

# AGENDA SUPPLEMENT (1)

**Meeting:** Officer Appointments Committee

**Place:** Online Meeting

**Date:** Friday 26 June 2020

**Time:** 12.00 pm

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**The Agenda for the above meeting was published on 18 June 2020. Additional documents are now available and are attached to this Agenda Supplement.**

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6 **Senior Management Structure Appointments. (Pages 3 - 10)**

Officer report and Appendix 2

9 **Senior Management Structure Appointments (Pages 11 - 12)**

Part 2 - Appendix 1

DATE OF PUBLICATION: 24 June 2020
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## **APPOINTMENT FOLLOWING SENIOR MANAGEMENT RESTRUCTURE**

### **Purpose of the Report**

1. The purpose of this report is to present the Officer Appointments Committee with a proposed candidate recommended for appointment into the Chief Executive post on the grounds of suitable alternative employment.

### **Background**

2. In a report to Cabinet on 9 June 2020 the Leader set out a proposal to change the senior leadership structure at tier 1. The proposal was to reduce the number of Chief Executive Officers from two to one Chief Executive.
3. The proposal was made despite the success of the relatively new two chief executive model which was based on People and Place, and the way in which this model had supported the Council response to COVID-19. This shared responsibility enabled a focus on supporting those who have been in need and vulnerable during this emergency as well as supporting businesses with the aim of minimising the impact of this pandemic on Wiltshire's economy. However, the response also highlighted some duplication of work by the Chief Executive Officers as they sought to make decisions jointly on areas of work and in their collaboration with partners.
4. Planning to help Wiltshire people, economy and businesses rebuild is underway and this includes steps to address the significant impact that the response has had on Council services and finances. Existing strategies, priorities and the structure of the Council will need to be refocused to reflect the radically changed context brought by the pandemic.
5. In discussion with the Leader the Chief Executive Officers recognised that recovery from the pandemic would be the Council's overriding priority. In this discussion they suggested that as a result of this, the duplication in their roles and the significant financial pressures, a change to the structure to reduce the top tier to one Chief Executive would provide a focal point of officer leadership at the top of the organisation to lead recovery.
6. The Leader considered this suggestion in the context of the challenges and scale of the task that the council now faces in recovering from the impact of COVID-19, and the financial pressures that have resulted from this and as a result proposed to Cabinet that the top tier be reduced from two Chief Executive Officers to one Chief Executive.
7. In the proposal the Chief Executive will also be designated the statutory roles of Electoral Registration Officer (ERO) and Returning Officer (RO) and this designation will be temporary pending the approval of Council. In addition, the Chief Executive will become the statutory Head of Paid Service. This is a change from the current designation of this statutory role to the Director HR & OD. If the appointment to Chief Executive is approved by the Officer Appointments Committee with no objections from Cabinet Members, the designation of this statutory role will remain with the Director of

HR&OD pending approval of the change in designation by Council, following which the constitution will be amended accordingly.

8. Cabinet approved the proposal on 9 June 2020 and as a result formal consultation with the two Chief Executive Officers commenced.

### **Main Considerations**

9. Formal consultation with the Chief Executive Officers on the proposed change to the tier 1 structure commenced on Tuesday 9 June 2020 and concluded on Tuesday 16 June 2020. The consultation also provided an opportunity for all staff to provide feedback on the structure and suggest alternative proposals. Having considered all the feedback, the final structure was confirmed on Wednesday 17 June 2020.
10. The confirmed structure reduced the number of Chief Executive Officers to one Chief Executive.
11. The Appointments Policy for Chief and Senior Officers outlines the process for appointing to roles following changes to a structure and contains the criteria for ownership of a role in the new structure, and for redeployment where a suitable alternative role is identified.
12. The criteria for ownership of posts when there is a re-structure means that ownership can only apply where a role is the same as the current role. Because of the changes to the structure, the change in duties and responsibilities in relation to the Chief Executive role meant that neither of the current Chief Executive Officers own the new role and both were therefore displaced.
13. Where there is no ownership of a role in a new structure, and an employee is displaced, steps to identify roles that are suitable alternative employment are taken. Suitable alternative employment applies where a post in a new structure requires similar skills and knowledge to the employees' current role and is at the same or similar level. Where suitable alternative employment is identified and agreed with the employee, a process of redeployment takes place.
14. The Chief Executive role was identified as suitable alternative employment for both Chief Executive Officers. However, one of the Chief Executive Officers asked for consideration to be given to an application for voluntary redundancy and, in line with our policy, he was given the opportunity to apply for voluntary redundancy rather than engage in a competitive process for these roles. This application was accepted by the Leader and a report to the Senior Officers Employment Sub Committee recommending that termination of the employment of this Chief Executive Officer is approved will be presented on 26 June 2020.
15. The Chief Executive role has therefore been confirmed as suitable alternative employment for the other Chief Executive Officer, and this has been agreed with the employee concerned. As a result, a recommendation to redeploy the affected employee is outlined in the part 2 confidential report which is available in appendix 1.
16. The role description for the Chief Executive role identified as suitable alternative employment is attached at appendix 2.

### **Overview and Scrutiny Engagement**

17. No engagement is required as the recommendations in this report are a staffing matter.

### **Safeguarding Considerations**

18. The statutory Director of Children's Services (DCS) and the Director of Adult Social Services (DASS) are designated to Director roles at tier 2 and they will report to the Chief Executive who will be accountable to the Council for the performance of these statutory roles and will provide line management to both. There is also an expectation that the Chief Executive will have a role in promoting safeguarding within their specific areas of responsibility.

### **Public Health Implications**

19. There are no public health implications because of the new tier 1 senior management structure.

### **Environmental and Climate Change Considerations**

20. There is no environmental or climate change impacts because of the new tier 1 senior management structure.

### **Equalities Impact of the Proposal**

21. There is no equalities impact because of the new tier 1 senior management structure. The council has in place robust policies and procedures to support change to structures all of which have been subject to an equalities impact assessment.

### **Risk Assessment**

22. If appointment into the role of Chief Executive is not confirmed the affected employee will be at risk of redundancy.
23. 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 post.

### **Financial Implications**

24. The new tier 1 structure contains a single Chief Executive role which is a reduction of 1 post compared with the current structure. This is a potential saving of the salary for one Chief Executive Officer role of approx. £244k.
25. There will be significant financial implications if due to the change to the structure that the role of Chief Executive is not considered to be suitable alternative employment. In these circumstances the displaced employee would be placed at risk of redundancy and if redundant a redundancy payment would be due.
26. In addition, any successful claim for unfair dismissal could cost the council a maximum of £88,519.
27. It has been agreed with the employee concerned that there will be no review of the salary band for the new role so the salary band for the current Chief Executive Officers will apply.

### **Legal Implications**

28. The proposed appointment outlined in this report, and in appendix 1, is in line with the Appointments Policy & Procedure for Chief and Senior Officers and the associated risks of not approving these proposals are outlined above.

### **Options Considered**

29. The Appointments Policy & Procedure for Chief and Senior Officers outlines the process for appointing staff to posts following a change to a structure. This process has been followed and therefore there were no other options to consider.

### **Conclusion**

30. The Appointments Policy & Procedure for Chief and Senior Officers provides a clear and agreed process for appointing staff to posts following re-structure, and this process has been followed.

### **Proposals**

31. It is proposed that the Officer Appointments Committee approve the appointment to the Chief Executive post.

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

### **Reason for the Proposals**

33. The reasons for these proposals are outlined in paragraphs 2 – 16.

**Joanne Pitt**  
**Director HR & OD**  
**22 June 2020**

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Report Author: Joanne Pitt, Director HR & OD

**Appendix 1** - Part 2 report recommending appointment to post of Chief Executive  
**Appendix 2** - Role description for Chief Executive

## ROLE DESCRIPTION

<b>Role description:</b>	Chief Executive
<b>Role profile family:</b>	Leadership
<b>Number of posts:</b>	1
<b>Role profile number and grade:</b>	LSL1
<b>Reports to:</b>	Leader of the council

<b>Job Context</b>
<p>As the most senior officer of Wiltshire Council, the Chief Executive works with the Leader and Cabinet to ensure the setting of a clear strategic direction.</p> <p>They provide the main link between council members and officers promoting positive and open communications and ensuring strategic priorities are implemented in an appropriate and accountable manner. They will also be the principal advisor on matters of general policy, giving advice at council and at committee meetings in relevant areas.</p> <p>They will be outward looking and a strong ambassador for the council, leading the development of highly effective partnership working and a “whole-system” approach which enables our communities to do more for themselves. The council’s ambitions will demand that the postholder in this role has presence and gravitas, a commercial mindset and a persuasive public representative.</p> <p>They will represent and negotiate on behalf of the council with external bodies and will lead the development of effective and productive partnership and collaborative working in order to achieve the council’s vision, setting the right balance between the council’s objectives and shared goals.</p> <p>They will focus on forward planning and will work closely with the Leader and Cabinet to develop strategic plans, manage overall organisational performance and promote the cultural change necessary to achieve all round service excellence, including the development of an efficient, commercial and long term approach.</p> <p>The Chief Executive will provide line management to, and be accountable for, the performance of directors who lead on the strategic delivery and operational oversight of their services. They will work with their directors in developing policies which reflect the aspirations of the council in ensuring that corporate strategies are developed which support these policies, whilst providing the proper level of service to members.</p>

## Job Purpose

The purpose of the role is to act as the Council's statutory Head of Paid Service\* and be responsible for the overall management of the Council including the provision of the highest quality advice to the Cabinet, Select Committees and all members in their various roles, and ensures delivery of the vision of the business plan which is to grow our economy, build strong communities and protect the vulnerable in our communities.

In light of the recent COVID-19 pandemic a major focus for the role will be on leading the rapid and sustainable recovery both for the council itself and, through the Recovery Coordination Group, across the County of Wiltshire as a whole.

Against this backdrop they will also identify, drive and secure opportunities to improve and transform services.

Specific duties will include:

- Acting as the Council's principal adviser to the elected leadership of the Council on policy options and the forward planning of objectives, services and resources to deliver their ambitions for the county. Providing a clear sense of direction and purpose assisting them in the process of policy formulation to ensure that the Council's vision and priorities are made a reality.
- Setting the strategic direction for all council services, engaging with members and strategic partners to develop innovative approaches within a complex financial environment.
- Providing strong visible leadership and direction to the Council's workforce to deliver Council and community priorities, maximising potential and developing a culture of accountability and empowerment.
- Taking the lead role in establishing the future direction and shape of the Council. Ensuring full compliance with corporate policies and processes by management and staff across the Council and actively promote and encourage the adoption of Council policies and initiatives.
- Scrutinising and advising on the plans and actions of Central Government and other external agencies to determine their impact on the development of local policies and priorities and position the Council as a decisive and influential organisation.
- Ensuring the effective discharge of the responsibilities of all of the statutory roles (DCS, DASS, Monitoring Officer & Section 151 Officer), by the relevant directors.
- Ensuring that the development of the workforce and ensure that the expertise, skills and potential of staff is realised, within a supportive learning environment.
- Driving high levels of staff engagement in order to encourage people to realise their full potential and play their role in transforming the organisation.
- Ensuring that the Council has appropriate governance and regulatory systems and controls in place and adhered to, which are modern, flexible, fit for purpose and proportionate.
- Robustly driving performance within the council, in a supportive way which encourages people to excel.
- Build effective and constructive relationships with key stakeholders and partners in order to

promote successful partnership arrangements within Wiltshire and relevant partner organisations and to promote the Council regionally and nationally.

- Representing and negotiating on behalf of the Council at local, regional and national levels, promoting inter-authority working across the region and demonstrating flexibility and responsiveness to change.
- Ensuring that equality and diversity approaches are enabling, both as an employer and provider of services, as well as a community leader.
- Positively role model an active commitment to Health, Safety and Wellbeing and demand the same from all management.

**Statutory roles:**

- \*The role is designated as the Head of Paid Service and is a statutory appointment under the provisions of section 4 of the Local Government and Housing Act 1989. (*Subject to approval by Council*)
- The role will also be designated the statutory roles of Electoral Registration Officer (ERO) and Returning Officer (RO)

Dimensions				
Type of budget	Direct	Indirect	Responsibility	Amount / Cost
Council Revenue budget	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Overall responsibility for spend	£900m
Staffing			Employees directly managed will be directors each responsible for significant resources and operational/strategic service delivery	

### Person Specification

In addition to the qualifications, knowledge, and skills required for roles at this level and described in the role profile, the Chief Executive also requires:

- An outstanding and innovative manager who has held a leading/very senior management post in local government and can demonstrate the ability to lead and enthuse a large, complex public sector service organisation at all levels, whilst being prepared to take tough decisions when necessary.
- Demonstrable ability to lead partnerships, with a track record of developing and sustaining partnerships with a wide range of external organisations and service users.
- Ability to act and think strategically, to work corporately and to manage inappropriate conflicts of interest. Can combine strategic vision with the proven ability to manage the performance of colleagues and to deliver improvements in service delivery and resource management.
- Ability to manage the council within budget so as to achieve the targets set by members, and evaluating competing budgetary and service priorities ensuring that services are coordinated in a way which will achieve maximum effectiveness and value for money in accordance with council priorities.
- Proven ability to work well with elected members of all parties, in particular providing sound, impartial and proactive advice on the wider political implications of alternative courses of action.
- Demonstrable commitment to the council's vision and an ability to model the behaviours explicit in the council's behaviours framework.
- A customer focused approach to management of the council and the ability to ensure this is consistently demonstrated across all service areas.
- Exceptional all-round communication skills with an ability to engage proactively with all of Wiltshire's communities and to act as an ambassador for the council with all stakeholders and with central government. Able to influence and negotiate effectively promoting a positive image of the council.
- Significant experience of successfully managing change and giving a strong corporate lead to ensure joined up working between services. Able to lead and manage organisational and cultural change and to use high level negotiating skills to reconcile potentially conflicting interests.
- Ability to lead and enthuse a highly motivated and professional workforce and to deal with poor performance or unprofessional conduct in a timely manner.
- A full and up-to-date understanding of the workings of local government, the current and future issues to be faced and the financial, legal and political context of public sector management. Understanding of the challenges posed by providing quality public services in a large rural county.
- A thorough understanding of equalities who can demonstrate direct personal achievement.
- Commercial acumen with the ability to maximise opportunities to trade services.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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