

AGENDA

Meeting: Officer Appointments Committee
Place: Committee Room VII - County Hall, Trowbridge
Date: Thursday 14 July 2011
Time: 12.00 pm

Please direct any enquiries on this Agenda to , of Democratic and Members' Services, Monkton Park, Chippenham, direct line or email

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Lionel Grundy OBE
Cllr Jon Hubbard
Cllr Christopher Newbury

Cllr Jane Scott OBE
Cllr John Thomson

AGENDA

PART I

Items to be considered while the meeting is open to the public

1. **Apologies**

2. **Minutes of Previous Meeting**(Pages 1 - 2)

To confirm the minutes of the meeting held on 6 April 2011 (copy attached).

3. **Declaration of Interests**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee

4. **Chairman's Announcements**

5. **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above (acting on behalf of the Director of Resources) no later than 5pm on Thursday 7 July 2011. Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. **Appointments following Changes to Senior Management Structure**(Pages 3 - 8)

A report by the Chief Executive, including Appendix 6, is attached.

Please Note: Appendices 1 – 5 are included in PART 2 of the agenda due to their confidentiality.

7. **Urgent Items**

Any other items of business, which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

8. **Exclusion of the Public**

To consider passing the following resolution:-

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Nos. 9 & 10 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

PART II

Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.

None

9. **Appointments following Changes to Senior Management Structure**(Pages 9 - 18)

Confidential appendices 1 – 5 of the report at Agenda Item No. 6 are attached.

10. **Temporary Appointment of Director - Finance/Section 151 Officer**(Pages 19 - 22)

A confidential report by the Chief Executive is attached.

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OFFICER APPOINTMENTS COMMITTEE

DRAFT MINUTES OF THE OFFICER APPOINTMENTS COMMITTEE MEETING HELD ON 6 APRIL 2011 AT COMMITTEE ROOM III - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Christopher Newbury, Cllr John Noeken (Substitute), Cllr Fleur de Rhe-Philippe (Substitute) and Cllr John Thomson (Vice-Chair, in the Chair)

26. **Apologies**

Apologies for absence were received from Cllr Jane Scott (who was substituted by Cllr John Noeken) and from Cllr Lionel Grundy (who was substituted by Cllr Fleur de Rhe Philippe) and Cllr Jon Hubbard.

27. **Minutes of Previous Meeting**

Resolved:

To confirm and sign the minutes of the previous meeting held on 14 December 2010 as a correct record.

28. **Urgent Items**

None

29. **Exclusion of the Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute No. 30 below because it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

30. **Appointment of Digital Inclusion Projects Manager**

The Committee considered a confidential report regarding the appointment to this post.

The Corporate Director, Children's Services explained the background to this post and explained that although not at service director level, the post holder would report direct to her. She explained the main duties and responsibilities of the post holder.

The meeting adjourned to allow for interview and reconvened to make a decision.

Resolved:

That subject to complying with paragraph 5 (2) of the Officer Employment Procedure Rules – Part 15 of the Constitution, to approve the appointment of Ian Baker, as Digital Inclusion Project Manager, Department for Children and Education on a fixed term, five year appointment effective from 1 June 2011.

(Duration of meeting: 11.00 am - 12.20 pm)

The Officer who has produced these minutes is Wendy Packer, of Democratic & Members' Services, direct line 01225 713018, e-mail wendy.packer@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

APPOINTMENTS FOLLOWING CHANGES TO THE SENIOR MANAGEMENT STRUCTURE

Purpose of the Report

1. To present the Officer Appointments Committee with recommended candidates for appointment into the following posts on the grounds of suitable alternative employment:
 - a. Director – Communications
 - b. Director – Law & Governance
 - c. Service Director – Policy, Performance & Partnerships
 - d. Service Director – Communities, Libraries, Heritage & Arts
 - e. Service Director – Business Services

Background

2. The corporate leadership team and cabinet reviewed the alignment of senior management responsibilities to ensure that the council's published 4 year business plan can be delivered.
3. The changes to the senior management structure as a result of the realignment of responsibilities are as follows:
 - . The corporate leadership team has been expanded to include a number of corporate roles to provide strategic and professional advice to the existing team. These posts are directors for finance and procurement; communications; and law and governance and service directors for HR & OD and service director – policy, performance & partnerships
 - a. The two statutory corporate roles (section 151 officer/director - finance and monitoring officer/director – law & governance) now report to the chief executive
 - b. Housing services has moved to the department of community services.
 - c. The department of resources has been renamed department of transformation and resources and will focus on three key areas of the business plan;
 - Business transformation including campuses, systems thinking, asset management and the programme office covering the management of all service and corporate programmes and projects
 - Human resources and organisational development;
 - Business services, (shared services, customer services, property and ICT)
 - d. The department of neighbourhood & planning has been renamed operations.
 - e. The role of service director for performance and risk will be expanded to include responsibility for corporate policy and partnerships, and will report to the corporate director of children's services.

Current situation

4. As a result of a re-structure and realignment of some services in the senior management structure six of the existing service director roles have changed. In five of these cases the existing post holders do not have “ownership” of the changed posts and are displaced as a result of the re-structure. The changed posts are:
 - a. Service Director - Policy, Communications and Research becomes Director – Communications. Please see details of the post holder affected by this change in the confidential report in appendix 1.
 - b. Service Director - Legal & Democratic Services becomes Director – Law & Governance, now reporting to the Chief Executive. Please see details of the post holder affected by this change in the confidential report in appendix 2.
 - c. Service Director – Performance & Risk becomes Service Director – Policy, Performance & Partnerships now reporting to Corporate Director – Children’s Services. Please see details of the post holder affected by this change in the confidential report in appendix 3.
 - d. Service Director – Communities, Libraries, Heritage & Arts – no change to the post title but responsibility for partnerships and policy has been removed. Please see details of the post holder affected by this change in the confidential report in appendix 4.
 - e. Service Director – Business Services - no change to the post title but responsibility for business transformation has been removed. Please see details of the post holder affected by this change in the confidential report in appendix 5.
 - f. Service Director – Finance, becomes Director – Finance, now reporting to the Chief Executive. This post is currently occupied by an interim manager. Please see confidential report regarding temporary appointment of Director – Finance/ Section 151 Officer.
5. The number of posts in the new structure remains the same so there should be no redundancies required. According to the Appointments Policy for Chief & Senior Officers where there is a service re-design that does not require redundancies, but where there are new or changed job roles that are similar enough to be considered suitable alternative employment, there will be an initial informal consultation process to enable the council to try and reach a mutual agreement with all affected employees.
6. All affected employees have been consulted and have mutually agreed that the changed posts are suitable alternative employment.
7. A copy of the revised senior management structure is attached as appendix 6.

Risks

8. If appointment into the changed posts is not confirmed the affected employees will be at risk of redundancy.
9. In all cases suitable alternative employment has been demonstrated so there would be a risk of claims for unfair dismissal if redeployment is not confirmed. In addition there would be a loss of the skills, knowledge and experience required for the posts.

Environmental Impact

10. None known.

Financial Implications

11. There is an additional cost as a result of the changes to one of the posts. The former post of service director – performance & risk was grade HAY M5 with a salary range of £59,820 - £65,946. The new post has been expanded to include responsibility for partnerships, including the Wiltshire Assembly, and corporate policy. The grade for the post of service director – policy, performance & partnerships is HAY M4, with a salary range of £70,733 - £77,640.

12. There will be significant financial implications if due to the changes to the posts they are not considered to be suitable alternative employment. In these circumstances the displaced employees would be placed at risk of redundancy. The total cost of redundancy for all displaced employees would be £310,579. The cost per displaced employee is detailed in the appendices to this report.

13. In addition any successful claim for unfair dismissal could cost the council a maximum of £65,300 per employee.

Recommendations

14. The Officer Appointments Committee is asked to approve the appointment of:

- a. Laurie Bell to Director – Communications
- b. Ian Gibbons to Director – Law & Governance
- c. Sharon Britton to Service Director – Policy, Performance & Partnerships
- d. Nikki Lewis to Service Director – Communities, Libraries, Heritage & Arts
- e. Jacqui White to Service Director – Business Services

15. These appointments will be subject to consultation with the leader and cabinet members in accordance with paragraph 5(2) of the Officer Employment Procedure Rules.

Andrew Kerr
Chief Executive

Report Author: Joanne Pitt, Head of HR Strategy & Policy

Appendix 1 – Appointment to Director – Communications

Appendix 2 – Appointment to Director – Law & Governance

Appendix 3 – Appointment to Service Director – Policy, Performance & Partnerships

Appendix 4 – Appointment to Service Director – Communities, Libraries, Heritage & Arts

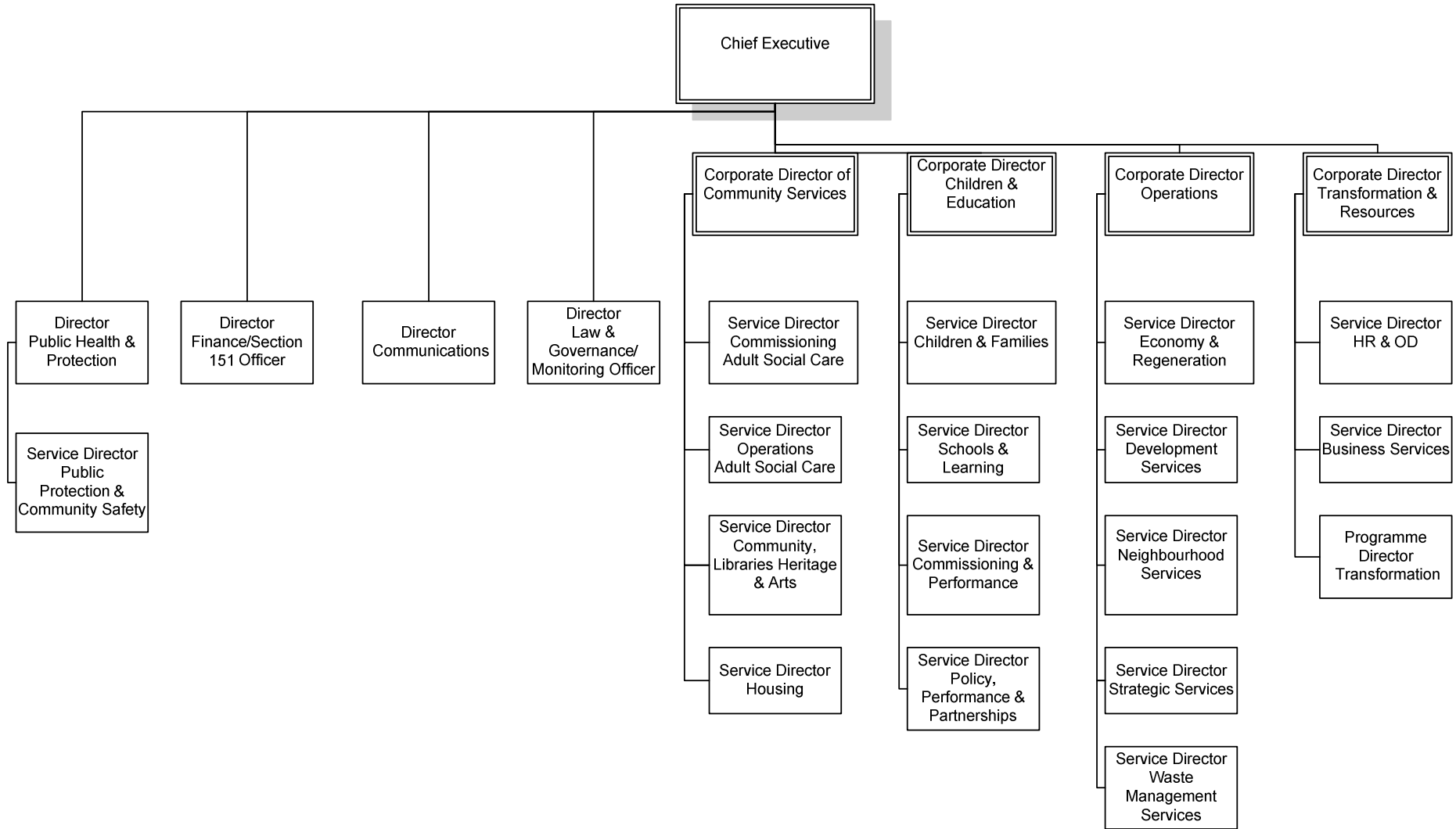
Appendix 5 – Appointment to Service Director – Business Services

Appendix 6 – New senior management structure chart

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APPENDIX 6

WILTSHIRE COUNCIL STRUCTURE 2011



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