

**Title:** Appointment of Senior Officers

**Lead Officer:** Graham Leach [graham.leach@warwickdc.gov.uk](mailto:graham.leach@warwickdc.gov.uk)

**Portfolio Holder:** Councillors Andrew Day

**Wards of the District directly affected:** None

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### **Summary**

This report brings forward proposals to end the Joint Appointments Committee between Stratford-on-Avon (SDC) and Warwick District Councils (WDC) and provide appropriate delegated authority for Warwick District Council to make these appointments.

### **Recommendations to Council**

That Council agrees as set out below:

- (1) The Monitoring Officer notifies Stratford-on-Avon District Council of its immediate withdrawal from the Joint Appointments Committee, as there will be no shared Senior Officers
  - (2) The remit of the Employment Committee be amended to include:
    - (a) To agree the procedures for the appointment to any roles listed in (b)
    - (b) To appoint Deputy Chief Executive, Programme Director for Climate Change and Heads of Service ("Chief Officers") in line with adopted procedures; and
    - (c) To recommend to Council the appointment of the Head of Paid Service, Monitoring Officer or Chief Finance Officer in line with adopted procedures.
  - (3) The procedure as set out at Appendix 1 to the report be adopted for the recruitments delegated in (2);
  - (4) The Employment Committee be directed that for all posts, except the Head of Paid Service, it should establish a Sub-Committee of three Councillors to undertake the recruitment process;
  - (5) All members of the Employment Committee must have undertaken appropriate training on recruitment and selection, prior to participating in a recruitment process;
  - (6) To approve delegated authority to the Chief Executive to appoint to any Chief Officer (less Head of Paid Service) for a period of up to 24 months, following consultation with the Leader and Chairman of Employment Committee, without the need for interviews by Sub-Committee.
  - (7) To authorise the Monitoring Officer to update the Constitution, including any consequential amendments required as a result of the above, accordingly.
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## **1 Background/Information**

- 1.1 In February 2022 Warwick District Council had agreed to a Joint Appointments Committee with Stratford-on-Avon District Council for the recruitment to Chief Officer Posts.
- 1.2 In April the Leader made a public statement that there were irreconcilable differences with Stratford-on-Avon District Council and the proposed merger

with them would not be progressing, including having a shared Management Team. After this as required by Council Procedure Rules, a notice of Motion was received, by the Chief Executive, supported by 10 Councillors, to rescind the decision in February to create a Joint Appointments Committee and the Joint Appointments Sub-Committee.

- 1.3 The recommendations set out in the report would bring the Council back to the position it was in prior to the Joint Appointments Committee.
- 1.4 The procedure appended to the report, was revised as part of the Joint Committee arrangements to enhance and clarify the process and these changes have been retained within it.
- 1.5 There has been a further change to the procedure in respect of section 3 "Advertising & Information Packs". This read "Therefore, staff "at risk" are provided with the opportunity to apply for Head of Service positions prior to external advertising". This has been amended to "apply or could be offered the post as "suitable alternative employment", which aligns with the Redeployment Policy and Procedure which applies to all employees within the Council.

## **2 Alternative Options available**

- 2.1 The Council could decide to delegate these responsibilities to other Committees, excluding the Cabinet because this is not permitted by law, or delegate the responsibility to officers. However, considering the Chief Officer roles within the Council it is considered appropriate for the appointments to be made by members.

## **3 Consultation and Members' comments**

- 3.1 The Leader, Deputy Leader (Portfolio Holder for Transformation & Resources) and Chairman of Employment Committee have all been consulted on the report and support its proposals.

## **4 Implications of the proposal**

### **4.1 Legal/Human Rights Implications**

- 4.1.1 The proposal recovers the rights to decision making that had been transferred to the Joint Appointments Committee. In the original agreement there was no requirement to provide notice of withdrawal from the Joint Appointment Committee only for the Joint Cabinet Committee. Therefore this notice should not be challenged by Stratford-on-Avon District Council

### **4.2 Financial**

- 4.2.1 The adoption of the report will have no direct budgetary implications for the Council.

### **4.3 Council Plan**

- 4.3.1 In respect of the WDC Business Plan, the report only impacts on the internal elements of People – Effective Staff. In respect of People – Effective Staff, the report brings forward proposals for a more recruitment process and one which enables Councillors to have a direct input.

### **4.4 Environmental/Climate Change Implications**

- 4.4.1 There are no direct implications at present.

**4.5 Analysis of the effects on Equality**

4.5.1 The report is about decision-making for Chief Officer appointments and therefore does not directly impact on any protected characteristics.

**4.6 Data Protection**

4.6.1 There are no direct implications at present.

**4.7 Health and Wellbeing**

4.7.1 There are no direct implications at present.

**5 Risk Assessment**

5.1 These proposals bring forward robust arrangements that were previously in place and therefore there are no significant risks associated with them.

**6 Conclusion/Reasons for the Recommendation**

6.1 The proposals provide an important step in the Council having appropriate procedures in place.

**Background papers:** None

**Supporting documents:** None

### Report Information Sheet

Please complete and submit to Democratic Services with report

<b>Committee / Date</b>	Council 11 May 2022	
<b>Title of report</b>	Appointment of Senior Officers	
<b>Officer / Councillor Approval *required</b>	<b>Date</b>	<b>Name</b>
<b>Ward Members(s)</b>		
<b>Portfolio Holder</b>	2/5/2022	Andrew Day Richard Hales
<b>Financial Services *</b>		
<b>Legal Services</b>		
<b>Other Services</b>		
<b>Chief Executive</b>	28/4/22	Chris Elliott
<b>Head of Service(s)</b>	28/4/22	Tracy Dolphin
<b>Section 151 Officer</b>		
<b>Deputy Monitoring Officer</b>	28/4/22	Graham Leach
<b>CMT (WDC)</b>		
<b>Leadership Co-ordination Group (WDC)</b>		
<b>Other organisations</b>		
<b>Final decision by this Committee or rec to another Cttee / Council?</b>	Yes	
<b>Contrary to Policy / Budget framework?</b>	No	
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>	No	
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>	No	
<b>Accessibility Checked?</b>	Yes	

### Process for the Recruitment of a Chief Officer

This policy applies to JNC Heads of Service, Deputy Chief Executives, Programme Director for Climate Change and Chief Executive.

The policy refers to the Chief Executive but this role may be fulfilled by a Deputy Chief Executive.

Where the procedure below refers to the Sub-Committee this will be replaced by the whole Committee when recruiting to the position of Chief Executive/Head of Paid Service.

When recruiting to the Role of Chief Executive/Head of Paid Service no Officer from either Council will be present during interviews, with exception of the Head of People & Communications and Monitoring Officer (or appointed deputies if they are unavailable or candidates) will be available to Members.

Contents:

1. The decision to recruit
2. The recruitment timetable
3. Advertising and information packs
4. Longlisting
5. The first interview
6. Selection tests
7. Shortlisting
8. The final interview
9. Making the decision
10. The job offer
11. Induction
12. Feedback to Candidates
13. The legal and policy framework

#### **1. The Decision to Recruit**

As part of overall organisational development and recruitment processes all vacancies including those of Chief Officer level are reviewed to align with the needs of the organisation and the structure that support this. The Chief Executives will consider these points, in deciding whether or not to recommend to Group Leaders and the Chair of Employment Committee that a vacant senior post should be filled.

#### **2. The Recruitment Timetable**

Once the decision is taken to recruit a Head of Service the process is organised by HR. They will produce a timetable to ensure that there is sufficient time to ensure the administration required runs smoothly.

It is vital that Members on the Sub Committee respond as soon as possible to requests for availability and consider who will be their substitute, who has to be a member of the Employment Committee from the respective Council, if they are not available for the process.

The final interviewing panel will consist of trained Members that participated in the shortlisting panel. Each stage of the selection process will be a separate meeting.

### **3. Advertising & Information Packs**

The Council seek to maximise the opportunities for alternative careers for employees facing potential job loss through redundancy. The highest priority will be given to maintaining the security of staff as it is Council policy to avoid redundancy wherever possible. Therefore, staff "at risk" are provided with the opportunity to apply or could be offered the post as "suitable alternative employment" for Chief Officer positions prior to external advertising. This aligns with the Redeployment Policy and Procedure which applies to all employees within the Council. If recruitment is not successful via those at risk, then wider advertising can be used. The main method of which is through the Council's web page. In addition other external methods may be used; these could include a specialised publication relevant to the service.

Advertising attracts a significant cost and it is important to monitor the response rate to different media to ensure that the right mix is being used; HR in conjunction, where relevant with external support will ensure a diverse range of publications and blended approach is applied and analysed for response rates.

Members need to be aware of the dangers of canvassing from any potential applicants; this would disqualify the applicant and could be a breach of the Code of Conduct for Members.

The Portfolio Holder may attend every stage of the recruitment process to listen to the discussions and will provide their view of the candidates at the shortlisting and final interview stages. However they will not form part of the decision making Sub-Committee, unless duly appointed by the relevant Committee as a member of that Sub-Committee. If they do not form part of the Sub-Committee written authority must be received from the Chairman of the Sub-Committee to attend.

### **4. Long Listing**

This is the first stage of the selection process where the applications that have been received are matched against the person specification for the job. The candidates who demonstrate the closest match to the person specification will be invited for a screening interview. Where more than 20 candidates match the essential criteria those matching the essential criteria will then be assessed against the desirable criteria with no more than 20 candidates progressing to the next stage.

However any applicant who has declared a disability and who meets the essential criteria will automatically be included in the longlisting process.

If four, or less, applications are received a decision may be made, by the Chief Executives, to forgo the longlisting and first interview stage and proceed directly to the shortlisting stage.

Long-listing will take place as soon as possible following the closing date for applications. This first stage of selection is carried out by a panel that consists of the Chief Executives, a Deputy Chief Executive and the Head of People & Communications. The panel may also be joined by an independent specialist advisor.

When the recruitment is to the role of the Head of Paid Service the decisions in respect of Long Listing will be taken by the Employment Committee with support from external independent advisors.

## **5. The First Interview**

This is conducted by the panel who undertook the long-listing. The purpose of this interview is to check the application and measure the candidate's qualifications, achievements and experience against the person specification. At this stage any candidates will be assessing whether the Council offers the opportunities and challenges that they are looking for. The Longlisting process must of course remain free of bias or discrimination and the decision not to invite a candidate for interview must be objectively justified.

## **6. Selection Testing**

Selection tests may be used to support the information gained from the first interview. They are designed to further test the criteria required by the person specification and job description and to provide candidates with the opportunity to demonstrate their skills in different ways.

The types of tests that can use include: numerical and verbal reasoning, in-tray exercises, group exercises, written questions, behavioural assessments and presentations.

## **7. Short-Listing**

It is the role of the Chief Executives and Head of People & Communications to guide and advise Members in relation to the shortlisting and interview process.

A short-listing meeting will be arranged as soon as possible after the first interviews. This will be in the form of a meeting of the Sub-Committee, of three members from each Council appointed by their appropriate Committee; this is a private meeting with the need for a published agenda.

The results from the first interviews will be fed back to the meeting by the long listing Panel.

At this stage the Sub-Committee will receive copies of the application forms for those candidates who have been put forward from the first interview. Members will also receive the job description and the person specification. It is the role of Members to read the applications and familiarise themselves with the candidates who have applied and consider any questions they want to raise at the short-listing meeting.

The aim at this session is to decide which, if any, candidates are suitable to go forward to the final stage of the process. The decision must be made on

demonstrable evidence taking all the information that has been gathered into account.

Members must only shortlist those candidates who have demonstrated the ability to meet all the requirements of the job. In senior level recruitment this often comes down to no more than three or four candidates. It is at this stage that members need to decide candidates to continue with the process.

Members will keep the copies of the applications for the shortlisted candidates to bring with them on the final interview day. Applications must be kept securely during this period as they contain personal data. The unsuccessful candidates' forms must be handed in to HR so that they can be destroyed appropriately

Following the short-listing meeting, HR will produce a timetable for the final interview day depending on the number of candidates chosen.

## **8. The Final Interview**

The final interview will be a separate meeting of the Sub-Committee. This is a private meeting with a published agenda.

The membership of the Sub-Committee will be those who sat on the shortlisting. The Chair appointed by the Councillors on the Sub-Committee, will be responsible for ensuring that the interviews run to schedule.

The interview may include a presentation to the Sub-Committee. The Chief Executive, Head of People & Communications and independent advisor will also be present to provide advice.

The Head of People & Communications with support from the independent advisor will supply a list of suggested questions that the Sub-Committee can choose from and agree in advance of the interviews, who will ask which question; they will also receive a scoring sheet for summarising the assessments.

The interviews will normally start with the candidate's presentation after which the Sub-Committee may ask questions on the presentation. This is followed by an interview with all Sub - Committee members asking questions. The purpose of the questions is to draw out the candidate's skills, knowledge and experience and ask them to demonstrate how they match to the requirements of the job.

The questions are deliberately the same to all candidates to ensure consistency and fairness although Members can ask supplementary questions to follow through any points which have been made by the candidate or to encourage them to expand their answer. There may also be further questions designed specifically for the candidate based on any feedback from tests completed prior to the interview

Members should have in mind the range of answers they would expect to their question and any key points they would expect the candidates to bring out. Conducting interviews is a mentally demanding activity. You will need to concentrate throughout a series of interviews and at the same time make



enough notes to be able to mark each candidate against the criteria for the position

It is strongly recommended that notes are made during the interviews and the scoring takes place at the end of each interview, time for which is allowed in the timetable. Please make sure you write the name of the candidate on any notes that you make which will form part of the final paperwork.

All paperwork must be passed back to the Head of People and Communications at the end of the final interview day for filing or shredding as necessary.

## **9. Making the Decision**

At the end of the interview the Chair will allow time for final reflection on the candidate (s) and then invite discussion from all Sub-Committee members on each candidate in turn. The Chief Executive/HR or Independent advisor will remind the Sub-Committee of the results from the first interview stage so that these can be considered as part of the final decision.

The aim is to appoint the best candidate for the job. If this falls short of the expected standard, Members should decide not to make an offer.

The selection process is designed to help members identify potential for development as well as suitability for the job.

Members can decide to have a second choice if the first candidate offered the post does not accept it. This decision will be made on the merit of the applicants.

## **10. The Job Offer**

Candidates are not expected to wait too long for the outcome of the interview.

Prior to the offer being made the Chief Executive or the Head of People and Communications will write to the Cabinet to inform them of the proposal to appoint and give them a specified period (no more than 36 hours) in which to inform the Leader of the Council if they have any objections to the appointment. The Leader will consult the Cabinet on this and provide a response. This is a requirement of the Local Authorities (Standing Orders) (England) Regulations 2001 for councils operating executive arrangements.

If no objections are made the successful candidate will be contacted , by the Chief Executive or the Head of People and Communications. They will then inform the Sub-Committee and Cabinet of the decision.

It should be noted that in respect of the appointments to one of the three statutory roles, it needs to be made clear that the offer is subject to confirmation by Council.

A written offer of employment will be prepared by HR subject to pre-employment checks (for external candidates).

## **11. Induction**

The appointment will be announced via an email from the Chief Executive, Leaders and Chairman of the Sub-Committee to all Councillors and on the intranet. For certain positions the Councils strategic partners would also be informed.

It is quite likely that external appointees may have to give up to three months notice to their current employers, so it may be some time from the recruitment process to the start date during which Members may hear little or nothing of their new member of staff.

It is also quite common for external appointees to want to familiarise themselves with the Council before they start so they may decide to come to committee or Cabinet meetings as an observer. They may even be able to join training events or be present at significant decision making meetings during their notice period. These will all be part of the transition between one employer and another.

Once the official start date is reached a full induction programme will commence which will involve the new jobholder meeting Members at appropriate times.

## **12. Feedback to Candidates**

This will be given by the Independent Advisor on behalf of the Council on request. Councillors will not give feedback.