



Democratic Support

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CHIEF OFFICER APPOINTMENTS PANEL SUPPLEMENT PACK

Wednesday 26 November 2014
12.00 pm
Council House

Members:

Councillors Mrs Aspinall, Bowyer, McDonald (substitute for Councillor Evans), Nicholson, Penberthy (substitute for Councillor Lowry), Mrs Pengelly and Tuffin (substitute for Councillor Peter Smith).

Members are invited to attend the above meeting to consider the items of business overleaf.

Tracey Lee
Chief Executive

Please find attached additional information in respect of agenda item numbers 4 and 7.

CHIEF OFFICER APPOINTMENTS PANEL

4. MINUTES (TO FOLLOW)

(Pages 1 - 14)

To confirm the minutes of the meetings held on –

- 3 July 2014
- 7 July 2014
- 4 September 2014
- 19 September 2014
- 13 October 2014

7. PEOPLE DIRECTORATE SENIOR MANAGEMENT RE-STRUCTURE (TO FOLLOW)

(Pages 15 - 98)

Giles Perritt, Assistant Chief Executive, will submit a report setting out proposals for changes within the People Directorate's organisational structure.

Chief Officer Appointments Panel

Thursday 3 July 2014

PRESENT:

Councillor Lowry, in the Chair.

Councillors Mrs Beer (substitute for Councillor Nicholson), Mrs Bowyer (substitute for Councillor Bowyer), Sam Davey (substitute for Councillor Mrs Aspinall) and Vincent (substitute for Councillor Evans).

Apologies for absence: Councillors Evans (Chair), Peter Smith (Vice Chair), Mrs Aspinall, Bowyer, Darcy (substitute), Nicholson and Mrs Pengelly.

Also in attendance: Carole Burgoyne (Strategic Director for People), Bernadette Smith (HR Adviser), Linda Torney (Assistant Head of Legal Services) and Nicola Kirby (Senior Democratic Support Officer (Cabinet)). Simon Rice Birchall, External Adviser, Eversheds.

The meeting started at 1.00 pm and finished at 2.40 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

16. **APPOINTMENT OF CHAIR**

Agreed that Councillor Lowry is appointed Chair for this meeting of the panel.

17. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of conduct in relation to items under consideration at this meeting.

18. **CHAIR'S URGENT BUSINESS**

There were no urgent items of chair's urgent business.

19. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local government Act, 1972, the press and public be exclude from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 2 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

20. **SENIOR MANAGEMENT REVIEW - NEXT STEPS (E2)**

Carole Burgoyne (Strategic Director for People) submitted a report on actions taken to progress the senior management restructure to date following the decision taken by the City Council on 16 September 2013 and options about the next steps to be taken.

The panel agreed unanimously that based on legal advice received both internally and externally, Members were content to proceed with the meeting.

Simon Rice Birchall (external adviser, Eversheds) addressed the panel and gave legally privileged advice and the officers reported further.

The panel also received a copy of a letter which was dated 30 June 2014 and received shortly before the panel meeting. The meeting paused to enable Members to read it. The initial letter from Simon Rice Birchall was also read to the panel.

As future background information, officers were requested to ascertain the information indicated.

The panel considered -

- (a) the alternative options in the written report;
- (b) the advice of the officers;
- (c) the advice (given under legal privilege) from Simon Rice Birchall;
- (d) their ability to exercise their duty of care as an employer;

and for the reasons stated in the report, agreed the recommendations as set out in the written report.

(Please note: there is a confidential part to this minute)

Chief Officer Appointments Panel

Monday 7 July 2014

PRESENT:

Councillor Mrs Aspinall, in the Chair.

Councillors Mrs Bowyer (substitute for Councillor Bowyer), Coker (substitute for Councillor Evans), Darcy (substitute for Councillor P Nicholson), K Foster (substitute for Councillor Mrs Pengelly), Lowry and McDonald (substitute for Councillor P Smith).

Apologies for absence: Councillors Bowyer, Evans, P Nicholson, Mrs Pengelly and P Smith.

Also in attendance: Judith Shore (Democratic and Member Services Manager) (Part I only) and Bernadette Smith (Senior HR Adviser).

The meeting started at 3.30 pm and finished at 4.45 pm.

Note: At a future meeting, the Panel will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

22. ELECTION OF CHAIR

Agreed that Councillor Mrs Aspinall is elected Chair for the meeting.

23. CORRECTION OF APPROVED MINUTES

The Democratic and Member Support Manager advised Members that the minutes of the meeting held on 13 June 2014 stated that the minutes of the meeting held on 13 June (i.e. the same day) had been agreed. This was a drafting error – the minutes of the meeting held on 15 May (which had been included in the agenda) should have been agreed.

Agreed that the minutes of the meeting held on 13 June be referenced accordingly, in order to ensure an accurate audit trail.

24. DECLARATIONS OF INTEREST

There were no declarations of interest made by councillors in accordance with the code of conduct in relation to items under consideration at the meeting.

25. CHAIR'S URGENT BUSINESS

The Chair advised that this item would be considered after agenda item 6 (Exempt business) as the information to be put before the Panel would be exempt and the press and public excluded from the meeting.

26. **MINUTES**

Agreed the minutes of the meeting held on 25 June 2014, which were tabled at the meeting.

27. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are 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 paragraph I of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

28. **CHAIR'S URGENT BUSINESS**

Members were advised of the reason for Chair's Urgent Business and thanked for their consideration.

Members were asked to consider 2 senior roles and provide a view on whether these could be suitable alternative employment for a Chief Officer at risk of redundancy as a result of the Senior Management Restructure.

An update on the situation so far was provided.

Members were reminded about Plymouth City Council's duty to seek suitable alternative employment for eligible employees at risk of redundancy and provided with details of what is considered suitable alternative employment.

The roles considered were Strategic Director for Transformation and Change and Assistant Director Street Services. Whilst both roles were the subject of an external recruitment process, Members were advised that at, any point before the roles were offered to other individuals, they were available for redeployment.

Members were advised that further redeployment opportunities would be sought for the individual at risk of redundancy and, if further information was received, this would be presented to at a future meeting of the Appointment Panel.

Members agreed that –

- (a) the Transformation and Change role was not considered as suitable alternative employment for the candidate, taking into consideration the criteria that could not be evidenced and the timescales for delivery of the transformation work;
- (b) the Street Services role was not considered as suitable alternative employment for the candidate, taking into consideration that some criteria could not be evidenced and there were concerns about the level of training that would be required.

29. **STRATEGIC DIRECTOR FOR TRANSFORMATION AND CHANGE (E2)**

Members were joined by Jonathan Clarke (Berwick Partners) via telephone.

The Panel, having considered the CVs and supporting information, shortlisted the candidates who met the criteria for interview for the post of Strategic Director for Transformation and Change.

Agreed that the candidates numbered A1, A2, A5 and A6 are invited for assessment centre on 17 July 2014.

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Chief Officer Appointments Panel

Thursday 4 September 2014

PRESENT:

Councillor Mrs Aspinall, in the Chair.
Councillors James (substitute for Councillor Mrs Pengelly), Lowry and Parker (substitute for Councillor Peter Smith).

Apologies for absence: Councillors Mrs Bowyer, Darcy and McDonald.

Also in attendance: Tracy Lee (Chief Executive), Di Saunders-Brewer (Senior HR Adviser) and Lynn Young (Democratic Support Officer) (Part I only).

The meeting started at 2.00 pm and finished at 4.15 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

41. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Councillors in accordance with the code of conduct.

42. **MINUTES**

Agreed the minutes of the meetings held on 16 July 2014 and 18 July 2014.

43. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

44. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are 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 of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

45. **UPDATE ON THE RECRUITMENT TO THE ASSISTANT DIRECTOR OF STREET SERVICES POST (EI)**

Tracey Lee (Chief Executive) submitted a report updating the panel on the recruitment to the Assistant Director of Street Services post.

The panel agreed the recommendations as set out in the report.

Councillor Lowry requested that enquiries be undertaken to determine whether the post holder could be engaged on a more cost effective basis.

46. **APPOINTMENT OF STRATEGIC DIRECTOR FOR TRANSFORMATION AND CHANGE (EI)**

The panel interviewed one candidate for the post of Strategic Director for Transformation and Change.

It was agreed that a decision on the appointment would be taken at a future Appointments Panel, pending receipt of references.

47. **HEAD OF PORTFOLIO OFFICE (EI)**

The panel were advised that this was a Deputy Chief Officer post and longlisting was not required by the panel.

48. **HEAD OF BUSINESS AND TECHNICAL ARCHITECTURE (EI)**

The panel were advised that this was a Deputy Chief Officer post and longlisting was not required by the panel.

Chief Officer Appointments Panel

Friday 19 September 2014

PRESENT:

Councillor Mrs Aspinall, in the Chair.
Councillors James (substitute for Councillor Mrs Pengelly), Lowry and Mrs Parker (substitute for Councillor Peter Smith).

Apologies for absence: Councillors Bowyer, Evans, Nicholson, Mrs Pengelly and Peter Smith.

Also in attendance: Bernadette Smith (Senior HR Adviser) and Nicola Kirby (Senior Democratic Support Officer (Cabinet)).

For part of the meeting:

Tracey Lee (Chief Executive) for all the items except minute 52;
Carole Burgoyne (Strategic Director for People), Chris Squire (Interim Assistant Director for Human Resources and Organisational Development), Linda Torney (Assistant Head of Legal Services) and Simon Rice-Birchall (Eversheds) for minute 52.

The meeting started at 5.30 pm and finished at 6.15 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

49. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of the conduct.

50. **CHAIR'S URGENT BUSINESS**

The Chair advised that there were two items of urgent business –

- (a) interim arrangements following the appointment of a Strategic Director for Transformation and Change (if agreed) which would be considered following agenda item 5 (minute 53 referred);
- (b) proposals for a settlement relating to an employment matter which was exempt business and would be considered in Part 2 of the meeting when the press and public would be excluded.

51. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are 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 Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

CHAIR'S URGENT BUSINESS

52. **Proposed Settlement of Employment Matter (EI and 2)**

Tracey Lee withdrew from the meeting during consideration of this item.

Carole Burgoyne advised the panel of the details of the resolution of an outstanding employment matter concerning a Chief Officer which had been agreed under delegated authority following external legal advice.

Councillor Mrs Aspinall (Chair) thanked all those concerned for resolving this matter.

The report was noted.

53. **APPOINTMENT OF STRATEGIC DIRECTOR FOR TRANSFORMATION AND CHANGE (EI)**

Further to the meetings of the Appointments Panel held on 18 July and 4 September 2014, the panel received additional documentation and references for two candidates for the post of Strategic Director for Transformation and Change.

The panel was advised that the agenda pack for the meeting held on 4 September contained pages 20 to 27 which were not relevant to the appointments and had been provided in error from the recruitment agency.

Agreed that Lesa Annear is appointed to the post of Strategic Director for Transformation and Change subject to consultation with the Cabinet Members and negotiation on the commencement date.

(At the end of this item, the meeting continued in public).

CHAIR'S URGENT BUSINESS

54. **Interim Arrangements for the post of Strategic Director for Transformation and Change**

Tracey Lee submitted a report on the proposed interim arrangements for the post of Strategic Director for Transformation and Change following the expiry of the current contractual arrangements for the current interim post holder on 27 October 2014 and prior to the commencement of the permanent post holder.

Agreed that –

- (1) the contractual notice period for the current interim resource is issued so that the contract ends on 27 October 2014;
- (2) the Assistant Chief Executive acts up as the temporary Director for the Corporate Services departments until a permanent Strategic Director for Transformation and Change commences employment, with an additional payment of £1,250 per month;
- (3) the Strategic Director for People is the temporary lead officer for the Transformation and Change Programme until a permanent Strategic Director for Transformation and Change commences employment.

(This item was considered in public).

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Chief Officer Appointments Panel

Monday 13 October 2014

PRESENT:

Councillor Peter Smith, in the Chair.

Councillors Mrs Aspinall, Bowyer, Jordan (substitute for Councillor Nicholson), Lowry, Mrs Pengelly and Jon Taylor (substitute for Councillor Evans).

Apologies for absence: Councillors Evans, James and Nicholson.

Also in attendance: Tracey Lee (Chief Executive), Judith Shore (Democratic and Member Services Manager), Bernadette Smith (Senior HR Adviser) and Lynn Young (Democratic Support Officer).

The meeting started at 3.45 pm and finished at 3.52 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

55. **APPOINTMENT OF CHAIR**

Agreed that Councillor Peter Smith is appointed Chair of this meeting.

56. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by councillors in accordance with the code of conduct in relation to items under consideration at this meeting.

57. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

58. **APPOINTMENT OF HEAD OF PORTFOLIO OFFICE**

The panel agreed the appointment of the Head of Portfolio Office subsequent to the interview process undertaken on 2 October 2014, on a fixed term contract of 12 months, at an annual salary of £57,000 plus £5,000 market supplement.

59. **EXEMPT BUSINESS**

Agreed that under Section 100(A)(4) of the Local Government Act, 1972, the press and public are 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 of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

60. **INTERIM ARRANGEMENTS FOR THE ASSISTANT DIRECTOR OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT**

Tracey Lee, Chief Executive, submitted a report on the interim arrangements for the Assistant Director of Human Resources and Organisational Development.

The panel unanimously agreed to extend the current secondment arrangements from NEW Devon CCG for the current interim Assistant Director for Human Resources and Organisation Development, until 31 March 2015.

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