

# Public Document Pack



## Agenda Supplement

Dear Councillor

### **ORDINARY COUNCIL - WEDNESDAY, 27TH JULY, 2022**

I am now able to enclose, for consideration on Wednesday, 27th July, 2022 meeting of the Ordinary Council, the following reports that were unavailable when the agenda was printed.

<b>Agenda No</b>	<b>Item</b>
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- |     |   |
|-----|---|
| 11. | <b><u>Appointment of Statutory Officer</u> (Pages 3 - 6)</b>          |
| 12. | <b><u>Appointment of Joint Strategic Directors</u> (Pages 7 - 14)</b> |

Yours sincerely

Chief Executive

Encs

19/07/22



<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 27 July 2022
<b>Subject:</b> Appointment of Statutory Officer	<b>Wards Affected:</b> All
<b>Report of:</b> Jonathan Stephenson, Chief Executive	<b>Public</b>
<b>Report Author/s:</b> Name: Jonathan Stephenson; Chief Executive Telephone: 01277 312500 E-mail: jonathan.stephenson@brentwood.gov.uk	<b>For Decision</b>

## Summary

The Council must appoint a Monitoring Officer under s5 Local Government and Housing Act 1989. Ms Amanda Julian, who currently undertakes the role is retiring from the Council on the 31 July 2022. Therefore, the Council needs to appoint one of its officers as the Monitoring Officer in the interim while the process to recruit a replacement is undertaken.

Subject to the appointment of a permanent Monitoring Officer it is recommended that Steve Summers acts as the statutory position of Interim Monitoring Officer.

### **Members are asked to:**

- R1. Confirm the appointment of Steve Summers as Interim Monitoring Officer with effect from the 1 August 2022 until the appointment of a permanent Monitoring Officer.**

## Main Report

### **1. Introduction and Background**

- 1.1 At the Extraordinary Council on 26 January 2022, it was agreed to proceed with appointing Jonathan Stephenson as the Joint Head of Service for the Council and Rochford District Council (RDC).
- 1.2 It was also agreed to the restructure of both the Tier 2 and Tier 3 management structures.

### **2. Issue, Options and Analysis of Options**

- 2.1 Following approval at the Extraordinary Council an internal recruitment process was carried out to the new posts within the Tier 3 structure.

- 2.2 As a result of the internal process the Council will now undertake a future process to recruit to a number of roles at Tier 3. One of which was the Monitoring Officer role.
- 2.3 Members will also note the proposed appointment of the Joint Strategic Directors as set out in Agenda Item No.12 of this agenda.
- 2.4 Pending the appointment of a permanent Monitoring Officer, it is recommended that Steve Summers acts as the statutory position of Interim Monitoring Officer.
- 2.5 The Monitoring Officer may appoint such deputies as necessary for the conduct of the duties provided by the Acts.

### **3. Reasons for Recommendation**

- 3.1 The Council is required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as its Monitoring Officer, to discharge statutory responsibilities relating to the Council's Constitution and arrangements for effective governance. The appointment must be approved by full Council.

### **4. Consultation**

- 4.1 Group Leaders have been consulted on behalf of all Members.

### **5. References to Corporate Plan**

- 5.1 To provide an effective and efficient Council it is important to have transparency in decision making and high standards of behaviour ensured.

### **6. Implications**

#### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Corporate Director of Resources**

**Tel & Email 01277 312500 /**

**[jacqueline.vanmellaerts@brentwood.gov.uk](mailto:jacqueline.vanmellaerts@brentwood.gov.uk)**

There are no known financial implications of making this interim appointment at the time of reviewing this report.

## **Legal Implications**

**Name & Title: Amanda Julian Corporate Director (Law & Governance) and Monitoring Officer.**

**Tel & Email 01277 312500 / amanda.julian@brentwood.gov.uk**

The recommendations within this report are lawful and within the Council's powers and duties. The Council has statutory obligations within an existing legal framework for the appointment of Council officers to a number of specified posts. The recommendations will support the Council in securing compliance with those statutory duties and the effective management of the Council's functions.

The Council has statutory duties under Section 5 of the Local Government and Housing Act 1989, to appoint an officer as Monitoring Officer.

The appointment of the statutory role of Monitoring Officer may only be made by full Council.

The Council must follow the procedures set down in the Constitution for the external recruitment of its Monitoring Officer, regarding advertising the post and interviewing candidates.

## **Other Implications**

None.

### **7. Background Papers**

none

### **8. Appendices to this report**

none

## **Report Author Contact Details:**

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<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 27 July 2022
<b>Subject:</b> Appointment of Joint Strategic Directors	<b>Wards Affected:</b> All
<b>Report of:</b> Jonathan Stephenson, Chief Executive	<b>Public</b>
<b>Report Author/s:</b> Name: Jonathan Stephenson, Chief Executive Telephone: 01277 312500 E-mail: jonathan.stephenson@brentwood.gov.uk	<b>For:</b> Decision

## Summary

To confirm the appointment of joint Strategic Directors for the Council and Brentwood Borough Council.

At an Extraordinary meeting on 26 January 2022 (the “January Meeting”) the Council resolved to agree the Strategic Partnership between the Council and Rochford District Council (RDC) and appointed Jonathan Stephenson as the Joint Chief Executive for both Councils and the Council’s Head of Paid Service with effect from 1 February 2022.

In addition, Council delegated authority to the Joint Chief Executive to undertake a restructure of Tier 2 of the councils in consultation with the Leader of each Council.

## Recommendation(s)

### **Members are asked to:**

- R1** To appoint the Strategic Directors for the Council and Brentwood Borough Council as set out in the Confidential Appendix A.
- R2** That the Monitoring Officer be given delegated authority in consultation with the Constitution Working Group, to make any required changes to the Constitution to give effect to the recommendations in this report.

## Main Report

### **Introduction and Background**

1. The new Tier 2 structure has been in place since 28 March 2022. This was a reduction in FTE from 4 posts to 3 posts across both councils. Advice from East of England Local Government Association (EELGA) was that although the roles had increased in volume (i.e. working across 2 councils) the job descriptions had not substantially changed and so were capable of assimilation without the requirement for a further appointment process. Accordingly, the working arrangements for the then 3 incumbent post holders

were achieved via a secondment arrangement in the short term as formal appointment could only be made once the new unified pay policy had been agreed by both councils.

2. Following the resignation of one of the incumbents, a recruitment process was undertaken by the Council's BBC's Staff Appointments Committee and Rochford District Council's Chief Officer Appointments Committee and. An appointment to the post was made by both committees on 14 July 2022.
3. A new Pay Policy Statement was adopted by the Council on 22 June 2022. A report in near identical terms was taken to Rochford District Council on 15 June 2022 and the same resolution was made. As the remuneration package for each Strategic Director will be in excess of £100,000, the Tier 2 appointments now fall to be confirmed by Full Council.
4. The 3 Strategic Directors are as follow:
  - Steve Summers, appointed following assimilation, who will remain on BBC establishment;
  - Ian Winslet, appointed following assimilation, who will remain on BBC establishment; and
  - Emily Yule, appointed on 14 July 2022 who will be employed on RDC's establishment.
5. The intention behind the new Tier 2 roles is that each Strategic Director will have a lead responsibility for a designated place/locality across both geographies. They will be the key point of contact for all strategic issues affecting that locality to ensure a customer focussed and inclusive community response. This will build strong, effective networks at local, county, regional and national levels to ensure that both councils' voices are heard, and views represented on matters that are important to the community. Each Strategic Director will also have responsibility for overarching programmes of work and will lead, champion and ensure delivery identifying and managing resources and stakeholders to ensure success. All Strategic Directors will deputise for the Joint Chief Executive as directed. This may mean on key functional activity, consultations, or representing the councils at key events. One Strategic Director will be the designated Deputy Chief Executive to be the first point of call for strategic issues in the absence of the Joint Chief Executive.
6. The new Tier 2 roles are as follows:
  - Strategic Director with particular corporate strategic responsibility for the customer experience, external partnerships, HR and governance and is the SRO (Senior Responsible Owner) for #OneTeam Transformation Programme who is the place lead for Rochford town and Shenfield. The appointee to this role is Emily Yule.
  - Strategic Director with particular corporate strategic responsibility for housing and development, assets, communities and health who is



the place lead for Rayleigh and Ingatestone. The appointee to this role is Ian Winslet.

- Strategic Director- with particular corporate strategic responsibility for finance, environment, planning and economic development who is the place lead for Hockley and Brentwood. The appointee to this role is Steve Summers.
7. The appointments set out in paragraph 6 above are proposed to be on the remuneration packages set out in the Confidential Appendix.
  8. As set out at the “January Meeting”, it is proposed that a further saving of 1 post at Tier 2 will be created after the #OneTeam Transformation Programme is completed.

### **Issue, Options and Analysis of Options**

9. As the two councils propose to embark upon joint staffing arrangements as part of the #OneTeam Transformation Programme, it is important that there is sufficient talent within the unified leadership team to drive the ambition of the Programme and achieve the outcomes of the Strategic Partnership. A robust selection process provides assurance to members that talent has been secured. Payment of competitive remuneration terms is also central to the strategy for retention and the Pay Policy Statements of both councils have been updated to reflect that, based on benchmarking from EELGA

### **Reasons for Recommendation**

10. The Partnership will identify further opportunities for beneficial shared service arrangements with other local authorities. In addition, the Partnership’s strategic priorities of:
  - Deliver financially sustainable, high-quality services that are valued by our community;
  - Lead the way to improve our environment by acting locally, contributing globally;
  - Provide high quality, sustainable housing to meet the needs of our community;
  - Improve the quality of life, health and wellbeing of our residents; and
  - Create opportunities for economic growth and improved connectivity in which businesses can flourish;

broadly reflect the Council’s priorities of :

- Growing the economy;
- Protecting the environment;

- Developing communities;
- Improving housing; and
- Delivering an effective and efficient council.

## **Consultation**

11. Consultation with the those in post was carried out in line with human resources and employment guidance.

## **References to Corporate Plan**

12. Efficient and effective Council providing strong leadership.

## **Implications**

### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources) and Section 151 Officer**

**Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk**

13. Appointment of 3 joint Strategic Directors is in line with the financial projections of the #OneTeam Transformation Programme as set out in the January meeting.
14. Recruitment costs for the vacancy amount to £20,500 for retention of recruitment consultants which is standard industry practice for posts of this level of seniority. These costs are not attributable to the project budget for the #OneTeam Transformation Programme and is payable from general budgets with costs shared equally between the two councils.
15. The anticipated profile of the programme savings was set out in detail in the report agreed by Council at the January Meeting. This showed a joint total savings ambition across the Council and BBC of between £595k and £853k per annum by the end of the programme in 2025/26. This was broken down into three phases; with Phase 1 being based on the creation of a single unified leadership team by September 2022.
16. Estimated savings were shown as a range, following indicative benchmarked salary forecasts at the early stage of analysis. The lower number of the range was based on proposed headcount appointed at the mid-point of a revised salary scale (as per the EELGA Benchmarking Report) and the higher number of the range was based on proposed headcount appointed at the bottom of that scale. Following the adoption of the new Pay Policy Statement the anticipated savings will be updated.
17. The financial position of the programme will continue to be closely monitored as it progresses and will be regularly reported to each council's scrutiny committee, Policy Resources and Economic Development

Committee for the Council and the Executive for RDC as well as Ordinary Council.

**Legal Implications**

**Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer**

**Tel & Email: 01277 312500/amanda.julian@brentwood.gov.uk**

- 18. The Pay Policy Statement has previously been agreed by the Council and so appointment within the terms of the Pay Policy Statement is appropriate
  
- 19. The appointment of Chief Officers can be appointed by a Staff Appointments Panel, the process has been followed during this process.

**Economic Implications**

**Name/Title: Phil Drane, Corporate Director (Planning and Economy)**

**Tel/Email: 01277 312500/philip.drane@brentwood.gov.uk**

- 20. There are no direct economic implications arising from this report. It is important that the council maintains a leadership structure to drive the delivery of corporate objectives, including to grow our economy.

**Equality and Diversity Implications**

**Name/Title: Kim Anderson, Corporate Manager (Communities, Leisure & Health)**

**Tel/Email: 01277 312500/kim.anderson@brentwood.gov.uk**

- 21. There are no specific equality and diversity implications arising from this report. The Council in making any decision will have due regard to its Public Sector Equality Duty and ensure that the process followed aligns with this.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 22. None.

**Background Papers**

- 23. None

**Appendices to this report**

Appendix A: Appointment of the Strategic Directors (Exempt)

## Appendix A

Appendix A contains exempt information and is therefore not publicly available.

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