

# North Tyneside Council

## Report to Cabinet

### Date: 20 May 2013

#### ITEM 6(b)

Title: Senior Management Arrangements

Portfolio(s): Elected Mayor

Cabinet Member(s): Norma Redfearn

Report from Directorate: Chief Executive's Office

Report Author: Vivienne Geary (Tel: 0191 643 5339)  
Head of Law and Governance

Wards affected: All

#### PART 1

##### 1.1 Purpose:

The purpose of this report is to seek approval to extend the contract of the Interim Chief Executive pending the permanent appointment of a Chief Executive and to advise and seek appropriate authority for the associated appointment processes.

##### 1.2 Recommendation(s):

It is recommended that Cabinet:

- a) Agree to the extension of the current contract for services in respect of the Interim Chief Executive from 1 June 2013 to 30 November 2013, for the reasons outlined in the report;
- b) Agree to the commencement of a recruitment process to appoint a Chief Executive; and
- c) Delegate to the Elected Mayor or their nominee in consultation with the Interim Chief Executive, the Head of Law and Governance, and the Strategic Human Resources Manager authority to prepare a Person Specification and Job Specification and refer the matter to the Appointments and Disciplinary Committee to progress the necessary recruitment process.

##### 1.3 Forward Plan:

It has not been practicable to give 28 days notice of this report. However, it is required to be considered at this meeting of Cabinet to provide clarity over the senior management arrangements.

## **1.4 Council plan and policy framework**

This report has no direct relevance to the Sustainable Community Strategy and Council Strategic Plan.

### **Information:**

## **1.5 Background**

Cabinet considered a report on 11 June 2012 and agreed the extension of the appointment of the current Interim Chief Executive to 31 May 2013 to provide stability during a period of significant change for the authority particularly arising from the procurement of the Authority's Business and Technical Partners.

This report recommends a further extension to the contract for services for the Interim Chief Executive for a period of 6 months to 30 November 2013 on the same terms pending the recruitment of a permanent appointment to the role of Chief Executive. . The extension of the contract will enable the external advertisement and recruitment processes to be carried out and will accommodate a period of notice the successful candidate may need to provide to current employers. In the event that the successful candidate is available within that timeframe the contract for services may be terminated with appropriate notice.

From 1 June 2013, the proposal would be that the Interim Chief Executive would continue to work 4 days per week as is current practice. This will enable the Authority to continue with appropriate senior management capacity and oversight of the recruitment process for the role of Chief Executive. The extension of the contract will also enable a review and restructure of the Authority's remaining senior management arrangements to be carried out with the support of the Interim Chief Executive.

To progress the recruitment of the Chief Executive delegated authority is sought to the Mayor or her nominee in consultation with the Interim Chief Executive, the Head of Law and Governance and the Strategic Human Resources Manager to prepare a Person Specification and Job Specification and refer the matter to the Appointments and Disciplinary Committee to progress the necessary recruitment process.

## **1.6 Decision options:**

Option 1 – To agree the revised arrangements and extend the contract of the Interim Chief Executive as described in the report pending the appointment of a permanent Chief Executive.

Option 2 – To allow the current contract in respect of the Interim Chief Executive to terminate on conclusion of its current term (on 31 May 2013), and to make alternative arrangements for the fulfilling of the responsibilities of the Interim Chief Executive pending the recruitment of a permanent Chief Executive to the role.

Option 3 – To end the current arrangements, upon expiry of the contract, and not fill the post of Chief Executive.

## **1.7 Reasons for recommended option:**

Option 1 is the recommended option for the following reasons. The proposal will enable the Authority to continue with appropriate senior management capacity as well as

independent oversight and support for the recruitment process for the permanent Chief Executive.

## **1.8 Appendices:**

There are no appendices.

## **1.9 Contact officers:**

Vivienne Geary, Head of Law and Governance, tel: 643 5339  
Janice Gillespie, Senior Manager, Corporate Finance, tel: 643 5701

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

Cabinet report 7 February 2011 (Senior Management Arrangements)

[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=521893](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=521893)

Cabinet report 8 August 2011 (Senior Management Arrangements)

[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=527427](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=527427)

Cabinet report 16 January 2012 (Senior Management Arrangements)

[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=531684](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=531684)

Cabinet report 11 June 2012 (Senior Management Arrangements)

[http://www.northtyneside.gov.uk/pls/portal/NTC\\_PSCM.PSCM\\_Web.download?p\\_ID=535157](http://www.northtyneside.gov.uk/pls/portal/NTC_PSCM.PSCM_Web.download?p_ID=535157)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

On 5 March 2013 Council approved the general fund revenue budget for 2013/2014, this included a budget of £0.101m for the post of Chief Executive. The budget was based on the assumption that the Interim Chief Executive post would cease at the end of May 2013 and the time required to complete the recruitment of a permanent Chief Executive would result in a late autumn appointment.

The proposal in this report is to extend the interim arrangement. Based on the assumption that the arrangement is extended to the end of November 2013 the additional cost incurred will be an estimated £0.058m.

This cost will be reported as a variation in the Financial Management Reports to Cabinet during 2013/2014, and as part of normal financial management practice Cabinet will be required to take appropriate actions to ensure that this financial pressure is managed in the overall general fund budget envelope.

### **2.2 Legal**

Cabinet has responsibility for functions relating to senior management structures and for contracts for services. In making any decision in relation to contracts for services, Cabinet need to be satisfied that it is appropriate and proper for the authority to enter into or extend any contract for services, taking into account all relevant factors and circumstances associated with the arrangements at the time the decision is taken.

In relation to a contract for services with respect to a senior officer position such as the Interim Chief Executive, it is reasonable for Cabinet to seek the views of the Council in advance of taking such a decision, although the matter in which those views are sought is a matter for Cabinet. It is proposed in this case that such views are sought through consultation with Group Leaders, as described in paragraph 2.3.

The Council has procured a framework agreement for the provision of executive recruitment through which the services of interim senior managers may be secured. The framework agreement set up is compliant with the EU procurement regime. The proposed extension of the contract for services in relation to the Interim Chief Executive would be secured through this agreement.

### **2.3 Consultation/community engagement**

Consultation is being undertaken with Group Leaders who have been invited to provide comments on the proposals contained within this report prior to consideration of this item by Cabinet. Consultation has also taken place with the Elected Mayor.

### **2.4 Human rights**

There are no human rights issues in relation to the contents of this report.

### **2.5 Equalities and diversity**

There are no equality and diversity issues in relation to the contents of this report.

### **2.6 Risk management**

The potential risks associated with capacity in the Council's Senior Management Team are covered in the report.

### **2.7 Crime and disorder**

There are no crime and disorder issues in relation to the contents of this report.

### **2.8 Environment and sustainability**

There are no environment and sustainability issues arising from this report.

## **PART 3 - SIGN OFF**

- Chief Executive
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Strategic Manager for Policy And Partnerships