

Appointments and Remuneration Committee

Tuesday, 9th June, 2015
6.30 - 8.05 pm

Attendees	
Councillors:	Wendy Flynn (Chair), Jacky Fletcher (Vice-Chair), Paul Baker, Colin Hay, Rowena Hay, Malcolm Stennett, Chris Mason and Simon Wheeler
Also in attendance:	Julie McCarthy, Richard Hall and Andrew North
Apologies:	Councillor Rob Reid

Minutes

1. APOLOGIES FOR ABSENCE

Councillor Reid

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. APPROVE MINUTES OF LAST MEETING

The minutes of the last meeting were approved and signed as a correct record.

4. RESTRUCTURE OF ENVIRONMENTAL AND REGULATORY SERVICES DIVISION

The Chief Executive, Andrew North, introduced the report and took the opportunity first of all to brief members about progress with the 2020 Vision programme. He circulated a structure chart which had been agreed by the four partner councils the previous week. He informed Members that this would serve as a basis for discussion with scrutiny and staff and would be subject to the decision making process scheduled for October, supported by a business case. He explained that it was envisaged that certain functions would be shared among the four authorities subject to a delegation from the 2020 Partnership Joint Committee. He highlighted that currently Cheltenham was developing the REST project but 2020 would include support services such as revenues and benefits, ICT and customer services. The commissioning of services would be headed by a shared Chief Executive as there would be less capacity corporately. He highlighted that not all services would be in the remit of the joint committee with the commissioning of community engagement and retained services remaining at CBC, although some of these could be shared in the future, such as democratic services.

In response to a question as to how well equipped this model would be in terms of capacity to deal with changes to local government in the shorter/longer term in the light of potential unitary/sub-county authorities discussions, the Chief Executive said this model would have to be re-examined as it was based on the two-tier structure. In reply to a second question on how well equipped the model would be should the two tier structure be retained but with further devolution of

powers to the County Council and other partners, the Chief Executive was confident that this model would be fit for purpose.

A further question was also raised as to whether Democratic Services could be included in the model. In response the Chief Executive replied that this was unlikely in the first phase but there was potential for sharing in the future. He emphasised that members would be ultimately responsible for deciding the structure.

Having provided the update to 2020 Vision, the Chief Executive introduced the report on the Restructure of the Environmental and Regulatory Services Division. He reminded members that following their preliminary approval of the triumvirate model at their last meeting, further consultation had taken place with staff, the trade unions and the external consultants. As a result of this the model was regarded as sound. He also informed the meeting that following formal consultation the existing director would move to the Director Environment role, a role to which the employee[s] knowledge and skill set were well suited. The current service structure had proved to be not fit for purpose and difficult to manage effectively. He emphasised that the vision was to create a joined up service, managed across the boundaries of existing services providing a holistic approach to both business and residential customers.

The Chief Executive informed members that the proposal was to recruit on a temporary basis to the vacant director post, Planning, inviting expressions of interest from the current service managers. He explained that this would allow the new managing director to be involved in any permanent recruitment of a director post and would allow budgetary and operation constraints to be addressed. It would be an excellent developmental opportunity for existing service managers whilst delivering the increased corporate capacity that has been identified as required. Members' views were sought as to whether they deemed it appropriate for the committee to be involved in appointing to the "acting up" role although HR advice suggested that this could be undertaken by officers.

Following the committee's approval at its last meeting to appoint to the Managing Director post externally the Chief Executive expressed that this role would have an important shift in focus for the Council towards economic development. Potentially external recruitment consultants would be hired to oversee the process with the member appointment being organised appropriately. He expressed his view that it would be ideal to appoint quickly to the Director of Planning post to assist the existing Director Environmental and Regulatory Services and as quickly as possible to the Managing Director post. In terms of financial implications of these proposals he explained that the 2015/16 costs could be funded from other sources and the intention would be to review the overall structures in 12 months to recover any extra costs borne permanently. He added that there would be scope to restructure services below the director posts which could be achieved through natural wastage/changes and without any compulsory redundancies.

The Chief Executive then went through the recommendations as laid out in the report. He highlighted that the structure before members had been co-created with officers. HR also emphasised the uncertainty of staff during a restructure and emphasised the benefit of continuity with the existing director.

In response to questions the following points were made/responses were given:

Temporary Director Role

- The substantive post of the employee appointed to this role would be protected.
- The development/secondment opportunity for this role would be opened up across the whole organisation in accordance with the wishes of the trade unions
- Backfilling the secondment to where it could best be applied would provide additional capacity
- The desired speed of the appointment process was due to filling the existing gaps in management of the service
- Members were of the view that the committee should be involved in the appointment of the temporary position as it would give the candidate experience of a member appointment panel and would provide members with reassurance and confidence in the appointment.
- Members were also of the view that the Cabinet portfolio holder should also form part of the interview panel
- Should internal candidates from CBC not apply for the temporary director post applications could be invited from within the wider GOSS partnership
- It was recognised that the current timing in terms of the JCS Inquiry and development of the Cheltenham Plan was critical to the current Head of Planning which may inhibit her position in terms of applying for the temporary director role.
- In terms of timescales for the appointments the temporary post would be advertised internally for one week and then extended to GOSS so recruitment could take up to one month
- In response to concern expressed with regard to the temporary Director role it was confirmed that all managers involved in the REST project had had a 1:1 with the Chief Executive about their aspirations. Members were assured that the recruitment to the temporary director role would be fair and transparent and would be skills tested
- Members felt that a sub-committee of the Appointments and Remuneration Committee should be formed to take the process forward. This group should include the Cabinet portfolio holder and legal advice would be taken as to how this group should be set up in accordance with the constitution in terms of proportionality and voting rights There was some discussion as to whether Planning Committee members should be part of this process but it was felt that this did not pose a problem. Cllrs R Hay, W Flynn and C Mason nominated themselves for this group.

Director Environment role

- A formal consultation process had been undertaken with the existing Director and of the two Director posts he had been ring fenced for he had selected the post of Director Environment as suitable alternative employment but he would be free to apply for the post of MD. The salary

of the new post would be lower although his current level of pay would be protected for a 12 month period. The existing Director of Environment and Regulatory Services would take up his new role as soon as possible and would effectively be acting up until the Managing Director was in post. It was important that this was risk assessed

Managing Director role

- Whilst members were supportive of the emphasis of economic development being placed on the managing director role they highlighted that this should not overshadow the importance of social and community issues. In response the Chief Executive explained that the community engagement partnership function would lie with the Head of Paid Service at CBC via a shared Chief Executive and commissioned from elsewhere. The Cheltenham Trust was also commissioned to provide the cultural aspects. The Chief Executive also highlighted that the Managing Director of REST would provide a corporate role and assist with the delivery of the outcomes from the corporate strategy.
- In terms of enforcement there was a strong argument to bring the way enforcement was organised across the organisation together recognising that enforcement skills were generic and objectives were achieved through negotiation and discussion. Bringing these together would create more capacity and resilience. It was envisaged that the Managing Director and the other posts would work collectively to ensure corporate objectives were met. It was acknowledged that a significant issue was resources and the way they were deployed would have to be investigated further
- The Cheltenham Economic Development Unit was work in progress but would have the Cheltenham Development Task Force feeding in to it and the Town Centre Manager. There was potential to do some joined up working with Tewkesbury and Gloucester in this field
- Members approved that external recruiters should be appointed to oversee the recruitment process of the Managing Director. They would provide a shortlist of candidates for members and provide members with technical expert guidance. The intention was to also attract candidates from beyond local government as this position required a different skillset. The proposed salary band was Grade 3 but could be reassessed for an exceptional candidate.

Members also highlighted a number of changes to the draft job descriptions which were noted by officers. These included specifying linkages with the roles with the Cheltenham Trust and Tourism, the close cooperation between the Managing Director and the Director Environment to enhance the attractiveness of the town and the emphasis on the commercially minded role for the Director Environment.

RESOLVED THAT

- 1. The proposed revised structure of the Environmental and Regulatory Services Division as outlined in the report be approved.**

2. The job description for the new Managing Director role be approved in accordance with the changes proposed by the Appointments and Remuneration Committee.
3. It be confirmed that the existing director be appointed to the new role of Director-Environment.
4. Authority be delegated to a sub-committee of this committee comprising Councillors R Hay, Flynn, Mason and the Cabinet Member Development and Safety to recruit to a 12 month temporary director post by requesting expressions of interest from current service managers.
5. Council be recommended to approve the new structure of the Environmental and Regulatory Services Division.
6. External recruiters be appointed to agree a suitable process for the recruitment of the managing director post.
7. Chief Executive/Officers be authorised to vary the proposed process for implementation of the new structure if necessary to ensure efficiency, effectiveness and fairness in implementing the new structure.

5. SECTION 151 OFFICER INTERIM ARRANGEMENTS

The Chief Executive introduced the report which was in response to a request from the Director Resources to release capacity in order to deliver on key corporate projects such as the Accommodation Strategy, Vision 2020 partnership and the Asset Management Plan. It was not envisaged that this would be a permanent change. In the interim it was proposed that the role of S151 Officer be taken up by the Deputy Section 151 Officer via a secondment. The Chief Executive took the opportunity to recognise the considerable success the Director Resources had achieved to date in his role and was happy to support him in this extended role.

When asked what the financial implications were for these interim arrangements the Chief Executive reported that GO Shared Services have costed the implications of the proposal at £30k per annum. This cost could be met from the Transformation Challenge Award (TCA) paid to the 2020 vision partners.

6. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS RESOLVED THAT

In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 1, 2 and 3 of Part 1, Schedule 12A Local Government Act 1972, namely :

Paragraph 1 : Information relating to any individual

Paragraph 2 : Information which is likely to reveal the identity of an individual

Paragraph 3 :Information relating to the financial or business affairs of any particular person (including the authority holding that information)

7. EXEMPT MINUTES

The exempt minutes were approved and signed as a correct record.

8. ANY OTHER BUSINESS THE CHAIR DETERMINES IS URGENT AND REQUIRES A DECISION

9. DATE OF NEXT MEETING (IF NECESSARY)

Monday 5 October 2015

Wendy Flynn
Chairman