

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
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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.

- 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.