



Chief Officer Appointments Committee

Date Tuesday 13 July 2021
Time 1.00 pm
Venue Council Chamber, County Hall, Durham

Business

Part A

Items which are open to the Public and Press

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meeting held on 4 December 2020 (Pages 3 - 4)
4. Declarations of interest, if any
5. Recruitment to the Post of Chief Executive - Report of Head of People and Talent Management (Pages 5 - 16)
6. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration
7. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)

8. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
5 July 2021

To: **The Members of the Chief Officer Appointments Committee**

Councillor A Hopgood (Chair)

Councillor R Bell (Vice-Chair)

Councillors R Crute, O Gunn, C Marshall, D Oliver, E Scott,
P Sexton, A Shield, J Shuttleworth and A Surtees

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DURHAM COUNTY COUNCIL

At a Meeting of **Chief Officer Appointments Committee** held remotely via Microsoft Teams on **Friday 4 December 2020 at 9.30 am**

Present:

Councillor S Henig in the Chair

Members of the Committee:

Councillors A Napier (Vice-Chair), J Allen, R Bell, R Crute, L Hovvels, A Patterson, A Shield, J Shuttleworth, B Stephens and C Martin (substitute for Councillor A Hopgood)

1 Apologies for Absence

Apologies for absence were received from Councillor A Hopgood.

2 Substitute Members

Councillor C Martin was substitute member for Councillor A Hopgood.

3 Minutes

The minutes of the meeting held on 13 November 2020 were confirmed as a correct record and would be signed by the Chair.

4 Declarations of interest

There were no declarations of interest in relation to any items of business on the agenda.

5 Exclusion of the public

That under Section 100 A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the said Act.

6 Recruitment to the Post of Interim Corporate Director of Resources

The Committee considered a report of the Head of People and Talent Management relating to the progress of the recruitment exercise for the interim appointment to the post of Corporate Director of Resources. Information was provided relating to the expressions of interest and to outline the final part of the process, and the formal interviews (for copy of report see file of minutes).

The candidate delivered a 10-minute presentation in response to a specific question, and was then asked a range of questions agreed in advance by the Committee.

On completion of the process, the Committee considered the candidate's overall performance.

Resolved:

That Paul Darby be offered the post of Interim Corporate Director of Resources.

Chief Officer Appointments Committee

13 July 2021



Recruitment to the Post of Chief Executive

Report of Alison Lazazzera, Head of People and Talent Management

Purpose of the Report

- 1 To consider proposals for the recruitment to the permanent post of Chief Executive.

Executive Summary

- 2 Following the announcement of the former Chief Executive (Terry Collins) to retire in December 2020, a report was considered by the Chief Officer Appointments Committee on 23 October 2020 to consider options for the filling of the post on an interim basis.
- 3 The Committee considered various options which are set out in this report and made the decision to progress with an internal recruitment exercise to fill the post on an interim and temporary basis, seeking expressions of interest from members of the existing Corporate Management Team.
- 4 This was considered to be the most appropriate option as it would provide continuity and minimum disruption to the organisation during the continued Covid-19 response and in the run up to the elections in May 2021.
- 5 Two expressions of interest were subsequently received and following formal interviews with the Chief Officer Appointments Committee, John Hewitt, Corporate Director of Resources was appointed to the post on an interim basis for 12 months, with this appointment being approved by Full Council on 16 December 2021.
- 6 The report to Full Council proposed that the recruitment process for appointing to the substantive, permanent post would commence in June 2021 following the elections and when it was hoped that the Covid pandemic would be more under control.

- 7 This report therefore sets out a number of options for the COAC to consider in terms of recruiting to the permanent post of Chief Executive, given that the elections have now concluded.

Recommendation(s)

- 8 It is recommended that the Chief Officer Appointments Committee:
- (a) note the background to the interim arrangements;
 - (b) consider the options set out within the report;
 - (c) determine the preferred option for proceeding.

Background

- 9 Under section 4 of the Local Government and Housing Act 1989, the Council has a legal duty to appoint one officer as its Head of Paid Service.
- 10 The Council has designated the role of Head of Paid Service to the Chief Executive. The previous Chief Executive, who was appointed with effect from January 2016 retired in December 2020. At the time of that appointment the salary, which is a spot salary, was reduced by £15,000 following a benchmarking and pay evaluation exercise. Subsequently, annual pay awards have returned the salary to the level that was being paid per the 2016 appointment. These pay awards are agreed nationally and apply to Chief Officers in all authorities.
- 11 Following the retirement of the former Chief Executive, interim arrangements were put into place following an internal recruitment exercise conducted by the COAC. John Hewitt, Corporate Director of Resources was appointed to the post for an interim period of 12 months with effect from 1 January 2021. COAC agreed to consider arrangements for filling the post permanently after 6 months.
- 12 In accordance with the Council's Constitution, the recruitment of the Chief Executive and other Chief Officers is the responsibility of COAC. The Head of Legal and Democratic Services is also required to give the Cabinet notice of the proposed appointment, the particulars relevant to the appointment and allow a specified period for the Leader on behalf of the Cabinet to raise any objection to the proposed appointment.
- 13 Prior to any offer of appointment being made, the Council must approve the proposed appointment. A copy of the role profile and person specification are attached at Appendix 2.

Options for consideration

Option 1 - External Recruitment

- 14 In considering filling the post permanently, an external recruitment process could be commenced. An external recruitment process is likely to take at least three months to allow for advertising the role, longlisting, shortlisting and the interview process itself. The successful candidate (if he/she is an external appointment) is likely also to have to serve at least three months' notice with their existing employer. Consequently, it is likely to be at least 6 months before any new Chief Executive could commence their duties, which would be January 2022 at the earliest.
- 15 This option provides the advantage of testing the market for a post of this seniority but results in a longer process, depending upon the preferred candidate selected, and also has the disadvantage of potentially more change and uncertainty at a time when there has been a new administration elected in May 2021. This option may require the

interim arrangements for Mr Hewitt's substantive role having to be extended for a further period.

- 16 For posts at this level, the Council has previously engaged a Specialist Executive Search / Recruitment Company to support with the recruitment process in addition to undertaking a search of potential candidates. This is not a mandatory requirement however and COAC have other approaches it could take, which other authorities in our region have done recently. The costs of undertaking an external recruitment exercise for a post of this nature, including national advertising and the services of a recruitment consultant / undertaking of a search are circa £27,000 plus advertising costs and could be higher depending on use of technical specialists in the process.
- 17 Should the COAC wish to undertake external recruitment, the decision to be made will be whether to engage the use of a Specialist Recruitment Agency to support the whole process including an executive search or to run the process using advertising through the council's HR team. Alternatively, the COAC may wish to use a Specialist Recruitment Agency for part of the process, such as building of a microsite for the post.

Option 2 – Internal Recruitment

- 18 The Committee could decide to recruit to the substantive role internally, appointing the existing interim Chief Executive, subject to the COAC being satisfied of the performance of the individual to date, their experience and skills and subject to a formal application / interview for the permanent role. This would also send a strong message to the organisation in terms of career progression / succession planning and opportunities for development within the council and would be a lower cost option.
- 19 The advantages are that an internal recruitment process could commence and be concluded relatively quickly, providing continuity and stability should the interim post holder be successful. Other authorities in our region have adopted a similar approach to the appointment of similar roles at this level (most recently North Tyneside MBC, Darlington BC and Stockton BC) – mainly for reasons of continuity and where their members felt there was a suitable candidate internally with the requisite skills and experience.
- 20 An internal appointment would trigger a subsequent recruitment process for the COAC to consider to recruit to the successful candidate's substantive role, which in turn could help resolve the knock on interim arrangements that exist at Head of Service levels within Resources which is causing further uncertainty.

Option 3 - Extend the Interim Contract

- 21 The COAC could consider extending the current interim arrangement and reviewing the position again in 6 months. The Committee could extend the interim position for a period of a further 6 months, up to June 2022, with a review in December 2021.
- 22 The advantages of this would be an element of continuity and further time to assess the suitability of the interim candidate. The disadvantage of this approach are the continued interim arrangements which would need to continue with the Corporate Director of Resources role and other subsequent temporary arrangements in place at Head of Service levels.

Option 4 – Combine the role of Corporate Director of Resources and Chief Executive (Head of Paid Service).

- 23 This option was considered by the COAC in October 2020. Whilst this is an option that smaller councils have considered, it was not considered to be a sustainable solution for a council as large as Durham. Durham County Council is one of the largest councils in the country. Both positions have an extremely heavy workload and have distinct statutory duties.

Background papers

- List any papers required by law / None

Other useful documents

Author(s)

Alison Lazazzera

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Appendix 1: Implications

Legal Implications

The legislative requirements regarding the appointment of a Head of Paid Service and the Council's constitutional requirements under the Officer Employment Procedure Rules are set out in the report. The recommended approach complies with these requirements.

Finance

In terms of recruiting to permanent position the assumption has been made that the salary remains the same and therefore in that respect it cost neutral to the County Council. The current salary of the Chief Executive is £201,742 pa.

The costs of undertaking an external recruitment exercise for a post of this nature, based on previous experience of recruitment to Chief Officer positions and including national advertising and the services of a recruitment consultant are circa £30,000.

Consultation

Not applicable

Equality and Diversity / Public Sector Equality Duty

Any recruitment process needs to be conducted fairly in accordance with the council's recruitment policy and procedures. This process was followed for the appointment of the Interim Chief Executive.

Climate Change

Not applicable.

Human Rights

Not applicable

Crime and Disorder

Not applicable

Staffing

Any of the options outlined in this report will ensure that the Council satisfies the requirement to designate an Officer as Head of Paid Service. The current interim arrangements do cause an element of uncertainty within the senior leadership team and across the workforce more widely and it is preferable to move to a more permanent appointment as soon as is practicable, particularly in light of the change in political leadership of the council, to ensure that there is continuity in leadership of the Council at a critical time.

Accommodation

Not applicable

Risk

Depending on which recruitment option is chosen risks arise from the length of time to move to a permanent appointment and the continuation of the current interim arrangements. There has been a change in political leadership of the council, and it is preferable to resolve the permanent position as soon as possible to provide stability and continuity of leadership going forward.

Procurement

Should the COAC wish to undertake an external recruitment exercise and engage the services of a recruitment consultant a procurement exercise would need to be undertaken to appoint that consultant.

Appendix 2: Job Description and Person Specification

Chief Executive Officer

JOB DESCRIPTION

RESPONSIBLE TO: The Executive and Full Council

RESPONSIBLE FOR: The 'Paid Service'

PURPOSE OF JOB:

As the Head of Paid Service ensure the effective strategic leadership of the Council's Executive Management Team and be the Council's principal policy adviser to the Leader and Cabinet in order to support the delivery of excellent services and to ensure the Council's overall strategic objectives are met. This will be in accordance with the Council vision, Council policy, budgetary and statutory requirements.

To provide the overarching managerial framework to ensure effectiveness in service development and delivery and act as an advocate for the Council at local, regional, and national levels.

SPECIFIC DUTIES AND RESPONSIBILITIES

1. Undertake the role of principal policy Adviser to Elected Members, providing a clear sense of direction and purpose assisting them in the process of policy formulation, to ensure that the Council's vision, priorities, and core values are made a reality.
2. Provide leadership and direction within the Authority to ensure the provision of high quality, cost effective services to the community, which incorporate 'Best Value' principles.
3. Ensure that appropriate arrangements are made to meet all governance requirements of the Authority as a statutory body.
4. Lead the Council's Corporate Management Team, providing clear strategic direction to secure a corporate and coordinated approach to service provision.
5. Ensure the efficient and effective implementation of the Council's programmes and policies across all services and the effective deployment of the Authority's resources to those ends.
6. Determine and implement appropriate performance management processes to monitor and review the overall effectiveness of the Authority.
7. Manage the interface between Elected Members and Senior Officers, maintaining the essential Member/Officer partnerships and establishing appropriate Member/Officer processes.

8. Develop the Council's commitment to take a positive lead in major local and regional partnerships to achieve, within the overall strategy, maximum benefit for the Authority and its communities.
9. Represent and negotiate on behalf of the Council at local, regional, national, and international levels and with key stakeholders.
10. Ensure all plans and policies are communicated both internally and externally maximising the acceptance of them.
11. Scrutinise and advise on the plans and actions of Central Government and other external agencies to determine the impact on local policies and priorities.
12. To work closely with the local strategic partnership and the family of partnerships and ensure the Council achieves maximum benefit from partnership working.
13. Ensure both the effective coordination of, and contribution towards, bids and resources to promote the sustainable regeneration of the local economy and respond to the needs of the community.
14. Maintain a constant review of the organisation and administration of the Authority, making recommendations to the Council where major changes are required in the interests of efficiency and effectiveness.
15. To develop and promote a learning culture that encourages the use of initiative, individual and team responsibility, ownership, open communication and positive contribution to the organisation and its partners.
16. Provide strong visible leadership and direction to the Council's workforce and partners to deliver Council and community priorities, maximising potential, and performance to produce excellent outcomes.
17. Ensure equality and inclusion within the Authority and across all service provision, ensuring the diverse needs of all service users are recognised and met.
18. Promote, develop, and maintain good relationships with the media and public and ensure an effective communication strategy both internal and external to the organisation.
19. Directly manage the Corporate Directors.
20. Comply with Financial Regulations and Standing Orders and maintain spending within approved levels.
21. All duties and responsibilities should be carried out in accordance with Council policies and procedures, those on equality and diversity, health and safety and environmental sustainability.
22. To undertake any other related duties and responsibilities as they arise.

Chief Executive Officer

PERSON SPECIFICATION

Part One

Qualification: Educated to Degree Level and / or relevant Professional Qualification'

Part Two

Experience

- 1 Successful and consistent achievement at a Chief Executive level or substantial senior management experience in an organisation of comparable size, scope, and complexity, including managing large budgets and resources.
- 2 A proven track record of successful corporate management including managing change initiatives in addition to leading the formulation and delivery of corporate vision, strategies, policies, and objectives.
- 3 A successful track record of building productive internal and external relationships and working across organisational and sector boundaries that embraces collaborative working with the statutory, voluntary, and private sectors.
- 4 Influential and able to provide sound professional advice and guidance at senior management/director/elected member/board member level with significant experience of operating at Board level.
- 5 A proven track record of effective decision making within a complex political/partnership environment including political acumen and skills to develop productive working relationships with elected members that command respect, trust, and confidence.
- 6 A demonstrable track record of successfully designing, leading, and implementing high impact organisational and cultural change in a manner that inspires, motivates, and engages all employees.
- 7 A demonstrable record of establishing a strong performance culture, inspiring, motivating, and empowering people to meet corporate objectives and deliver services that are responsive, customer-focused and achieve results.
- 8 Extensive experience of successful people, budgetary, legal and resource management within a large complex, multi-functional organisation and commissioning environment.

Experience of building personal and professional credibility with boards, management teams, employees, partners, the public and the media. Evidence of success in building and enhancing the reputation of an organisation; locally, regionally, nationally, and internationally.

- 9 Evidence of personal leadership in achieving equality of opportunity in employment and service delivery. Demonstrable evidence of linking diversity

issues to policy and service development and delivery. Evidence of success in promoting equal opportunities and delivering best value through innovation and integrated customer and community focused service provision, recognising and celebrating the diversity of the community and the workforce.

- 10 Excellent communication and networking skills, with the ability to give articulate, comprehensive, and persuasive presentations to a wide variety of audiences, including the media, on controversial and/or complex matters.
- 11 Proven ability to organise and undertake a diverse workload, manage constant and often conflicting work demands whilst still achieving competing deadlines and targets.
- 12 Have strategic vision and planning skills and experience with the ability to set challenging objectives and targets and the determination and influencing skills to secure their achievement.

Part Three

Knowledge, skills and abilities

1. A comprehensive understanding of local government and the wider health and social care economy, the national and political context within which they operate and the current challenges and opportunities facing a largely deprived area.
2. Well-developed leadership skills that empower and encourage commitment from others and promote a positive and motivated organisational culture.
3. An ability to operate sensitively within a political environment and to develop relationships with all stakeholders that command respect, trust, and confidence.
4. An ability to act with creative entrepreneurial flair whilst maintaining a clear overview of issues affecting the Council and manage competing priorities within financial constraints.
5. An ability to make difficult decisions in a challenging environment and to manage conflict and resistance positively.
6. Excellent communication and negotiation skills and an ability to influence outcomes through tact, diplomacy and effective reasoning and persuasion, together with the ability to write and present reports on complex issues.
7. An ability to relate to and win the confidence and trust of members, employees, partners, and the consumers/client groups/the public.
8. An ability to develop and implement corporate strategies in pursuit of agreed goals.

9. Financial and commercial awareness, with strong analytical skills and a creative approach to problem solving.
10. An ability to provide clear, timely, appropriate, balanced, and unambiguous advice.
11. An ability to manage corporate and individual performance in a manner that raises standards and delivers results as well as being evidence based, outcome focused and linked clearly to the Council's strategic aims.

Part Four

Personal Qualities

1. Ambition, energy, drive, and resilience: An ability to deliver under pressure.
2. An empowering style, valuing the contributions of others and committed to employee development.
3. A strong commitment to service excellence, customer supremacy and continuous improvement.
4. Results focussed and performance driven.
5. Leads from the front, an honest and straightforward style that gains the respect of others.
6. A commitment to local democracy, social justice, equality of opportunity and accountability to the community.
7. Personal conduct, integrity and credibility that commands the confidence and respect of members, managers, staff, local communities, external partners, and stakeholders.
8. An innovative mindset, with the ability to think beyond traditional ways of doing things and make changes happen.