

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

14th August 2008

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

Leader of the Council – Ken Lupton

APPOINTMENT PANEL FOR POST OF CHIEF EXECUTIVE

1. Summary

This report provides details of the proposed arrangements for the Appointment Panel for the post of Chief Executive, the recruitment process and interim arrangements pending the successful candidate taking up their post.

2. Recommendations

(i)The proposed Appointment Panel arrangements outlined at paragraph 3 of the report be recommended to Council for approval.

(ii)The action referred to at paragraph 5 of the report be endorsed.

3. Reasons for the Recommendations/Decision(s)

To ensure an Appointments Panel is established urgently for the purposes of the appointment process for the post of Chief Executive.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering

questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;

- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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COUNCIL DECISION

Leader of the Council – Councillor Ken Lupton

APPOINTMENT PANEL FOR POST OF CHIEF EXECUTIVE

SUMMARY

This report provides details of the proposed arrangements for the Appointment Panel for the post of Chief Executive.

RECOMMENDATIONS

- (i)The proposed Appointment Panel arrangements outlined at paragraph 3 of the report be recommended to Council for approval.
- (ii)The action referred to at paragraph 5 of the report be endorsed.

DETAIL

1. The Council's Employee Employment Procedure Rules require Cabinet to consider and refer to full Council with recommendations for approval, arrangements for the appointment of the Chief Executive.
2. In order to ensure that the required Appointment Panel for the post of Chief Executive is established as a matter of urgency, Cabinet is asked to consider the following proposals and recommend them for approval at the next meeting of full Council on 3 September 2008.
3. In line with the normal arrangements for Chief Officer and Assistant Chief Officers appointments, Cabinet is asked to recommend to Council that a Panel for the appointment of the Chief Executive be established. The proposal seeks to achieve a political balance whilst limiting the size of the panel to enable appropriate discussion and debate. This would give a panel of 9 Members as follows:-
 - 4 Labour members
 - 2 Conservative members
 - 1 IBIS member
 - 1 TIA member
 - 1 Lib. Dem Member

If representation from all parties was to be included and the panel politically balanced, a membership of 18 would be needed; this would clearly be too large.

4. The importance of involving all members at some point in the recruitment process is recognised and a number of alternative options are available which will be presented to the appointments panel. The recruitment process will be designed to expose the candidates to as wide a range of stakeholders as possible. This could include a member briefing on a new initiative and the opportunity for all councillors to meet the candidates over an evening buffet.
5. The last day of service of the current Chief Executive is 22nd September 2008 and it is unlikely that a new Chief Executive will be appointed before that. The Chief Executive advises that there is adequate capacity within the Council to provide an interim solution. In order to ensure continuity over what may be a significant period of time, it is recommended that suitable interim arrangements are made. The Chief Executive has canvassed the management team for interest in acting up as interim and only the Director of Development and Neighbourhood services has expressed an interest. It is therefore proposed that he be appointed as interim Chief Executive with effect from 22nd September until the new Chief Executive takes up their post.
6. Timing of the recruitment process is critical and in order to agree (subject to Council approval) the detailed selection arrangements as soon as possible, a meeting of the proposed Appointments Panel has been arranged to take place immediately following this meeting.

FINANCIAL IMPLICATIONS

7. There are no financial implications arising directly from this report. The costs of appointment will be met from within existing budgets.

LEGAL IMPLICATIONS

8. The proposed appointment panel arrangements will satisfy the requirements of the Council's Employee Employment Procedure Rules.

RISK ASSESSMENT

9. The appointment process is categorised as low to medium risk which will be managed in part by the establishment of the proposed Panel.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

10. The proposed appointment is relevant to all community strategy themes.

EQUALITIES IMPACT ASSESSMENT

11. It is not considered to be necessary for an Equality Impact Assessment to be carried out for the purposes of this report.

CONSULTATION INCLUDING WARD/COUNCILLORS

12. This is not a Ward specific matter. Relevant Cabinet Members have been consulted.

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Background Papers None

Ward(s) and Ward Councillors: Not Ward Specific

Property Not applicable