

AGENDA

Meeting: Officer Appointments Committee
Place: Pitman Room - County Hall, Trowbridge
Date: Friday 18 October 2013
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

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 Nick Fogg
Cllr Jon Hubbard
Cllr Fleur de Rhé-Philippe

Cllr Jane Scott OBE
Cllr John Thomson

Substitutes:

Cllr Terry Chivers
Cllr Dennis Drewett
Cllr Peter Edge
Cllr Keith Humphries
Cllr George Jeans
Cllr Bob Jones MBE

Cllr Magnus Macdonald
Cllr Laura Mayes
Cllr Helena McKeown
Cllr Jeff Osborn
Cllr Jonathon Seed
Cllr Stuart Wheeler

AGENDA

PART I

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

1 **Apologies**

2 **Minutes of Previous Meeting**(Pages 1 - 4)

To confirm the minutes of the meeting held 18 December 2012. (copy attached).

3 **Declaration of Interests**

To receive any declarations of disclosable 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 no later than **5pm on Friday 11 October 2013**. 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 the Senior Management Structure** *(Pages 5 - 10)*

A joint report by the Corporate Directors is attached.

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 No. 9 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.

9 **Appointments following Changes to the Senior Management Structure** *(Pages 11 - 24)*

Confidential reports concerning appointments to the following posts are attached:-

- i. Associate Director – Highways & Transport
- i. Associate Director – Economic Development & Planning
- i. Associate Director – People & Business Services
- i. Joint Associate Director (with CCG) – Quality Assurance, Commissioning, Performance, Schools & Early Years Effectiveness
- i. Associate Director – Adult Care Commissioning, Safeguarding & Housing

- i. Associate Director – Legal & Governance and Monitoring Officer
- i. Associate Director – Communications, Community Area Boards, Libraries, Arts, Heritage & Culture

The Committee will also receive confidential information concerning appointments to the posts of:-

Joint Associate Director, Finance, Revenues & Benefits and Pensions, and Associate Director Environment & Leisure.

OFFICER APPOINTMENTS COMMITTEE

**DRAFT MINUTES OF THE OFFICER APPOINTMENTS COMMITTEE MEETING
HELD ON 18 DECEMBER 2012 AT RIVERSIDE ROOM - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM SN15 1ER.**

Present:

Cllr Chris Caswill, Cllr Lionel Grundy OBE, Cllr Jane Scott OBE (Chair) and
Cllr John Thomson (Vice Chairman)

9 **Apologies**

An apology for absence was received from Cllr Nick Fogg.

10 **Minutes of Previous Meeting**

Resolved:

To confirm and sign as a correct record the minutes of the Committee meeting held on 19 April 2012.

11 **Declaration of Interests**

There were no declarations of interest.

12 **Chairman's Announcements**

There were no Chairman's announcements.

13 **Public Participation**

There were no members of the public present or councillors' questions.

14 **Urgent Items**

There were no items of urgent business.

15 **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 Nos. 16 – 18 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 1 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.

16 **Appointment following Changes to the Senior Management Structure**

Consideration was given to a confidential report by the Service Director, HR & OD.

Cllr Chris Caswell raised an issue about the timing of this meeting and in particular the fact that this Committee was being requested to confirm these appointments before the Senior Officers Employment Sub-Committee approved the redundancy. It was explained that the decisions made by this Committee would in effect be subject to the Senior Officers Employment Sub-Committee approving the planned redundancy.

Resolved:

To approve the following appointments on the grounds of ownership, subject to consultation with the Leader and Cabinet members in accordance with the Officer Employment Procedure Rules:-

(i) Carolyn Godfrey to corporate director with responsibility for the role of director of children's services.

(ii) Dr Carlton Brand to corporate director with responsibility for the role of returning officer.

17 **Appointment to the Post of Corporate Director with Joint Responsibilities for Adult Social Services & Public Health**

On considering a confidential report by the Service Director, HR & OD,

Resolved:

To approve the appointment of Maggie Rae to the post of Corporate Director with joint statutory responsibility for Adult Social Services and Public Health, with effect from 1 January 2013, on terms to be agreed by the service director for HR & OD in his capacity as Head of Paid Service, such terms to take account of Maggie Rae's NHS current terms and

conditions, subject to the Senior Officers Employment Sub-Committee approving the planned redundancy and consultation with the Leader and Cabinet members in accordance with the Officer Employment Procedure Rules.

18 **Appointment of Service Director, Transformation**

On considering a confidential report by Carlton Brand, Corporate Director,

Resolved:

To approve the permanent appointment of Mark Stone to the post of service director, transformation with effect from 1 January 2013 at a salary evaluated at £108,585, subject to consultation with the Leader and Cabinet members in accordance with the Officer Employment Procedure Rules.

(Duration of meeting: 8.30 - 9.00 am)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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

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**WILTSHIRE COUNCIL
OFFICER APPOINTMENTS COMMITTEE
18TH OCTOBER 2013**

APPOINTMENTS FOLLOWING CHANGES TO THE SENIOR MANAGEMENT STRUCTURE

Purpose of the Report

1. To present the Officer Appointments Committee with proposed candidates recommended for appointment into the following posts on the grounds of suitable alternative employment:
 - a. Associate Director, Highways & Transport
 - b. Associate Director, Economic Development & Planning
 - c. Associate Director, People & Business Services
 - d. Joint Associate Director (with CCG), Quality Assurance, Commissioning, Performance, Schools & Early Years Effectiveness
 - e. Associate Director, Adult Care Commissioning, Safeguarding & Housing
 - f. Associate Director, Legal & Governance and Monitoring Officer
 - g. Associate Director, Communications, Community Area Boards, Libraries, Arts, Heritage & Culture
2. To confirm that a report on the appointment to the post of Joint Associate Director, Finance, Revenues & Benefits and Pensions will be presented at the meeting.
3. To confirm that a competitive selection process to appoint to the role of Associate Director Environment & Leisure is scheduled to take place Friday 18th October 2013, following which a recommendation to appoint will be considered by the Officer Appointments Committee.

Background

4. Following the elections in May 2013, a new business plan was drafted reflecting the challenges and changes that the council faces in the next four years. The new business plan focuses on transformation and innovation along with themed areas of service delivery.
5. On 23 July 2013 Cabinet agreed that the senior management structure would be reviewed and a new structure would be implemented in order to support the delivery of the new business plan.
6. The business plan was approved by full council on 3 September 2013 and collective consultation with the service directors affected by a proposed new senior management structure commenced on Wednesday 11 September 2013. As a result twelve service directors were placed at risk of redundancy.
7. Following feedback and comments on the proposed structure a report was presented to Cabinet on 24 September 2013 detailing the final structure.
8. In the structure a new role of Associate Director replaces the Service Director role currently in place. The Associate Director role is a different role to that of Service Director. In most cases the new role has multiple service responsibilities, and in all cases there is more of an emphasis on partnership working as well as a wider corporate responsibility with peers. In addition job profiles have been introduced for these roles, which describe the level at which the Associate Directors will work.

9. These changes mean that there is no ownership of the Associate Director posts in the new structure and as a result the Service Directors were invited to apply for voluntary redundancy by Friday 27th September 2013.
10. Two applications for voluntary redundancy were received by that date and were accepted subject to approval by the Senior Officers Employment Sub Committee. The Committee met on Wednesday 9 October 2013 and approved a recommendation to terminate the employment of two service directors on grounds of redundancy.

Main considerations

11. There are ten service directors still at risk of redundancy, and following the deadline for applications for voluntary redundancy a process to identify roles which met the criteria for suitable alternative employment opportunities for these service directors was completed.
12. As a result nine suitable alternative employment opportunities were identified for the ten service directors. For eight roles there was only one candidate for whom the role was suitable. Redeployment interviews have been carried for seven of the new roles by the corporate directors to ensure that the service directors were able to demonstrate their suitability for the new roles, and in line with the Appointments Committee Policy & Procedure for Chief and Senior Officers recommendations to appoint these service directors on grounds of redeployment are to be considered by the Officer Appointments Committee. Reports detailing these recommendations are included in part 2 reports in Appendix 1, 2, 3, 4, 5, 6 & 7.
13. A further redeployment interview will take place on Friday 18 October 2013. This interview is for the post of Joint Associate Director Finance, Revenues & Benefits and Pensions and there is only one candidate for this post. As a result a report on the appointment to the post of Joint Associate Director, Finance, Revenues & Benefits and Pensions will be presented at the meeting.
14. There are two candidates for the role of Associate Director Environment & Leisure. As a result a competitive interview process is scheduled to take place Friday 18th October 2013, following which a recommendation to appoint will be considered by the Officer Appointments Committee.
15. A copy of the new senior management structure is attached as appendix 8.

Safeguarding Considerations

16. The changes to the structure maintains separate roles in terms of frontline social care for both children and adults, and in line with best practice the quality assurance safeguarding functions will be led outside these frontline delivery functions, within the commissioning and performance areas. The expectation will be that all corporate and associate directors have a role in promoting safeguarding within their specific areas, as is the case currently.

Public Health Implications

17. There are no public health implications as a result of the new senior management structure.

Environmental and Climate Change Considerations

18. There is no environmental or climate change impacts as a result of the new senior management structure.

Equalities Impact of the Proposal

19. There is no equalities impact as a result of the new 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

20. If appointment into the changed posts is not confirmed the affected employees will be at risk of redundancy.

21. 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.

Financial Implications

22. There is an additional cost as a result the decision made by Staffing Policy Committee on 4 September 2013 to realign the pay of senior managers in line with the market median pay rate for jobs at the same level. In addition for one of the appointments this will result in a promotion in terms of the level of the role and a change in grade. The total additional salary costs due to the appointments being recommended and the realignment of pay is £61,148 per annum.

23. 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 £398,909.80. The cost per displaced employee is detailed in the appendices to this report.

24. In addition any successful claim for unfair dismissal could cost the council a maximum of £74,200 per employee.

Legal Implications

25. The proposed appointments outlined in this report, and in the appendices, are in line with the Appointment Policy & Procedure for Chief and Senior Officers and the associated risks of not approving these proposals are outlined in paragraphs 20 and 21.

Options Considered

26. 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.

Conclusions

27. There were no other options available as 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

28. It is proposed that the Officer Appointments Committee:

- a. Make appointments to the following posts:
 - i. Associate Director – Highways & Transport
 - ii. Associate Director – Economic Development & Planning
 - iii. Associate Director – People & Business Services
 - iv. Joint Associate Director (with CCG) – Quality Assurance, Commissioning, Performance, Schools & Early Years Effectiveness
 - v. Associate Director – Adult Care Commissioning, Safeguarding & Housing
 - vi. Associate Director – Legal & Governance and Monitoring Officer
 - vii. Associate Director – Communications, Community Area Boards, Libraries, Arts, Heritage & Culture
- b. Note that a report on the appointment to the post of Joint Associate Director, Finance, Revenues & Benefits and Pensions will be presented at the meeting.
- c. Note that a decision to appoint to the post of Associate Director Environment & Leisure will be required by the Committee following the completion of a competitive redeployment selection process which will take place immediately before the meeting of the Committee.

29. 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.

Reason for Proposals

30. The reasons for these proposals are outlined in paragraphs 11 - 14.

Carolyn Godfrey
Corporate Director

Maggie Rae
Corporate Director

Carlton Brand
Corporate Director

Report Author: Joanne Pitt, Service Head – HR Strategy & Policy

Appendix 1 – Appointment to Associate Director, Highways & Transport

Appendix 2 – Appointment to Associate Director, Economic Development & Planning

Appendix 3 – Appointment to Associate Director, People & Business Services

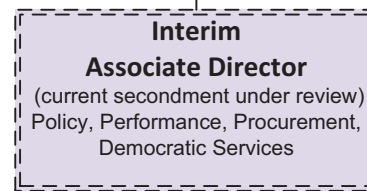
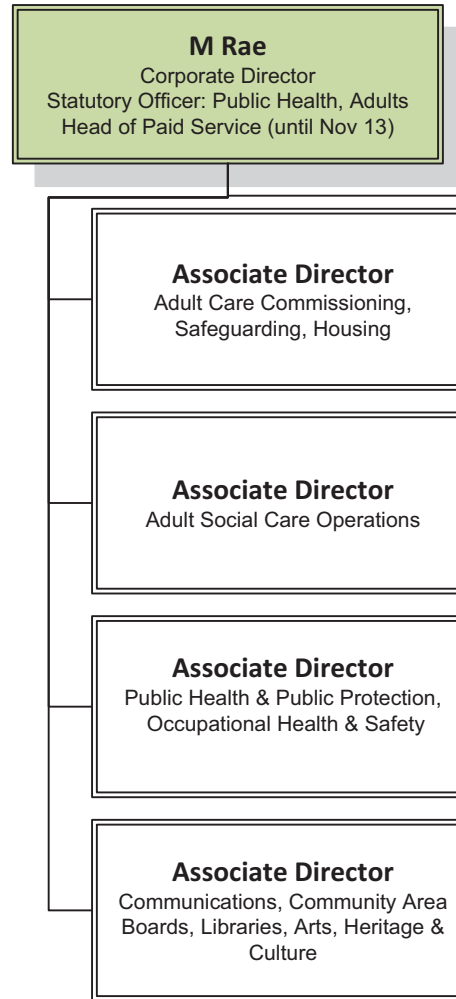
Appendix 4 – Appointment to Joint Associate Director (with CCG), Quality Assurance, Commissioning, Performance, Schools & Early Years Effectiveness

Appendix 5 – Appointment to Associate Director, Adult Care Commissioning, Safeguarding & Housing

Appendix 6 – Appointment to Associate Director, Legal & Governance and Monitoring Officer

Appendix 7 – Appointment to Associate Director, Communications, Community Area Boards, Libraries, Arts, Heritage & Culture

Appendix 8 – New senior management structure chart



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