT PROCESS

- 4.1 Appendix A outlines the appointment activities and proposed timeline that needs to be adhered to in order to ensure a robust recruitment process. There are key dates within the timeline that need to be achieved so that the requirements outlined in the background of this report are met. The appointment process requires significant time commitment from all parties, ie, recruitment panel members and affected staff. A summary of the key stages is shown below:



- 4.2 The following describes the above in more detail.
- 4.3 There are two levels of post proposed – Chief Officer (Director) and Deputy Chief Officer (Assistant Director). The draft Job Descriptions and proposed salary ranges which will be referred to in the Employee Pack for formal consultation with affected staff and UNISON are currently being finalised.
- 4.4 Chief Officer roles will be initially ring fenced to current Deputy Chief Executive and Directors. Deputy Chief Officer roles will be ring fenced initially to current Heads of Service.
- 4.5 The rationale for a ring fence for Chief Officer posts and a ring fence for Deputy Chief Officer posts is to ensure a fair open and transparent process for candidates and not to create the potential for (say) a Chief Officer to be dislodged by a Deputy Chief Officer. Similarly, the Deputy Chief Officer roles would be ring fenced to existing Heads of Service and not any lower tier groups as this would again create the potential to displace an existing Head of Service.
- 4.6 Individuals will have the opportunity to initially apply for up to three roles within

their ring fenced group. Therefore, the panel will initially interview an individual once for a potential number of roles in their ring fence. The interview will comprise of both the key leadership elements required and any relevant role specific elements to ensure the individual is credible in the role appointed to.

- 4.7 The overall appointment process will focus on individual's leadership skills and take account of their previous experience and future potential. The Strengths Based Assessment Centre will be facilitated by an external recruitment provider therefore the process will be in two stages.
- i) Strengths Based Assessment Centre
 - ii) Formal Interview.
- 4.8 A strengths based and behavioural approach is being taken to guide the recruitment. This means that officers will be assessed against core strengths and behaviours that support the values of the councils and support the move to 'two councils - one team'. This will support the development of a senior management team that has an effective and engaging leadership approach.
- 4.9 At the end of the Strengths Based Assessment Centre the external provider will make recommendations to the Interview panel about which individuals should progress to formal interview. It is the Panel decision whether to accept the recommendations.
- 4.10 Once the two stages for each ring fenced group are complete, any residual vacancies will be opened up to the overall ring fenced group initially. Should vacancies still exist these will be offered internally for all staff to apply, and then following this exercise externally advertised should the need still be there.

Interview panels

- 4.11 **Chief Officer (Director) roles** - It is proposed that a Member panel is used for Chief Officer interviews with the Managing Director having a formal role and vote only if the panel votes are a tie. A balanced representation on the panels from each Council could otherwise result in a tie of votes. It should be noted that a tie of votes creates a risk of not appointing anyone even those who are suitable, which could lead to a scenario of creating additional costs in having to unnecessarily look externally to appoint. It is also proposed that a representative from the external recruitment provider attend but with no vote, in order to advise on HR procedure and the results from the Strengths Based Assessment. This Member panel would be composed of four Members from each Council with the same political balance as used for the Joint Appointment Panel that recruited the Managing Director, ie, three Conservatives to one Liberal Democrat. This option enables Members to shape the direction of each Council. In total there would be 10 participants on the panel - eight Members, Managing Director and external recruitment specialist for the envisaged three Director interviews. In order to be fair to all candidates, any substitutes must remain for all interviews.
- 4.12 **Deputy Chief Officer (Assistant Director) roles** – Agreement by both Councils on one option is needed for appointment to these roles. The

following is a summary of potential options. For Member panels it is proposed that the Managing Director has a casting vote only in cases of panel deadlock or tied votes and that a representative from the external recruitment provider who are facilitating the Assessment Centre is also present at the interviews in order to advise on HR procedure and the results from the Strengths Based Assessment, but not to have a vote. In order to be fair to all candidates, any panel substitutes must remain for all interviews.

<i>Deputy Chief Officer (Assistant Director) interviews</i>		
Option	Description	Pros & Cons
Option 1	Same format as Chief Officer roles above i.e., an eight Member Panel plus MD and external recruiter.	Pro: Consistent with Chief Officer roles. Cons: Highly resource intensive (11 interviews over two weeks) because the same panel members must be available for all interviews to be fair to all candidates; High number of panel members creates greater potential for not being available for all interviews, substitutes mid process would introduce an unfair bias to other candidates they have not interviewed; MD is not empowered to choose his management team.
Option 2	A small Member Panel. Two Cabinet Members from each Council, MD and external recruiter.	Pro: Member involvement. Cons: MD not empowered to choose his management team; Availability of Members for interviews.
Option 3	Delegated to the MD plus Member Panel involvement – The eight Members would receive presentations as the first stage of their interview from each candidate and feed their views to the MD.	Pro: Efficient and Member involvement. Cons: Availability of 11 candidates and eight Members on the same day. Availability needs to be confirmed for all 11 presentations by the same eight Members, to avoid the (unfair) use of substitutes
Option 4	Delegated to the MD to recommend for Cabinet endorsement.	Pro: Efficient and enables the MD to be responsible for selecting his management team. Cons: Needs agreement from all Cabinet Members.

4.13 As mentioned above, in order to ensure consistency and fairness to all candidates, panels must have the same representatives interviewing all candidates in their ring fenced group. Therefore, it is required that panel members are available for all steps within the process.

4.14 Any vacant posts remaining at either Director or Assistant Director level would then be opened up for interview to all senior managers in both ring fenced groups (ie any of the current Deputy Chief Executive, Directors or Heads of Service). Thus, additional interview time would be necessary. It is recognised that interviews will require a significant time commitment from any panel and

this might impact the shape of the panel and those that can be on it. The following summarises the likely commitment envisaged for assessment and interviews. Note that these dates are best estimates at time of writing but may change:

- **W/c 4 March:** Panel review of outputs and recommendations on who should progress to interview. The recommendations will come from the external recruitment specialist running the Assessment Centre for the three Chief Officer and eleven Deputy Chief Officer roles. **(Likely Panel member time commitment: 0.5 day).**
- **W/c 11 March:** Three interviews for the Director roles. **(Likely Panel member time commitment: 1 day).**
- **W/c 25 March and w/c 1 April:** 11 interviews for the Assistant Director roles. **(Likely time commitment for interviews: up to 3 days).**
- **W/c 15 April:** Undertake any residual interviews from either ring fenced group for any vacancies that might remain for either Director or Assistant Director roles. **(Likely time commitment: up to 2 days).**
- Further interviews will be needed if vacant posts still remain after all the ring fenced interviews take place in order that all Councils' staff can apply. If vacancies were to still exist after this, then interviews are envisaged with external candidates.

- 4.15 Built into the appointments is the process for notifying Cabinet of the appointments so that any reasonable objections can be raised. The appointments to the statutory posts – Monitoring Officer and Section 151 Officer – and to the Chief Officer roles will require ratification at each (Full) Council meeting.
- 4.16 Regardless of the composition for the interview panel it is important to note that they are delegated to make the appointments and empowered to meet the requirements of ensuring that the right people are in the right jobs and that the individuals' strengths and aptitude will ensure that the Councils objectives are realised.
- 4.17 In the event that external appointments are required (as outlined above) it would be beneficial for the Managing Director to be given delegated authority to appoint on an interim basis, thus ensuring that progress against the objectives of collaborative working are not hampered. This then allows time for external adverts to be placed and permanent recruitments made, following the preferred appointments route.

5 OTHER OPTIONS

- 5.1 To continue to work as two separate senior management teams. In doing so the immediate benefits of collaborative working would be lost and therefore it would become difficult to achieve the outcomes that were agreed as part of the feasibility study and the recommendations that were agreed by Members.

It would not enable the benefits that are to be realised in terms of maximising efficiencies, developing a joint culture and driving forward the ambition of the Members.

- 5.2 Defer the introduction of the senior management structure, however delays in the process could be sensitive as it would prolong the period of uncertainty for the staff directly affected and impact the pace of delivery of improving our customer offer through joint working. Both Councils decided at their meetings in January 2019 to postpone the decision on agreeing the appointment process until further discussions had been had. It should also be noted that there has been uncertainty amongst senior management since July 2018 when the Feasibility Report was agreed. We are consulting with them on the structure and so to then not proceed to the appointment process would provide additional uncertainty which could result in good staff looking for alternative employment.
- 5.3 To take a staged approach to implementing the senior management structure, e.g. using the collaborative service groupings. This would delay the immediate benefits and again cause prolonged uncertainty for existing staff.

6 ISSUES AND RISKS

- 6.1 **Legal Implications** - Changes to the Constitution are necessary to facilitate the proper implementation of a single management structure. A single management structure is necessary to help both Councils work collaboratively to realise their ambitions.
- 6.2 **Resource Implications** – Given the presumption of no redundancy the aim is to bring this structure in as cost neutral, however there is potential for savings to be generated as we progress.

Should a redundancy situation arise, each individual Authority's policies and agreements will be respected. There are cost implications to this which each Authority will honour for their individual employees.

- 6.3 **Equality Implications** – a fair and equitable recruitment process will be applied to all applicants regardless of any protected characteristic, not withstanding, any reasonable adjustment an applicant may require as a result of a protected characteristic.
- 6.4 **Environmental Impact** – there is no impact on the environment.
- 6.5 **Crime and Disorder**- there is no impact on crime and disorder.
- 6.6 **Risks-**
 - 6.6.1 The timeline for implementation provides for a speedy process, recognising that this is a period of uncertainty for those individuals affected. However, speed should not be at the expense of a robust process in which the relevant individuals and their representatives have had the opportunity to contribute.

- 6.6.2 There is risk due to time commitment needed from individuals on the panel and the need for panel membership consistency in order to ensure fairness to all the candidates.
- 6.6.3 In the current timeline, after the formal consultation process has finalised the structure and job descriptions, the affected senior staff will be notified on 21 February of which posts they can apply for in their ring fenced group. If these groupings change after this date the letters to staff will be void and the process delayed which would make implementation before the May elections unachievable.
- 6.6.4 Undertaking formal consultation with the senior staff and then not progressing with the appointment process will disengage those affected and be at risk of losing good people.
- 6.6.5 Not agreeing a process that is fit for future senior management appointments.

7 CONCLUSION

- 7.1 The report proposes how Members will be involved in the recruitment of the single senior management structure to facilitate the ambitions of collaborative working, to drive economic and housing growth and improve services to residents.

8 RECOMMENDATION

For Joint Scrutiny to:

- 8.1 Note the recruitment process and associated timeline for appointment of Chief Officer and Deputy Chief Officer roles to the Senior Management structure.
- 8.2 To recommend to Cabinet the proposed panel format as set out in section 4.11 for the Member appointments panel of Chief Officer roles.
- 8.3 To recommend to Cabinet a preferred option from the table of options in section 4.12 for the appointments panel of Deputy Chief Officer roles.
- 8.4 To recommend to Cabinet that the Managing Director be given delegated authority to appoint on an interim basis in the event that any external appointments are required after all internal senior staff and wider internal staff groups are complete.

Appendices –

Appendix A - Proposed activities and timeline for recruitment

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(Draft working timeline updated 23/01/2018)

Activity (+ = Member-related)		When?
Pre Consultation Period		
+	Broadland Group Meeting	Sat 19 Jan
+	Deadline Joint Lead Members Group and Joint Scrutiny Papers	Wed 23 Jan
	UNISON discussion – T&Cs, JDs and discussion about employee pack	Wed 23 Jan
+	South Norfolk Cabinet Paper Deadline	Fri 25 Jan
Consultation Period		Mon 28 Jan – Fri 15 Feb
	Start of consultation period: - MD meeting with staff, HR leads and UNISON - Employee Consultation Packs to be emailed to staff cohort and UNISON	Mon 28 Jan (pm)
	1:1s with all staff affected	Mon 28 Jan – Fri 15 Feb
+	Joint Lead Member Group and Joint Scrutiny	Wed 28Jan (JLMG) and Thu 31Jan (JScrutiny)
+	Broadland Cabinet Paper Deadline	Fri 1 Feb
+	South Norfolk Cabinet	Mon 4 Feb
	Strengths based recruitment workshop	W/c 11 Feb
+	Broadland Cabinet	Tue 12 Feb
Post Consultation Period		
	Pull together changes following consultation period and discuss and agree with TH	Mon 18 Feb
+	Liaison with Leaders following any changes to structure during consultation period	Ongoing – 18 Feb
	Briefing with UNISON and Staff Reps	Tue 19 Feb
	Email of outcome of consultation to staff cohort and UNISON – final structure and JDs	Morning Wed 20 Feb
+	Deadline Papers – Broadland & South Norfolk Special Councils	Wed 20 Feb
	Individual position letters to go out to all affected staff stating finalised structure JDs following formal consultation and the roles available to them in their ring fenced group	Thu 21 Feb
+	Broadland & South Norfolk Special Councils Report will include outcomes of consultation process	Thu 28 Feb TBA
	Risk – if appointment panel not agreed will delay timeline of appointment process	
Appointment Process		
+	Confirm Member invites to panel	Fri 1 Mar
	Expressions of interest returned to HR	Mon 4 Mar 12.00pm
+	Assessment Centre (all candidates); Feedback & take results with recommendations to Member Panel/s	Wed 6 Mar – Mon 11 Mar
	1:1 discussions with any displaced staff	w/c 11 Mar
+	Director Interviews (5 day Cabinet objection period) & feedback	Wed 13 Mar – Fri 15 Mar
	MD unavailable	w/c 18 Mar
+	Assistant Director Interviews (5 day Cabinet objection) & feedback	Mon 25 Mar – Fri 5 Apr
	Make residual vacancies available to all affected staff	Mon 8 Apr – Wed 10 Apr
+	Final internal interviews (5 day Cabinet objection period)	w/c 15 Apr
	1:1 discussions with any displaced staff	w/c 22 Apr
	NB February half term 18Feb and Easter Holidays 8Apr-22Apr. Note Purdah from mid-March	

Activity (+ = Member-related)		When?
+	Ratify Chief Officer and Statutory roles	w/c 22 Apr or AGMs 22 May SNC and 23 May BDC
	Development plans for successful staff and Leadership event for new senior management team	Early-May