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## **ESTABLISHMENT OF SENIOR OFFICER APPOINTMENTS PANEL**

To: **General Purposes – 6 July 2012**

By: **Corporate and Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

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**Summary: To request the General Purposes Committee to establish a Senior Officer Appointments Panel.**

### **For Decision**

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#### **1.0 Introduction and Background**

- 1.1 The Council intends to appoint a new Director of Corporate Services and Transformation. This role is defined as a 'Chief or Deputy Chief Officer' role in the Officer Employment Procedure Rules and so to comply with the rules, the appointment must be made by Councillors, i.e. by a Committee or a Sub-Committee of the Council
- 1.2 It is therefore proposed that the General Purposes Committee establishes a Senior Officer Appointment Panel to interview the candidates and make a recommendation on appointment to the General Purposes Committee.

#### **2.0 Senior Officer Appointment Panel**

- 2.1 In accordance with Rule 4 the Council's Officer Employment Procedure Rules the appointment of a Chief or Deputy Chief Officer must be made by Councillors. I.e. by a duly authorised Committee or Sub Committee of the Council. Moreover, in accordance with Standing Order 6 of the Council's Prescribed Standing Orders the appointment of a Chief Officer will be made by the authority itself (i.e. by full Council) unless made a by a duly authorised Committee, Sub Committee or relevant Joint Committee.
- 2.2 The function of appointing Chief Officers or Deputy Chief Officers falls with the terms of reference of the General Purposes Committee and therefore the Committee is a duly authorised Committee within the meaning of Rule 4 of the Officer Employment Procedure Rules and Standing Order 6 of the Council's Prescribed Standing Orders for the purpose of appointing Chief Officers or Deputy Chief Officers.
- 2.3 The Council is under a legal duty to make external appointments on the merits and the objective is therefore to design and conduct interviews in a manner calculated to identify which of the candidates is best meets the key competencies of the role of Director of Corporate Services and Transformation. In reality the General Purposes Committee, acting as a Committee in compliance with, but in reality hampered by, the Council's Procedure Rules on the conduct of business, is unlikely to be an effective forum for securing these objectives. Consequently, it is recommended that the General Purposes Committee establishes a Panel of four senior members to be known as the Senior Officer Appointments Panel tasked by the General Purposes Committee with responsibility for interviewing the candidates and making

recommendations on appointment to the Committee.

- 2.4 If the Committee is minded to establish the Senior Officer Appointments Panel it is recommended that the four members of the Panel are the Leader of the Council, the Deputy Leader of the Council, the Opposition Leader and Opposition Deputy Group Leader. The Panel will be supported in the conduct of its responsibilities by the Chief Executive and the appointed external Recruitment Consultant and in order to accommodate the recruitment timetable it is further proposed that the Senior Officer Appointment Panel meets to conduct interviews on the afternoon of the 11 July 2012.
- 2.5 The Committee is also asked to consider and set the date for a further meeting soon after 11 July in order to consider the recommendations of the Senior Officer Appointments Panel and, all being well, to authorise the Chief Executive to make a conditional or unconditional offer of employment to one of the candidates
- 2.6 Finally, there are two further constitutional requirements that must be observed to enable the Committee to authorise the making of an offer employment to a candidate, Firstly, Standing Order 5 (2) of the Council's Standing Orders relating to Staff prohibits the making of an offer of appointment in respect of a Chief or Deputy Chief Officer unless the proper officer has notified every member of the Cabinet of the person whom the General Purposes Committee is minded to appoint together with other particulars relevant to the proposed appointment and:-
  - 2.6.1 The Leader of the Council has confirmed that neither he or any member of the Cabinet object to the proposed offer of appointment; or
  - 2.6.2 The Leader of the Council has not responded within the time given by the proper officer for objecting to the proposed offer; or
  - 2.6.3 The Leader of the Council indicates there are objections but the General Purposes Committee considers that such objections are not well founded.
- 2.7 Given the proposed composition of the Panel to include the Leader and Deputy Leader, this constitutional requirement is unlikely to be an obstacle to the making of an offer of employment to a suitable candidate.
- 2.8 The second constitutional requirement is that the appointing Committee for a Chief or Deputy Chief Officer must include at least one member who is also a member of the Cabinet. (Rule 4 of the Officer Employment Procedure Rules and Standing Order 4(2) of Standing Orders relating to Staff). That requirement will also be met as the General Purposes Committee includes the Leader and Deputy Leader plus two Cabinet Portfolio holders.

### **3.0 Corporate Implications**

#### **3.1 Financial**

- 3.1.1 There are no direct financial implications of the General Purposes Committee establishing a Senior Officer Appointment Panel.

#### **3.2 Legal**

- 3.2.1 The Council must follow the law and its own procedures as set out in the Constitution when undertaking senior officer recruitment.

### 3.3 Corporate

3.3.1 Corporately the Council could be opened to risk if procedure rules are not followed.

### 3.4 Equity and Equalities

3.4.1 There are no specific equity and equality considerations that need to be addressed in this report.

### 4.0 Recommendation

4.1 That a Senior Officer Appointment Panel be established to interview candidates for the post of Director of Corporate Services and Transformation.

4.2 That the Leader, Deputy Leader, Opposition Group Leader and Opposition Deputy Group Leader be appointed to the Panel; and

4.3 That the Panel makes a recommendation to the General Purposes Committee on which applicant to appoint (if any).

Contact Officer:	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, Ext 7005
Reporting to:	Sue McGonigal, Chief Executive, ext 7002

### **Annexes**

None	
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### **Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
The Constitution of Local Governance for the Thanet District Council	TDC Website, Democratic Services Office

### **Corporate Consultation Undertaken**

Finance	
Legal	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, Ex 7005
Communications	