

# Agenda

## Employment panel

Date: **Tuesday 27 October 2020**

---

Time: **2.30 pm**

---

Place: **Online meeting only**

---

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

**Sarah Buffrey, democratic services officer**

Tel: 01432 260176

Email: [sarah.buffrey@herefordshire.gov.uk](mailto:sarah.buffrey@herefordshire.gov.uk)

---

If you would like help to understand this document, or would like it in another format, please call Sarah Buffrey, democratic services officer on 01432 260176 or e-mail [sarah.buffrey@herefordshire.gov.uk](mailto:sarah.buffrey@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the meeting of the Employment panel**

## **Membership**

**Chairperson**            **Councillor David Hitchiner**  
**Vice-Chairperson**   **Councillor Ellie Chowns**

**Councillor Tony Johnson**  
**Councillor Liz Harvey**  
**Councillor Terry James**

## Agenda

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive any apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b> To receive details of any member nominated to attend the meeting in place of a member of the panel.	
<b>3. DECLARATIONS OF INTEREST</b> To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
<b>4. MINUTES</b> To approve and sign the minutes of the meeting held on 9 September 2020.	9 - 10
<b>5. QUESTIONS FROM MEMBERS OF THE PUBLIC</b> To receive any written questions from members of the public. Details of the scheme and related guidance are available here: <a href="https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved">https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved</a> Please submit questions to <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a> The deadline for the receipt of questions is Wednesday 21 October at 5.00 pm. Accepted questions will be published as a supplement prior to the meeting.	
<b>6. QUESTIONS FROM COUNCILLORS</b> To receive any written questions from councillors. Please submit questions to <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a> The deadline for the receipt of questions is Wednesday 21 October at 5.00 pm. Accepted questions will be published as a supplement prior to the meeting.	
<b>7. CHIEF EXECUTIVE RECRUITMENT</b> To approve the role profile and recruitment plan for the post of chief executive. To discuss the remuneration for the post and if any changes to the current salary package are recommended to make those recommendations to full council.	11 - 18



## The Public's Rights to Information and Attendance at Meetings

*Due to the current COVID-19 pandemic Herefordshire Council will be holding remote meetings in accordance with the latest regulations<sup>1</sup>. Details of how to observe virtual meetings are set out below. Access to agenda, minutes, decision notices and other documents will be via the Herefordshire Council website or by contacting the Governance Support Team on 01432 260201 / 261699 or at [governancesupportteam@herefordshire.gov.uk](mailto:governancesupportteam@herefordshire.gov.uk)*

### YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

### Observing meetings

Meetings will be streamed live on the Herefordshire Council YouTube Channel at <https://www.youtube.com/HerefordshireCouncil>. The recording of the meeting will be available shortly after the meeting has concluded.

---

<sup>1</sup> The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

## **Recording of this meeting**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council is making an official recording of this public meeting. These recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

**The Seven Principles of Public Life  
(Nolan Principles)**

**1. Selflessness**

Holders of public office should act solely in terms of the public interest.

**2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**6. Honesty**

Holders of public office should be truthful.

**7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.





## Minutes of the meeting of Employment panel held at Online meeting only on Wednesday 9 September 2020 at 9.30 am

**Present:** Councillor David Hitchiner (chairperson)

**Councillors:** Ellie Chowns, Liz Harvey and Terry James

**Officers:** Assistant director, people and Interim Head of Legal Services

### 31. APOLOGIES FOR ABSENCE

Councillor Anthony Johnson.

### 32. NAMED SUBSTITUTES (IF ANY)

None.

### 33. DECLARATIONS OF INTEREST

None.

### 34. MINUTES

The minutes of the meeting held on 12 August 2020 were approved and signed by the chairperson.

### 35. QUESTIONS FROM MEMBERS OF THE PUBLIC

None.

### 36. QUESTIONS FROM COUNCILLORS

None.

### 37. EMPLOYMENT MATTER

**RESOLVED:** that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**2 Information which is likely to reveal the identity**

The employment panel discussed the employment matter.

**RESOLVED**

**that arrangements for the employment matter be agreed.**

The meeting ended at 10.19 am

**Chairperson**



<b>Meeting:</b>	<b>Employment panel</b>
<b>Meeting date:</b>	<b>Tuesday 27 October 2020</b>
<b>Title of report:</b>	<b>Chief Executive Recruitment</b>
<b>Report by:</b>	<b>Assistant Director, People</b>

## Classification

Open

## Decision type

This is not an executive decision

## Wards affected

All wards

## Purpose

To approve the role profile and recruitment plan for the post of chief executive. To discuss the remuneration for the post and if any changes to the current salary package are recommended to make those recommendations to full council.

## Recommendation(s)

That:

- (a) Recruitment for the post of chief executive is initiated in line with the estimated timescales set out in 5 below
- (b) The Employment panel approve the role profile in appendix A
- (c) The Employment panel endorses the recruitment plan and delegates long listing to the Assistant Director, People
- (d) The Employment panel considers the remuneration for the post of chief executive and if the panel wish to make any changes to the salary package, the panel makes a recommendation to council.

## Alternative options

1. Not to recruit a substantive chief executive at this time and instead retain the current acting arrangements of having two acting deputy chief executive roles for an extended period of time. This option is not recommended because the current arrangements are designed to be a temporary holding position and it is important the council has consistent and effective strategic leadership in place.
2. To consider alternative models of leadership for the council. Whilst most local authorities appoint a chief executive it is not a statutory requirement to do so. It is a statutory requirement to designate one post holder as the head of paid service and whilst this is usually the chief executive, it doesn't have to be.

There are examples in other councils where alternative models of leadership have been put in place. These include rotating the role of chief executive between some or all of the directors, appointing a managing director or having no chief executive at all.

The vast majority of local authorities that have implemented alternative models have done so without success and have reverted to a chief executive model at the first opportunity. Notwithstanding the experiences of other local authorities, a fundamental change to the leadership model in Herefordshire would be costly, time consuming and potentially destabilising at a time when effective and consistent leadership is critical. The above options for replacing a traditional chief executive role are therefore not recommended.

## Key considerations

3. The council's chief executive will be retiring in early 2021 and in accordance with the council's constitution, the employment panel is responsible for making a new appointment.
4. The chief executive is a critical role for the council and to ensure that the right candidate is found it is recommended that a special employment agency with the necessary skills, networks and resources to 'head hunt' a field of qualified candidates is engaged to undertake the search. The agency will be procured in line with the council's contract procedure rules through the council's procurement portal.
5. It is proposed that employment panel delegates the longlisting for this role to the Assistant Director, People in conjunction with the specialist agency. Employment panel will undertake shortlisting and final selection and a proposed timeframe in which an appointment can be made is below.

Date	Action	By Whom
w/c 2 November	Select and brief agency	AD People - select agency AD People & Leader - brief agency
9- 30 November	Candidate search	Agency
w/c 7 December	Longlisting	AD People and agency
w/c 14 December	Shortlisting	Employment Panel
w/c 4 January	Selection process	Employment Panel
w/c 11 January	Approval of Employment Panel's recommended candidate	Full council

6. The remuneration for this post is currently set at £155,022 and this salary has been approved by full council in the pay policy statement in February 2020. In accordance with the Localism Act 2011 and the council's constitution, any new salary packages over £100,000 must be agreed by full council. Employment panel are free to keep the salary package the same as it is now or to recommend an alternative salary package to full council if they deem it appropriate to do so.
7. It is usual for the head of paid service to be the chief executive and this report assumes that this will continue to be the case. The Council also needs to nominate a returning officer for local and parliamentary elections and again not mandatory, the report assumes that the chief executive will fulfil these. These roles can attract separate fees, which have been taken into account in determining the overall remuneration package recommended for the role.
8. To support employment panel in their considerations, a salary benchmarking exercise has been undertaken on behalf of the council by West Midlands Employers. For benchmarking purposes equivalent county councils have been considered as equivalent in service provision and structure. There are 15 equivalent county councils and in summary that pay benchmarking exercise found:
  - The mean average of salaries within the group is £167,451 and the median is £180,000
  - The current salary for Herefordshire Council's chief executive is in the lower quartile.
  - The relative size of Herefordshire council in terms of headcount and budget is also in the lower quartile.
  - The recommendation of the pay benchmarking is therefore that the current salary is proportionate and appropriate.

- However, Herefordshire Council's chief executive is also undertakes shareholder responsibilities for Hoople Ltd on behalf of the council. This function was found to be unique among the benchmarked organisations and therefore no account for this has been made in the recommended salary.

## Community impact

9. In accordance with the adopted code of corporate governance, Herefordshire Council needs appropriate structures and leadership, as well as people with the right skills, qualifications and mind-set, to operate efficiently and effectively. The council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies.
10. The post holder provides strategic leadership to council services and has a key leadership role in Herefordshire, regionally and nationally. Without effective leadership, outcomes for communities and individuals in Herefordshire could be adversely affected.

## Environmental Impact

11. The chief executive has overall responsibility for the delivery of the county plan and corporate delivery plan and the inherent environmental objectives and outcomes within these plans.

## Equality duty

12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
13. The council's policies in relation to job evaluation and recruitment and selection pay full regard to the council's responsibilities as set out in the public sector equality duty.

## Resource implications

14. The establishment budget is available for this post and any appointment will be made within this budget.
15. The gross salary for this post is currently £155,022, and notwithstanding the employment panel's right to recommend an alternative salary package to full council, the salary costs will be met from within the exiting directorate revenue budget.

16. The additional costs for recruiting to the post are estimated to be £25,000 and this cost will be met from within the directorate's existing budget.
17. The financial estimates below are based on the assumption that a new appointee will need to give notice to their current employer and will not be available to start with Herefordshire until April 2021. At the time of writing this report it is not known what salary package employment panel will recommend and for the purpose of completing the table below it is assumed the salary package will be unchanged.

Revenue budget implications	2020/21	2021/22	Future Years	Total
	£000	£000	£000	£000
Salary	0	155	155	310
Specialist recruitment agency	25	0	0	25
<b>TOTAL</b>	<b>25</b>	<b>155</b>	<b>155</b>	<b>335</b>

## Legal implications

18. The council is required by the Local Government and Housing Act 1989 to appoint one of its officers as head of paid service. It is usual, although not mandatory for the head of paid service to be the chief executive and the report assumes that this will continue to be the case.
19. The council also needs to nominate a returning officer for local and parliamentary elections and while this is again not mandatory, the report assumes that the chief executive will fulfil this roles.
20. The council must comply with the provisions of s40 of the Localism Act 2011 in relation to pay and any new salary packages above £100,000 , which must be recommended to full council for approval.
21. In accordance with the council's constitution part 4 section 9, an offer of appointment for the post of chief executive and head of paid service, cannot be made until the appointment has first been approved by full council.

## Risk management

22.

Risk / opportunity	Mitigation
--------------------	------------

The council will not be able to recruit a new chief executive.

This risk has been mitigated by proposing a specialist recruitment agency is engaged to undertake a national search for the right candidate.

## **Consultees**

23. None

## **Appendices**

Appendix A – Draft chief executive role profile

## **Background papers**

None



## Role profile: Chief Executive

### Role purpose

To provide strategic leadership to the council, ensuring that the policy objectives and priorities of the administration are put into operation by the council as efficiently, effectively and economically as possible. Through leadership and development of strategic partnerships across Herefordshire and beyond, ensure the development of shared commitment and capacity to provide high quality public services to people living and working in, or visiting, Herefordshire.

### Accountabilities specific to this role

1. Support Members by providing the highest quality advice and guidance on all relevant matters relating to the council's functions and services. Ensure members are appraised about issues to enable informed decision making in line with the council's vision and ensuring high standards of internal governance so that policies are agreed and implemented.
2. Working with the Leader of the Council develop an effective collaborative working relationship between the organisational and political structures of the Council and provide an appropriate framework to act as a focal point for Member and management input on policy issues
3. Working with the Leader of the Council and elected members, lead the development of strategies to deliver the policies set by elected councillors, ensuring all staff understand and act on the aims of the organisation, in order to improve the health and wellbeing of the people of Herefordshire.
4. Take lead responsibility for the overall corporate and operational management of the council, monitoring performance against plans to ensure effective and efficient delivery of services to the highest standards, including financial, performance, risk, people and change management. This includes performing the statutory role of 'head of paid service'.
5. Provide an inspiring and dynamic approach to enable the opportunities brought about by the continuing process of change to be identified and managed and the new challenges to be met through creative and innovative solutions.
6. Develop and review the organisation of resources, partnership arrangements and practices to ensure effective and efficient delivery of services.
7. Provide strong, visible leadership and direction through compelling communication of the vision and values of the organisation. Effective delegation to the council's senior team enabling them to empower others to achieve results.
8. Create and manage effective partnerships with a broad range of stakeholders, building support among them in order to deliver better public services and improved results for local people.
9. Represent the organisation, its aims and achievements to stakeholders locally, regionally and nationally.
10. Forge a broad network of contacts across the public and private sector to maintain awareness of best practices and initiatives, adapting them for use within the council to create efficiencies and cost savings.
11. Manage relationships with partnerships and providers ensuring that services designed and shaped by commissioners are effectively planned and put into operation.
12. Effectively respond to challenges and identify opportunities for service improvement, redesign and development regarding the alignment of services with community and customer expectations. Seek greater synergies and alignment between county wide (Place) and local initiatives through service delivery models that reflect the composition of Herefordshire's localities and the relative strengths of service providers.
13. Provide first class inspirational leadership to the council by creating the working environment where employees can deliver their best. Pro-actively manage the culture & values of council by being a respected role model and leader. Set and manage ambitious performance expectations for everyone recognising excellence and challenging those who under-perform or seek to threaten new ways of working. Create an environment where learning, innovation and the application of new ideas flourish resulting in significant improvements to service delivery.

**Statutory Duties**

- The post holder fulfils the statutory functions of Head of Paid Service
- The post holder is the council's designated Proper Officer for all statutory 'proper officer' functions
- The post holder fulfils the functions of Electoral Registration Officer and Returning Officer/Acting Returning Officer (these functions are fulfilled independently of the Council)
- The post holder fulfils the functions of Clerk to the Lieutenancy

**Council Values:**

Put PEOPLE at the heart of everything we do:

- People – treating people fairly, with compassion, respect and dignity
- Excellence – striving for excellence and the appropriate quality of service, care and life in Herefordshire
- Openness – being open, transparent and accountable
- Partnership – working in partnership, and with all our diverse communities
- Listening – actively listening to, understanding and taking into account people's views and needs
- Environment – protecting and promoting our outstanding natural environment and heritage for the benefit of all.

**Council Behaviours:**

Demonstrate and embed our values through the council's behaviours:

- **focusing on what we are achieving** not where and when we are working
- developing and implementing **processes that work for our businesses and residents**
- **looking to continuously improve** and making changes as a result
- **working together across the organisation** to deliver the best possible outcomes for residents
- **treating one another with respect** –recognising and valuing differences
- taking **personal responsibility** for our own development and for our personal performance
- **holding one another to account** for what we do and how we do it, **balancing support and challenge**
- ensuring our decision making is seen as **transparent** and shows **clear accountability**

**Skills, knowledge and experience**

- Substantial record of senior strategic leadership achievement and experience, consistently developing strategies and translating them into effective operational plans.
- The ability to work effectively and impartially with elected members in supporting the democratic decision making process.
- A successful track record of forging and maintaining working partnerships with communities to ensure the development, design and delivery of services that reflects their needs.
- Experience of successful management and implementation of complex policy issues, leading organisational and/or cultural change in order to achieve successful outcomes.
- An unquestionable record of delivering results through others.
- An excellent professional and developmental record that is business management focused.
- A leader who engages and enables others to deliver their best.
- Able to communicate a compelling vision to key stakeholders internally and externally to achieve operational outcomes.
- Business acumen from creating a commercial environment where the management of cost and customer satisfaction are both paramount.
- A collaborator who can develop relationships with senior stakeholders and politicians to generate a return for the organisation and its customers.
- Literate in information and communications and digital technologies.
- Commitment to, and ability to visibly demonstrate the council's behaviours.
- A strong commitment to furthering the interests of the rural county of Herefordshire

**Employees and culture**

- Employee engagement
- Working climate
- New ideas implemented
- Behaviours embedded

**Relationships**

- Policy influence
- Partner feedback
- Member feedback
- Reputation

**PERFORMANCE MEASURES**
**Customer Service**

- Peer and member feedback
- Customer satisfaction/ service quality
- Quality of life in County

**Value for Money**

- Cost reduction
- Service delivery and improvement