

Full Council

14th November 2017



Report of:	Selection Committee
Title:	Designation of Head of Paid Service
Ward:	n/a
Councillor Presenting Report:	Cllr Kye Dudd (Chair of Selection Committee)
Contact Telephone Number:	(0117) 92 22000

Recommendation

That the Head of Paid Service designation be rotated on an interim basis between the current Strategic Directors on a 3 month cycle until a permanent designation is made.

Summary

The report seeks the agreement of the Full Council to the rotational arrangement proposed.

The significant issues in the report are:

- The law requires that the appointment or dismissal of the Head of Paid Service be made by a meeting of the full Council. This includes interim arrangements
- There is no additional remuneration for the role of Head of Paid Service.
- The Head of Paid Service has 3 distinct roles:
 - Decision-maker in relation to posts below deputy chief officer (and responsible officer for the grant and supervision of exemptions from political restriction)
 - Principal advisor to the Council on staffing matters (except in respect of own pay and conditions of service)
 - Consider whether they should issue a formal "Section 4" report to the Council for its consideration regarding the proposals of the Head of Paid Service on how the Council's functions should be co-ordinated, the number and grades of staff required, and how those staff should be organised, appointed and managed.

Policy

1. The Selection Committee is responsible for recommending the appointment of the Head of Paid Service to the Full Council.

Consultation

2. **Internal**
The “Executive Objections Procedure” (Annex 1 to the Officer Employment Rules within the Council’s Constitution) is underway.
3. **External**
Not applicable.

Context

4. The Council is required to appoint a Head of Paid Service.
5. The Head of Paid Service has 3 distinct roles:
 - 5.1. Decision-maker in relation to posts below deputy chief officer (and responsible officer for the grant and supervision of exemptions from political restriction)
 - 5.2. Principal advisor to the Council on staffing matters (except in respect of own pay and conditions of service)
 - 5.3. Consider whether they should issue a formal “Section 4” report to the Council for its consideration regarding the proposals of the Head of Paid Service on how the Council’s functions should be co-ordinated, the number and grades of staff required, and how those staff should be organised, appointed and managed.
6. There is no additional remuneration for the role of Head of Paid Service.
7. Under proposals published on 11th October 2017, all current substantive chief officers and deputy chief officers are subject to a review/re-design of the Council’s management structure.
8. Announcements will be made before the designated person changes so that Full Council will always be clear about who is the Head of Paid Service at any given time

Proposal

That the Head of Paid Service designation be rotated on an interim basis between the current Strategic Directors on a 3 month cycle until a permanent designation is made. See above

Other Options Considered

9. None.

Risk Assessment

10. The risk of not appointing a Head of Paid Service is that the Council will be in breach of a statutory requirement and that decisions regarding the appointment, management and organisation of staff below deputy chief officer will not be taken.

Public Sector Equality Duties

- 11a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.
- 11b) An equality impact assessment has not been undertaken in relation to this proposal because it concerns an individual.

Legal and Resource Implications

Legal

“The Local Authorities (Standing Orders) (England) Regulations 2001 set out the procedure a local authority must follow when appointing its head of paid service. These are mirrored in the Council’s constitution. This report ensures the Council meet its legal requirement to appoint a

Head of Paid Service.”

Advice provided by Husinara Jones (Lawyer (Employment)), 25th October 2017.

Financial

(a) Revenue

“There are no financial implications of this report as there is no change to current pay awarded as a result of this designation.”

(b) Capital

Not applicable.

Advice provided by Kevin Lock (Finance Business Partner), 25th October 2017.

Land

Not applicable.

Personnel

“The personnel implications of this appointment are set out in the report.”

Advice provided by Mark Williams (HR Business Partner), 25th October 2017.

Appendices:

None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.