



Chief Officer Appointments Committee

Date **Wednesday 10 April 2024**
Time **12.30 pm**
Venue **Committee Room 2, 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 16 June 2022 (Pages 3 - 4)
4. Declarations of Interest
5. Recruitment to the post of Corporate Director of Adult and Health Services - Report of Chief Executive (Pages 5 - 14)
6. Review of Governance Arrangements Durham County Council Statutory Officers - Report of Chief Executive (Pages 15 - 20)
7. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration
8. 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)

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

Helen Bradley
Head of Legal and Democratic Services

County Hall
Durham
2 April 2024

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

Councillor A Hopgood (Chair)

Councillor R Bell (Vice-Chair)

Councillors R Adcock-Forster, R Crute, O Gunn, C Marshall,
D Oliver, E Scott, A Shield, J Shuttleworth and A Surtees

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DURHAM COUNTY COUNCIL

At a Meeting of the **Chief Officer Appointments Committee** held in Committee Room 1A, County Hall, Durham on **Thursday 16 June 2022** at **1.30 pm**

Present:

Councillor A Hopgood in the Chair

Members of the Committee:

Councillors R Bell (Vice-Chair), R Adcock-Forster, R Crute, C Marshall, E Scott, J Shuttleworth, P Sexton and A Surtees.

1 Apologies

Apologies for absence were received from Councillors O Gunn, D Oliver and A Shield.

2 Substitute Members

Councillor P Sexton was substitute for Councillor A Shield.

3 Declarations of interest

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

4 Minutes

The minutes of the meeting held on 22 October 2021 were agreed as correct record and signed by the Chair.

5 Creation of Head of Service, Head of Corporate Affairs

The Committee considered a report of the Chief Executive which sought approval to create a new Head of Service role which would report directly to the Chief Executive (for copy see file of Minutes).

The report was being considered by the Committee following changes to the Constitution approved at the annual meeting of the Council in May 2022.

The Committee were informed that the postholder would lead on the management of the Council's corporate affairs and provide support to the Chief Executive and Corporate Management Team to deliver the strategic priorities for the Council. This would include Corporate Communications, Media, Corporate Strategy, Planning and Performance.

In response to a question from Councillor R Bell, the Chief Executive informed the Committee that the proposal involved the deletion of two roles and the associated transfer of functions. The Chief Executive highlighted the importance of bringing external stakeholder management under one Head of Service.

In response to a question from Councillor E Scott regarding the timescale for the appointment and any associated restructure, the Strategic Manager for People and Talent Management informed the Committee that it was hoped to advertise the post relatively quickly. The Chief Executive added that the structure would be reorganised in conjunction with newly appointed Head of Service.

Resolved

That the recommendations in the report be agreed.

Chief Officer Appointments Committee

10 April 2024

Recruitment to the post of Corporate Director of Adult & Health Services



Report of John Hewitt, Chief Executive

Purpose of the Report

- 1 To consider the options for recruiting to the post of Corporate Director of Adults and Health Services, following the announcement of the planned retirement of the current postholder, Jane Robinson, in November 2024.
- 2 The report sets out a number of options for the Chief Officer Appointments Committee (COAC) to consider in advance of this date in order that plans can be firmly in place given the critical nature of the post.

Executive Summary

- 3 Jane Robinson, Corporate Director of Adults and Health Services, has indicated her intention to retire in November 2024.
- 4 As a result of this, there is a requirement to fully consider the options available which will include either external recruitment, covering the post internally or seeking to appoint an interim.
- 5 This report sets out the key considerations for the COAC, in order that preparations can be made well in advance of the retirement date.

Recommendation(s)

- 6 It is recommended that the COAC:
 - (a) agree to seeking suitable expressions of interest internally, given the MTFP position of the Council and to allow time for consideration of any wider structural changes as a result of savings options that will be considered over the next 24 months;
 - (b) agree to the revised job description and person specification which has been updated to reflect the current duties and responsibilities;

- (c) agree a timeline for any internal advert and agree to receive suitable expressions of interest in due course as part of the member appointments process.

Background

- 7 The current Corporate Director of Adults and Health Services has confirmed her intention to retire in November 2024. The Council is required to appoint to a post with strategic responsibility and accountability for the planning, commissioning and delivery of services for all adult client groups. The Council therefore needs to consider the options for recruiting to the vacancy arising on retirement of the existing postholder. This report has been prepared to set out the options relating to filling or covering this position in order that plans can be put into place well in advance of the proposed retirement date.
- 8 The post of Corporate Director of Adults and Health Services is a statutory chief officer and therefore recruitment to such a post is the responsibility of the Chief officer Appointments Committee.. In accordance with the Council's Employment Procedure Rules and normal process for appointment to a Chief Officer role, normal protocol would be to commence external recruitment with the support of an Executive Recruitment Consultancy who would support COAC throughout the process. However, given the current MTFP pressures and the work that has now commenced to consider savings for 2025/26 and over the medium term, there are alternative options available to the COAC to consider which include appointing an interim externally or seeking expressions of interest to cover the post on an interim temporary basis internally, which would allow the council time to consider whether there is a need for any more fundamental senior level structural changes.
- 9 The job description and person specification is attached as Appendix 2 and the salary is £162,375.

Recruitment Options

- 10 In considering the options, an external recruitment process could be commenced, which would provide stability should a suitable candidate be found, however, given the MTFP position of the Council and the process for development of savings options that is now underway, COAC may wish to delay any permanent recruitment at this stage to allow time for savings to be fully considered and to consider any other senior level structural changes that may be identified.
- 11 An alternative would be to engage an external interim, which would typically be sourced through an Executive Recruitment Agency who specialise in interim / short term recruitments and who will have suitably experienced individuals seeking interim work. This may not be considered appropriate given the nature of interim assignments and that any individual taking up the post on this basis would be new to the Council, whilst also being engaged for a relatively short period of time.
- 12 A final option would be to consider inviting suitable expressions of interest internally to fulfil the role on an interim basis. This would be reliant on ensuring any individuals who applied were suitably qualified and experienced, and that any relevant back fill arrangements were put

into place to enable individuals to be released from existing roles. This would also provide succession planning and development opportunities and would provide a level of continuity whilst the council considers savings options for 2025/26 and future years, which may involve a more fundamental review of the senior management structures. It would also afford the time for the Integrated Care Board / Integrated Care System (ICB / ICS) arrangements to bed in and for the impact and opportunities brought about by the new integrated arrangements and practices to better understood.

- 13 Taking account of the wider MTFP position and the development of savings options to cover the next 24 to 36 months, the Chief Executive is of the view that considering an internal interim appointment is the most suitable option at this time.
- 14 Regardless of which process is followed, as with previous recruitment exercises the COAC will be afforded every opportunity to consider the candidates, interview and appoint. Should COAC wish to undertake a recruitment exercise to cover the post internally, the following process would apply:
 - (a) an advert/invite for expressions of interest from suitable candidates which is likely to be ring fenced to EMT (or the current reports to the Corporate Director) - TBC
 - (b) shortlisting (and meeting of COAC) to consider expressions of interest;
 - (c) final interviews involving COAC supported by the Chief Executive and Head of Human Resources & Employee Services.

Proposed Indicative Timetable

Monday 3 June	Communication - expressions of interest
Friday 14 June	Applications/expressions of interest deadline
w/c 24 June	Meeting of COAC to consider expressions of interest/shortlist
w/c 8 July	COAC interviews

- 15 The above timetable will enable an appointment to be made by early/ mid July to ensure a process can then follow for appointing to any back fill arrangements for the successful candidate, in addition to around 3 months hand over period, taking into account summer holidays.

Author(s)

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Appendix 1: Implications

Legal Implications

Under the Council's Constitution and Officer Employment Procedure Rules, the appointment of Chief Officers is the responsibility of the Chief Officer Appointments Committee.

The Children's Act 2006 amended section 6 of the Local Authority Social Services Act 1970, to require local authorities with social services responsibility in England to appoint an officer as Director of Adult Social Services. It is considered best practice for a post with responsibility for adult social services to be separate to that with responsibility for children and young people social services. The post is a politically restricted statutory chief officer post under section 2 of the Local Government and Housing Act 1989. Appointments to the post must be approved by full Council. However, Council has delegated this responsibility to the Chief Officers Appointments Committee.

The Employment Procedure Rules, which are set out in the Council's Constitution set out the process to be followed in relation to the recruitment of statutory chief officers.

Finance

If the recommendations are agreed, there would be no associated costs of engaging an Executive Recruitment Consultancy due to seeking suitable expressions of interest internally, given the MTFP position of the Council. This would also enable longer term consideration of the Senior Structure in light of the MTFP challenges.

Consultation

Not applicable

Equality and Diversity / Public Sector Equality Duty

The recruitment process will be conducted fairly in accordance with the council's recruitment policy and procedures.

Climate Change

The proposals support the Council's priority on Climate Change.

Human Rights

Not applicable

Crime and Disorder

Not applicable

Staffing

The proposed internal recruitment will result in the temporary appointment of a new Chief Officer. Suitable back fill or other arrangements will be considered.

Accommodation

Not applicable

Risk

Given the nature of the post, it is vital that the recruitment process commences and an appointment is made in advance of the Corporate Director's retirement date, to minimise any level of risk.

Procurement

None

Appendix 2: Job Description and Person Specification

Job Title:	Corporate Director of Adult and Health Services
Reports to:	Chief Executive Officer
Direct Reports:	The Director of Public Health, Director of Integrated Community Services, Director of Delivery and Head of Adult Care
Job Purpose:	To take a strategic corporate role in supporting the Chief Executive, the Leader and the Cabinet to achieve the Council's vision for the residents and communities of County Durham. To be responsible for the professional leadership and operational delivery of services within the Adult and Health Services Directorate.
Date:	March 2024

Corporate Responsibilities:

Member of the Corporate Management Team developing a strong corporate approach to all aspects of Council business with a Corporate Lead Role in relation to Wellbeing. Ensuring all Council assets, skills, resources, influence and intelligence are collectively focused to maximise impact on priority policy areas whilst promoting 'one council' approach.

Key Corporate Tasks - shared accountability with the Chief Executive and the Corporate Directors to:

- Develop, deliver and achieve strategic priorities, objectives, values and the long term vision for the Council;
- To develop and maintain positive relationships with elected members and provide timely advice and support;
- Support organisational learning, ensuring appropriate systems of performance management and development are in place which reflect the organisational values.
- Ensure a corporate approach which provides visible and effective leadership and which focuses on equality, inclusion and delivery of outcomes for local communities;
- Develop the Council's wider leadership role and delivery of effective partnership working;
- Support organisational change, leading on major cross-cutting theme(s) and/or whole council 'champion' for a geographical area/theme;
- Ensure implementation of corporate policy covering the control of Health and Safety risks;
- Deputise for the Chief Executive as required
- Participate in relevant on-call rotas

Service Responsibilities:

The provision of all services within County Durham related to:

- Public Health and Health Protection;
- Adult Care Services to promote independence and protect vulnerable adults;
- Integrated Commissioning;
- Integration of Health and Social Care
- Development of partnerships with Health, Housing and Care organisations;
- Development and management of carer's services;
- Contract management, market engagement and development

Key Directorate Tasks:

- Lead, manage and provide strategic direction in all matters related to Adult and Health Services
- To be responsible for the delivery of duties under the Care Act 2014
- Undertake all other relevant statutory duties and responsibilities on behalf of the Council associated with the role.
- Ensure compliance with all regulatory activity associated with Adult and Health Services.
- Lead the ongoing development of Integration of Health and Social Care including with other relevant services i.e. Housing
- Lead on development and delivery of a customer focused approach, including the establishment of consultation frameworks and the development of services in response to feedback.
- Drive service excellence and sound financial management promoting a culture of value for money, innovation, performance management and empowerment amongst individuals and teams to ensure continuous improvement.
- Represent the Council at local, regional and national forums, and take the lead role in developing regional partnerships with the public, private and voluntary sectors
- Ensure provision of advice and guidance to the Chief Executive, the Cabinet, Portfolio Holder and the Overview and Scrutiny Committee as required.
- Ensure the principles of equality and diversity and the Council's corporate values are embraced and underpin all work for employees and service users.
- Be accountable for the effective management and deployment of all resources
- Build capacity and develop skills to enable the Council to deliver on its priorities and ambitions;
- Ensure that effective and efficient Health, Safety and Welfare systems are in place.

All Corporate and Directorate tasks to be undertaken in accordance with the Council's competency framework

Person Specification – Corporate Director of Adult and Health Services

Qualifications

- Degree level or equivalent standard of general education.
- Relevant professional qualification.

Personal Attributes

- Commitment to the achievement of value for money, service excellence and equality in employment and service delivery.
- Commitment to community involvement and participation in the development and delivery of Council strategies and services.

Experience

- Consistent personal achievement as a senior manager in a large, complex organisation, covering at least one of the service areas within this Service Grouping.
- Successful participation in the Corporate affairs of a large, complex organisation including a record of achievement in developing and implementing major policy initiatives
- Proven success in developing effective working relationships with external partners, with an emphasis on multi agency working.
- Experience of working in a political environment.
- Experience of success in the initiation and management of change within a large and complex organisation.
- A strong track record of effective leadership of a large and diverse workforce in at least one of the areas of service responsibility, with a record of promoting successful performance management.
- A record of successfully managing substantial budgets, with an emphasis on promoting cost efficiencies and value for money.
- Evidence of success in promoting equality and diversity both internally and with service users.

Skills and Knowledge

- A thorough understanding of legislation and the statutory frameworks affecting the services within the Directorate.
- Ability to convey clear vision and manage strategically within a Corporate context.
- High level analytical, presentational, communications and interpersonal skills.
- Ability to lead, motivate and develop people in an increasingly performance focused organisation.
- Ability to implement creative and imaginative approaches and identify new options for action.
- Ability to maximise resources and manage the budget effectively in a financially disciplined environment.
- Ability to anticipate, interpret and manage change and achieve results through sound judgement in seeking creative solutions to complex situations.
- Excellent influencing and negotiation skills with the ability to deal with complex and sensitive issues

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Chief Officers Appointment Committee

10 April 2024

**Review of Governance Arrangements
Durham County Council Statutory
Officers**



Ordinary Decision

Report of John Hewitt, Chief Executive Officer, Durham County Council

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 The purpose of this report is to set out details of a change in management reporting for the Head of Legal and Democratic Services to strengthen the council's governance arrangements.

Executive summary

- 2 The Head of Legal and Democratic Services post incorporates the Council's Monitoring Officer responsibilities and is one of three key Statutory positions with responsibility for the governance of the Council—the other two Statutory positions being the Chief Executive (Head of Paid Service) and Corporate Director of Resources (Section 151 Officer). Together these three statutory posts constitute what is known as the Golden Triangle of competence and professionalism.
- 3 It is good practice to review governance arrangements on a regular basis and more recently, following failures of governance in a number of local authorities, independent studies have observed the changing role of statutory officers and specifically the Monitoring Officer, and have made recommendations on governance arrangements. The most recent reports can be found in the background paper section of this report.
- 4 The report notes the Chief Executive's proposals that the Monitoring Officer (in our case the Head of Legal and Democratic Services) should report directly to the Chief Executive, as part of the Golden Triangle of senior council officers, and that the Monitoring Officer should have a recognised status and position within the top tier of governance in an organisation.

These reviews take account of recent failures in governance in some authorities, and lessons learned from some of those failures.

Recommendation(s)

- 5 Chief Officers Appointment Committee is recommended to:
- (a) Note the report confirms changes to the reporting line for the Head of Legal and Democratic Services and a change in the job title for the post to Director of Legal and Democratic Services for the reasons set out in the report, as well as the post being made a substantive member of the Corporate Management Team.
 - (b) Note there are no financial implications from the changes being implemented.
 - (c) Note that the new arrangements will be implemented from 1 May 2024.

Background

- 6 This report recognises that local government is operating in a context of extreme financial pressure and a challenging political landscape, and that councils need to have governance arrangements in place that are as effective and robust as possible.
- 7 The Head of Legal and Democratic Services currently attends the Corporate Management Team and has direct access to the political leadership of the organisation. There is nothing to suggest that the current arrangements have caused any governance failings, and there are strong and good working relationships between the three key statutory officers who meet on a fortnightly basis to oversee good governance and decision making.

Changes being Implemented

- 8 The Head of Legal and Democratic Services currently reports to the Corporate Director of Resources. The Chief Executive considers that changing the formal reporting line to the Chief Executive coupled with the Head of Legal and Democratic Services becoming a substantive member of CMT will strengthen governance arrangements and ensure the council is following best practice.
- 9 This change in reporting line will mean that the Section 151 Officer and Monitoring Officer have independent reporting lines of each other, and also provide the Monitoring Officer with a direct reporting line to the Chief Executive.
- 10 Whilst making this change, the title of the post of Head of Legal and Democratic Services will also be changed to Director of Legal and Democratic Services, to better reflect the statutory element of the role.
- 11 There are no changes to the duties and responsibilities for the post and the changes do not result in any grading changes for any of the posts identified in the report. The revised arrangements ensure that the structure and reporting lines that are in place for the council's statutory officers continue to be effective and will ensure that the council continues to have robust arrangements in place for its statutory functions which takes account of best practice. The Head of Legal and Democratic Services and Corporate Director of Resources have been consulted on and are both supportive of the proposals. The proposals will take effect from 1 May 2025.
- 12 The Chief Executive has delegated powers to effect this realignment and is sharing the report with the Chief Officer Appointment Committee for information and discussion prior to implementation. The recognised Trade Unions will also be briefed prior to finalising the changes.

Conclusion

- 13 The report confirms changes made to the reporting line for the Head of Legal and Democratic Services and a change in the job title for the post to Director of Legal and Democratic Services for the reasons set out in the report, as well as the post being made a substantive member of the Corporate Management Team. There are no financial implications from the changes being implemented.

Background papers

- The Changing Role of the Monitoring Officer
[The-Changing-Role-of-the-Monitoring-Officer.pdf \(lgiu.org\)](#)
- How can local authority failures be prevented?
[How can further local authority failures be prevented? \(grantthornton.co.uk\)](#)

Other useful documents

- None

Author(s)

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Appendix 1: Implications

Legal Implications

There are no legal implications other than to note the change in reporting line of the Head of Legal Services.

Finance

There are no financial implications arising from the proposals.

Consultation and Engagement

The Head of Legal and Democratic Services and Corporate Director of Resources have been consulted.

Equality and Diversity / Public Sector Equality Duty

No implications identified

Climate Change

No implications identified

Human Rights

No implications identified

Crime and Disorder

No implications identified

Staffing

The report sets out changes to the reporting line and substantive membership of CMT.

Accommodation

No implications identified.

Risk

The report sets out the good governance background to proposals that are being implemented.

Procurement

No implications identified.

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