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BROMSGROVE DISTRICT AND REDDITCH BOROUGH COUNCILS

MEETING OF THE JOINT APPOINTMENTS COMMITTEE

WEDNESDAY 8TH JANUARY 2025

AT 5.30 P.M.

PARKSIDE SUITE - PARKSIDE

MEMBERS: Councillors K.J. May (Chairman), J. Baker, M. Dormer, W. Hartnett, S. Harvey, C.A. Hotham, R. J. Hunter, P. M. McDonald, J. Spilsbury and P. J. Whittaker

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes of the Previous Meeting** (Pages 3 - 6)
4. **Nominations for the Positions of Chief Executive and Head of Paid Service and the Deputy Chief Executive and Section 151 Officer** (Pages 7 - 12)
5. **To consider any urgent business, details of which have been notified to the Assistant Director of Legal, Democratic and Procurement Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting**

Sue Hanley
Chief Executive

If you have any queries on this Agenda please contact
Jess Bayley-Hill

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GUIDANCE ON FACE-TO-FACE MEETINGS

Please note that this is a public meeting.

If you have any questions regarding the agenda or attached papers,
please do not hesitate to contact the officer named above.

GUIDANCE FOR ELECTED MEMBERS AND MEMBERS OF THE PUBLIC ATTENDING MEETINGS IN PERSON

Meeting attendees and members of the public are encouraged not to attend a meeting if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

Notes:

Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.

BROMSGROVE DISTRICT AND REDDITCH BOROUGH COUNCILS

MEETING OF THE JOINT APPOINTMENTS COMMITTEE

13TH NOVEMBER 2024, AT 5.00 P.M.

PRESENT: Councillors Baker (Chairman), M. Dormer, W. Hartnett, C.A. Hotham, R. J. Hunter, K.J. May (Co-Chair), P. M. McDonald and J. Spilsbury (from Minute Item No. 3).

Guest: Ms R. Hopkins (representative of GatenbySanderson)

Officers: Ms. N Cummings, Mrs B. Talbot and Mrs J. Bayley-Hill.

1 **NOMINATION OF CHAIR FOR THE MEETING**

A nomination was received for Councillor J. Baker to be appointed as the Chair for the meeting.

The nomination was proposed by Councillor K. May and seconded by Councillor B. Hartnett.

Members were advised that an apology for absence had been received from Councillor S. Harvey.

RESOLVED that

Councillor J. Baker be appointed to Chair the meeting of the Joint Appointments Committee.

2 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3 **APPOINTMENTS TO THE JOINT APPOINTMENTS SUB-COMMITTEE**

The Human Resources and Organisational Development Manager presented a report detailing proposed arrangements for the Joint Appointments Sub-Committee.

Members were advised that the report invited Members to identify Councillors from both authorities who should be appointed to the Joint Appointments Sub-Committee. A total of three nominations from each Council were required to serve on the Sub-Committee, which had to include the Leaders of both Councils.

In considering the appointments, Members were asked to note that there would be a requirement for the Members of the Sub-Committee to be available to attend interviews during the day. Case law had been identified which indicated that Members of the Sub-Committee needed

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to be present at all of the Sub-Committee meetings in order to take part in making decisions at those meetings. Substitutes would not be permitted for meetings of the Joint Appointments Sub-Committee and Members of the Sub-Committee would need to participate in appropriate training, due to take place on 19th November 2024.

Following the presentation of the report, Members made reference to the training that was due to be delivered and questioned the length of this session. Officers clarified that it was likely that this training would take one hour to deliver, subject to the number of queries that were raised during the session.

Members subsequently considered the key dates for the recruitment of the Councils' Chief Executive and Head of Paid Service and the Deputy Chief Executive and Section 151 Officer respectively. Questions were raised about the one-to-one chats that would take place on 9th December 2024 with candidates for both positions and which Councillors should attend these meetings. It was noted that the suggestion had been made that both the Leaders of the Councils and the relevant lead Portfolio Holders for Finance should attend these meetings with the candidates, although the Portfolio Holder for Finance from Bromsgrove District Council was unavailable on the proposed date so it had been suggested that a substitute should attend in his absence. Concerns were raised about the extent to which it was appropriate for a Portfolio Holder to nominate a substitute to attend this meeting on their behalf. On the one hand, it was suggested that the previous Bromsgrove Portfolio Holder for Finance could attend in his absence, on the basis that he had a lot of knowledge about the finance portfolio. On the other hand, the suggestion was made that it might be more appropriate for political group leaders to attend these sessions instead.

After a brief five-minute adjournment, the Committee was advised that the recruitment key dates list, at Appendix 1 to the report, was being presented for Members to note at this stage. Officers undertook to explore the comments that had been raised in respect of the one-to-one meetings and to report back to members of the Committee after the meeting.

The Committee also then discussed reference to "PHs" in the recruitment key dates and questioned what this acronym related to, as it was noted that this could refer to specific or all Portfolio Holders at both Councils. Officers clarified that "PHs" was referring to the two Councils' respective Portfolio Holders for Finance.

Questions were raised as to whether references to "Leaders" in the Recruitment Key Dates were to the Leaders of the Councils only or to all group leaders. Officers clarified that this referred to the Leaders of the Councils only.

Consideration was given to the reference in the Recruitment Key Dates to "WCC" for the Chief Executive's interviews on 16th December 2024

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and questions were raised as to whether representatives of the County Council would be involved in the recruitment process. Officers explained that the Parkside building was used by both Bromsgrove District Council and Worcestershire County Council and both Councils had rooms in the building that were used for meetings. The reference to “WCC – Parkside” related to use of one of the County Council’s rooms in the building for the recruitment process.

Members gave specific consideration to the arrangements in place whereby the Section 151 Officer had also become the Councils’ Deputy Chief Executive. Members commented that this had been agreed at meetings of the respective Councils in 2023. The Committee further noted that the current Deputy Chief Executive and Section 151 Officer was due to remain in post until a new permanent Section 151 Officer commenced employment with the Councils.

During consideration of this matter, the following Councillors from Redditch Borough Council were nominated to sit on the Joint Appointments Sub-Committee: Councillors J. Baker, M. Dormer and W. Hartnett. These nominations were proposed by Councillor J. Baker and seconded by Councillor W. Hartnett.

The vote in respect of these nominations was carried.

Nominations from Bromsgrove District Council to the Joint Appointments Sub-Committee were subsequently considered. The following Members were nominated to sit on the Joint Appointments Sub-Committee: Councillors K. May, R. Hunter and P. McDonald. These nominations were proposed by Councillor K. May and seconded by Councillor C. Hotham.

The vote in respect of these nominations was carried.

The recommendations in the report were proposed by Councillor M. Dormer and seconded by Councillor K. May.

RESOLVED

- 1) to agree the following nominations to the Joint Appointments Sub-Committee for the appointments of the Head of Paid Service and Chief Executive and the Deputy Chief Executive and Section 151 Officer respectively:**

Bromsgrove District Council: Councillors K. May (Leader), R. Hunter and P. McDonald. (3)

Redditch Borough Council: Councillors J. Baker (Leader), M. Dormer and W. Hartnett; (3)

- 2) that the quorum for meetings of the Joint Appointments Sub-Committee for the recruitment of the Head of Paid Service and**

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Chief Executive and the Deputy Chief Executive and Section 151 Officer should be three Members, which must include at least one Councillor from each authority and at least one Leader; and

- 3) to note the timetable for the recruitment of the Head of Paid Service and Chief Executive and the Deputy Chief Executive and Section 151 Officer.

4

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROPERTY SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIR, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

There was no urgent business for consideration on this occasion.

The meeting closed at 5.31 p.m.

Chairman

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NOMINATIONS FOR THE POSITIONS OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE AND THE DEPUTY CHIEF EXECUTIVE AND SECTION 151 OFFICER

| | |
|--|---|
| Relevant Portfolio Holders | Councillors Joe Baker, Leader of Redditch Borough Council and Karen May, Leader of Bromsgrove District Council |
| Portfolio Holders Consulted | |
| Relevant Lead Officer | Becky Talbot Human Resources and Organisational Development Manager |
| Report Author Becky Talbot | Job Title: Human Resources and Organisational Development Manager Contact email: becky.talbot@bromsgroveandredditch.gov.uk Contact Tel: 01527 64252 Ext: 3385 |
| Wards Affected | All |
| Ward Councillor(s) consulted | N/A |
| Relevant Council Priorities | Sustainability |
| Non-Key Decision | |
| If you have any questions about this report, please contact the report author in advance of the meeting. | |

1. **RECOMMENDATIONS**

The Joint Appointments Committee is asked to **RECOMMEND** to each Council

- 1) To note that the Joint Appointments Sub-Committee has completed a rigorous selection process to recruit a new Chief Executive and Head of Paid Service and a new Deputy Chief Executive and Section 151 Officer.
- 2) The appointment of John Leach as the Chief Executive and Head of Paid Service. The commencement date will be as soon as possible, subject to notice period.
- 3) The appointment of Robert Watson as Deputy Chief Executive and Section 151 Officer. The commencement date will be as soon as possible, subject to notice period.

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- 4) **To note that the salary agreed for the Chief Executive and Head of Paid Service is within the range approved by Redditch Borough Council's Pay Policy as the employing authority.**
- 5) **To note that the salary agreed for the Deputy Chief Executive and Section 151 Officer is within the range approved by Bromsgrove District Council's Pay Policy as the employing authority.**

2. BACKGROUND

2.1 The Joint Appointments Sub-Committee undertook the final interviews for the Chief Executive and Head of Paid Service and Deputy Chief Executive (Section 151 Officer) roles on the 16th and 18th December 2024 respectively. The Sub-Committee received professional support from the authorities' current Chief Executive, the Human Resources and Organisational Development Manager and an external Recruitment Advisor from GatenbySanderson.

2.2 The members of the Joint Appointments Sub-Committee were:-

Bromsgrove District Council Representatives:

Councillor Karen May, Leader, Bromsgrove District Council
Councillor Peter McDonald, Labour Group Leader, Bromsgrove District Council
Councillor Rob Hunter, Liberal Democrat Group Leader, Bromsgrove District Council

Redditch Borough Council:

Councillor Joe Baker, Leader, Redditch Borough Council
Councillor Bill Hartnett, Portfolio Holder for Housing, Redditch Borough Council
Councillor Matthew Dormer, Conservative Group Leader, Redditch Borough Council

2.3 The Sub-Committee voted unanimously and is recommending John Leach for the role of Chief Executive and Head of Paid Service, subject to satisfactory references and eligibility checks.

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- 2.4 The Sub-Committee voted unanimously and is recommending Robert Watson for the role of Deputy Chief Executive and Section 151 Officer, subject to satisfactory references and eligibility checks.
- 2.5 John Leach is currently employed by East Lindsey District Council, on a permanent basis as Deputy Chief Executive for East Lindsey District Council, South Holland District Council and Boston Borough Council (South and East Lincolnshire Councils Partnership). Subject to Members' agreement at both Councils, he will undertake the role of Chief Executive and Head of Paid Service. Commencement date will be as soon as possible, subject to notice period.
- 2.6 The Joint Appointments Sub-Committee propose that the salary to be offered for this role is £145,807 in accordance with the pay range set out in Redditch Borough Council Council's Pay Policy Statement, as the employing authority for this position, subject to approval by both Councils.
- 2.7 Robert Watson is currently employed by Surrey Heath Borough Council on a permanent basis as Strategic Director, Finance, S151 and Customer Services. Subject to Members' approval at both Councils, he will undertake the role of Deputy Chief Executive and Section 151 Officer. Commencement date will be as soon as possible, subject to notice period.
- 2.8 The Joint Appointments Sub-Committee propose the salary to be offered for this role is £119,560 in accordance with the pay range set out in Bromsgrove District Council's Pay Policy Statement, as employing authority, subject to approval by both Councils.
- 2.9 Both appointments are to be put forward for formal approval by Full Council. The Council meetings are due to take place on the following dates:

Bromsgrove District Council - 22nd January 2025
Redditch Borough Council - 27th January 2025

3. OPERATIONAL ISSUES

- 3.1 The positions of Head of Paid Service and Section 151 Officer are statutory officer posts. It is therefore imperative that the Councils have Officers who are appointed to these positions.

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- 3.2 Redditch Borough Council is the employing authority for the position of Chief Executive and Head of Paid Service. Subject to Members' approval at Council of John Leach's appointment, he will be made available by Redditch Borough Council under the shared services arrangements to perform such duties as are required by their post for Bromsgrove District Council.
- 3.3 Bromsgrove District Council is the employing authority for the position of Deputy Chief Executive and Section 151 Officer. Subject to Members' approval at Council of Robert Watson's appointment, Robert Watson will be made available by Bromsgrove District Council under the shared services arrangements to perform such duties as are required by their post for Redditch Borough Council.
- 3.4 Subject to Members' approval at both Councils of the appointment of John Leach, the current Chief Executive and Head of Paid Service will remain in post until John Leach has commenced employment with Redditch Borough Council.
- 3.5 Subject to Members' approval at both Councils of the appointment of Robert Watson, the current Deputy Chief Executive and S151 Officer will remain in post until Robert Watson has commenced employment with Bromsgrove District Council. This will ensure service continuity and that both Councils continue to have statutory officers in post.

4. FINANCIAL IMPLICATIONS

- 4.1 The salary costs of the new Chief Executive and Head of Paid Service as well as the new Deputy Chief Executive and Section 151 Officer will be met from existing budgets and is within the Pay Policies of the respective Councils.
- 4.2 It should be noted that the salary costs will be shared on a 50:50 ratio between the two authorities.

5. LEGAL IMPLICATIONS

- 5.1 It is a legal requirement that the appointments of the Head of Paid Service and the Section 151 Officer respectively, as "statutory officers", are made by full Council. This is set out in the relevant regulations (The Local Authorities (Standing Orders) Regulations 2001(as amended) Schedule I Part II) which are reproduced in the Officer Employment Rules of both Council's Constitutions.

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- 5.2 The Council is required to nominate an officer under section 151 of the Local Government Act 1972 to be responsible for the proper administration of its financial affairs. The relevant wording states that: - “Without prejudice to section 111 above, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs.”
- 5.3 Section 6 of the Local Government and Housing Act 1989, further sets out that “ (1) On and after the commencement day the Common Council shall – (a) make arrangements for the proper administration of such of its financial affairs as relate to it in it’s capacity as a local authority, police authority, or port health authority, and (b) secure that one of its officers has responsibility for the administration of those affairs”.
- 5.4 Section 113 of the Local Government Finance Act 1988 requires that the officer appointed as the Chief Finance Officer (CFO) must be a member of a specified accountancy body.
- 5.5 The Councils are required by the provisions of the Local Government and Housing Act 1989 to appoint an officer as the Councils’ Head of Paid Service.
- 5.6 There is a requirement under the Officer Employment Procedure rules in both Councils’ constitutions, to ensure that the Leaders and any other Cabinet / Executive Committee members are notified and have no objections to the offer of appointment. This must occur before an offer of appointment is made. In this instance, Cabinet / Executive Committee Members will be contacted after the Joint Appointments Committee, subject to recommendations being made about appointments to the positions of Chief Executive and Head of Paid Service and Deputy Chief Executive and Section 151 Officer.

6. OTHER - IMPLICATIONS

Relevant Priorities for the Councils

- 6.1 The appointment of a Chief Executive and Head of Paid Service as well as a Deputy Chief Executive and Section 151 Officer will ensure there is stability and continuity at both authorities.
- 6.2 Effective financial management underpins all the Councils’ operations and the achievement of both Councils’ priorities.

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Climate Change Implications

- 6.3 There are no specific climate change implications.

Equalities and Diversity Implications

- 6.4 There are no direct equalities or diversity implications.

7. RISK MANAGEMENT

- 7.1 Failure to agree appointments to the positions of Chief Executive and Head of Paid Service and Deputy Chief Executive and Section 151 Officer would mean that both Councils would be at risk of failing to comply with the requirement to have officers in these statutory posts should the current officers in these positions give notice.

8. APPENDICES and BACKGROUND PAPERS

Background Papers

Overarching Framework Agreement between Bromsgrove District Council and Redditch Borough Council - 21st March 2011