

Lewes District Council



Council Agenda

Thursday, 14 January 2016

Southover House, Lewes

Jenny Rowlands
Chief Executive

Lewes District Council



Council Meeting

Councillors are kindly requested to switch off their mobile 'phones and other mobile devices prior to the commencement of the meeting.

Note: At the commencement of the meeting the Chair will ask for a period of silence to enable councillors to focus their thoughts on the meeting or to pray silently.

To all Members of the Council

A meeting of the **Council** will be held in the **Ditchling Room, Southover House, Southover Road, Lewes Address** on **Thursday, 14 January 2016** at **10:00** which you are requested to attend. Please note the start time and that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired.

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Agenda

1 Minutes

To confirm and sign the Minutes of the Meeting of the Council dated 9 December 2015 (copy previously circulated).

2 Apologies for Absence

3 Declarations of Interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct

4 Urgent Items

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972

5 Exclusion of the Public and Press

To consider, under Section 100(A) of the Local Government Act 1972 (as amended), excluding the public and press from the meeting during the discussion of Item 6 (Appointment of Shared Chief Executive and Head of Paid Service) on this Agenda as there are likely to be disclosures of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act (ie Information relating to any individual; Information which is likely to reveal the identity of an individual; and Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

(NB: At this Extraordinary Meeting of the Council, the Council agreed that the above Report be made available to the public).

6 Appointment of Shared Chief Executive and Head of Paid Service - Report

To consider the Report of the Head of Organisational Development (Report No 10/16 herewith - page 4).

A handwritten signature in blue ink that reads "Jenny Rowlands". The signature is stylized and cursive.

Jenny Rowlands
Chief Executive

For further information about items appearing on this Agenda, please contact Catherine Knight at Southover House, Southover Road, Lewes, East Sussex BN7 1AB. Telephone (01273) 471600.

Agenda Item No: 6 **Report No:** 10/16
Report Title: Appointment of Shared Chief Executive and Head of Paid Service
Report To: LDC Council **Date:** 14 January 2016
Cabinet Member: Councillor Smith, Leader of the Council
Ward(s) Affected: All
Report By: Becky Cooke, Head of Organisational Development
Contact Officer(s)-
Name(s): Becky Cooke
Post Title(s): Head of Organisational Development
E-mail(s): Becky.cooke@lewes.gov.uk
Tel No(s): 07805 812060

Purpose of Report:

To receive the recommendations of the Appointments Committee, and confirm the appointment of a Lewes District and Eastbourne Borough Council Shared Chief Executive and Head of Paid Service.

Officers Recommendation(s):

- 1 To approve the recommendation of the Appointments Committee and confirm the appointment of Robert Cottrill as the Shared Chief Executive and Head of Paid Service for Lewes District Council and Eastbourne Borough Council on the agreed terms and conditions. This appointment is to take effect from Monday 18 January 2016.

1 Reasons for Recommendations

- 1.1 At Cabinet meetings on 24 September 2015 (Lewes) and 21 October 2015 (Eastbourne), Members considered a Shared Services Outline Business Case, as set out in an independent report from the Improvement and Efficiency Social Enterprise (iESE). That report had been commissioned by both Authorities to set out the options for the development of shared services and wider integration between Lewes District Council (LDC) and Eastbourne Borough Council (EBC).
- 1.2 Both Cabinets agreed to adopt a strategy for the integration of services across both Councils, and authorised iESE to conduct a more detailed business case to include a project plan and implementation timetable.

- 1.3 The integration of services anticipates the early requirement for a single Chief Executive; this is also recommended by the iESE Shared Services Outline Business Case considered by the Cabinets. Accordingly, an early move to the position of having singular leadership with clarity of purpose to take forward this significant programme of change is necessary, and with this in mind the Council Leaders of LDC (Councillor Andy Smith) and EBC (Councillor David Tutt) instigated a process to enable this to happen.

2 Information

- 2.1 Technical expertise and advice has been sought from a range of sources including the Monitoring Officers of both LDC and EBC, and the already shared Section 151 Officer. Independent HR advice and support has been provided by representatives of the East Sussex County Council HR team.
- 2.2 Each Council's Constitution contains relevant provisions for the appointment to the role of Head of Paid Service. LDC provides for the establishment of an Appointments Committee (currently 7 councillors, nominated by the Group Leaders in accordance with the constitution). EBC provides for the establishment of a Recruitment Panel (at least 6 councillors, nominated by the Group Leaders in accordance with the constitution). Accordingly, both of these groups were formed in order to deal with this process.
- 2.3 From within the nominated members of the above bodies, group leaders appointed a joint working sub-group comprising 3 members from LDC (Leader, Deputy Leader, Leader of the largest Opposition Group) and 3 members from EBC (Leader, Deputy Leader and Leader of the Opposition). This Joint Working Sub-Group was an advisory only group which was initially set up to review and agreed a proposed salary and job description for the new role of Shared Chief Executive and Head of Paid Service, prior to formal consultation commencing with the two current Chief Executives.
- 2.4 The new role of Shared Chief Executive is sufficiently similar to the roles that current Chief Executives occupy now, that both existing roles were in a 'ring fence' position, with the current incumbents eligible to express an interest. Confirmation was given that, in the event both current Chief Executives express an interest in applying, there would be a selection process consisting of an interview and presentation. It is of note that both post holders were previously recruited following external recruitment and a rigorous selection process.
- 2.5 Confirmation was also given that, as there is a reduction of one post, invitations were offered for current post holders to express an interest in voluntary redundancy. In the event one request for voluntary redundancy was received and accepted, the remaining employee would be appointed to the new Shared Chief Executive role, subject to recommendation to respective Full Councils from the LDC Appointments Committee and the EBC Recruitment Panel.
- 2.6 The formal consultation process commenced on 16 November 2015 (Jenny Rowlands) and 18 November (Robert Cottrill), and both parties were asked for their comments on the proposals, including the salary and job description previously endorsed by the Joint Working Sub-Group, with a response deadline of Monday 30 November 2015. [Page 5 of 10](#)

- 2.7 Arising from this consultation, both Chief Executives confirmed that they had no comments on the proposals. Jenny Rowlands also confirmed that she did not intend to apply for the new Shared Chief Executive role.
- 2.8 As required by the respective constitutions, the EBC Recruitment Panel and the LDC Appointments Committee both met (on 14 and 17 December 2015 respectively) to consider the matter. They received a report together with the consultation pack containing information about the salary considerations and benchmarking information regarding regional pay data. As a consequence, and in the knowledge that Jenny Rowlands did not wish to apply for the role, both bodies passed the following resolutions:
1. That the proposed salary and job description of the new role of Shared Chief Executive and Head of Paid Services be approved.
 2. That the redundancy situation for Jenny Rowlands be noted
 3. That Full Council be recommended to confirm the appointment of Robert Cottrill as new Shared Chief Executive and Head of Paid Service.

NOTE: The full minute of the LDC Appointments Committee is appended to this report.

- 2.9 The power to approve the appointment of Head of Paid Service sits exclusively with Full Council. The appointment of a joint Head of Paid Service will require the approval of both LDC and EBC Full Councils, voting as separate entities, on the recommendation from the separate LDC Appointments Committee and EBC Recruitment Panel. Thus, to make the appointment valid, both Councils will need to approve the appointment. An extraordinary meeting of the Full Council in Eastbourne was held on 13 January 2016.

Legally binding contractual commitments relating to Jenny Rowlands are redundancy pay and 3 calendar months' notice. Jenny Rowlands has indicated a desire to work through the full notice period. As Jenny Rowlands did not wish to be considered for this post, formal notice of redundancy was given on 18 December 2015 (the day after the meeting of the LDC Appointments Committee) and, thus, employment will cease on 17 March 2016.

Financial Appraisal

- 1 The main financial implication relates to the redundancy payment for Jenny Rowlands. This is a contractual payment which must lawfully be paid.
- 2 In relation to the financial implications of the new Shared Chief Executive role, the estimated combined savings to Eastbourne Borough and Lewes District Councils is over £80,000 per annum.

Legal Implications

The Legal Services Department has made the following comments:

- 3 Staffing – the implication of this process is the deletion of the two existing Chief Executive roles, the creation of one Shared Chief Executive role, and therefore the redundancy of one employee.

Risk Management Implications

- 4 A risk assessment checklist has been completed from which it was ascertained that there were no risks associated with the recommendations set out in this Report.

Equality Screening

- 5 An initial assessment has not highlighted any potential equalities issues.

Background Papers

- 6 The background papers used in compiling this report were as follows:

Consultation Document re Proposed Shared Chief Executive for Eastbourne Borough and Lewes District Councils.

Report to Joint Working Sub Group 'Consideration of Salary for new role of Shared Chief Executive for EBC and LDC'.

Appendices

- 7 Minutes of Appointments Committee meeting – 17 December 2015.



Lewes District Council

Appointments Committee

Minutes of a meeting of the **Appointments Committee** held in the **Telscombe Room, Southover House, Southover Road, Lewes** on **Thursday, 17 December 2015** at 5.30pm

Present:

Councillor A Smith (Chair)

Councillors P Gardiner; E Merry; R O’Keeffe; S Osborne; J Peterson; and T Rowell.

Minutes		Action
1	Chair of the Appointments Committee <u>Resolved:</u> 1.1 That it be noted that Councillor A Smith is the Chair of the Appointments Committee.	CMT
2	Confirmation of Minutes The Committee considered the procedure for confirming and signing the Minutes of this meeting. <u>Resolved:</u> 2.1 That the Minutes of this meeting be circulated to Members of the Appointments Committee and be signed by the Chair in light of any comments on their accuracy that are received by 9.00am on Monday, 4 January 2016.	All Members of the Cttee

3 Urgent Items

The Chair advised that he had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972, that Report No 181/15 entitled "Appointment of Shared Chief Executive and Head of Paid Service", be considered as a matter of urgency in order that the Committee could take its decisions based on the most recent information which was available.

4 Exclusion of the Public and Press

Resolved:

4.1 That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the Public and Press be excluded from the meeting during the discussion of Report No 181/15 entitled "Appointment of Shared Chief Executive and Head of Paid Service", as there is likely to be a disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act namely: Information relating to any individual; Information which is likely to reveal the identity of an individual; and Information relating to the financial or business affairs of any particular person (including the authority holding that information).

5 Appointment of Shared Chief Executive and Head of Paid Service

The Committee considered Report No 181/15 which related to the current position regarding the move towards appointing a Shared Chief Executive and Head of Paid Service across both the Council and Eastbourne Borough Council. The Chair introduced to the meeting Greg Nicol, Head of Personnel Advisory, East Sussex County Council, who had provided advice associated with the preparation of the Report.

The Cabinet, at its meeting on 24 September 2015; and Eastbourne Borough Council's Cabinet at its meeting on 21 October 2015, had considered a Shared Services Outline Business Case, details of which were set out in an independent report from the Improvement and Efficiency Social Enterprise (iESE). That report had been commissioned by both Authorities in order to set out the options for the development of shared services and wider integration between the two Councils.

Both Cabinets had agreed to adopt a strategy for the integration of services across both Councils, and had authorised iESE to conduct a more detailed business case to include a project plan and implementation timetable.

The integration of services anticipated the early requirement for a single Chief Executive and, therefore, it was necessary to undertake an early move to the position of having singular leadership with clarity of purpose to

take forward such a significant programme of change.

Technical expertise and advice had been sought from a range of sources, further details of which were set out in paragraph 2.1 of the Report. Furthermore, each Council's Constitution contained relevant provisions for the appointment to the role of Head of Paid Service.

Paragraph 2.3 of the Report set out details relating to the appointment of a Joint Working Sub-Group which had an advisory role to review and agree a proposed salary and job description for the new role of Shared Chief Executive and Head of Paid Service. Further details relating to the process which had been undertaken in respect of the proposed appointment were set out in the Report.

Resolved:

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| <p>5.1 That the salary range for the new role of Shared Chief Executive and Head of Paid Service, be as set out in the final paragraph of section 4 of the document entitled "Consideration of Salary for new role of Shared Chief Executive for Eastbourne Borough Council and Lewes District Council", as appended to Report No 181/15;</p> | HOD |
| <p>5.2 That the job description of the new role of Shared Chief Executive and Head of Paid Service, be as set out at Appendix A to the document entitled "Consideration of Salary for new role of Shared Chief Executive for Eastbourne Borough Council and Lewes District Council"; and</p> | HOD |
| <p>5.3 That the redundancy situation for Jenny Rowlands be noted.</p> | |

It was further

Recommended:

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|---|---------------------|
| <p>5.4 That Robert Cottrill be appointed as new Shared Chief Executive and Head of Paid Service.</p> | HOD
(to
note) |
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The meeting ended at 5.44pm

A Smith
Chair