

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Assistant Director – Corporate Resources	Report Number: S59
To: Council (Babergh) Council (Mid Suffolk)	Date of meeting: 20 September 2016 22 September 2016

RECRUITMENT OF THE ASSISTANT DIRECTOR – LAW AND GOVERNANCE (MONITORING OFFICER)

1. Purpose of Report

- 1.1 To seek approval to extend the remit of the cross-party Task and Finish group, that was established to oversee the process to recruit the new Joint Chief Executive, to the recruitment of the permanent Assistant Director – Law and Governance (the Monitoring Officer).

2. Recommendations

- 2.1 That the Joint Task and Finish group, which was formed to oversee and make recommendation to Council on the new Joint Chief Executive, also undertakes the same role for the Assistant Director – Law and Governance (Monitoring Officer).

3. Financial Implications

- 3.1 There is a financial commitment in respect of the use of an executive recruitment agency, but this has been limited by extending the remit of the agency appointed for the Joint Chief Executive recruitment and can be funded through the staff savings identified in the first quarter budget monitoring report.

4. Legal Implications

- 4.1 Section 5 of the Local Government and Housing Act 1989 provides that it is the duty of every relevant authority to designate one of their officers to be known as the Monitoring Officer as the officer responsible for performing the duties imposed by this section and to provide that officer with such staff, accommodation and other resources as are, in his/her opinion, sufficient to allow those duties to be performed.
- 4.2 Section 7 of the Local Government and Housing Act 1989 provides that all appointment of officers is made on merit.
- 4.3 The Council can delegate the recruitment exercise of the appointment of the Assistant Director of Law and Governance and Monitoring Officer to a Task and Finish group but the designation of the Monitoring Officer will be subject to Council approval.

5. Risk Management

- 5.1 This report is most closely linked to the Council's Significant Risk No 5c. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to recruit a suitable candidate to the Assistant Director – Law and Governance role means that the clear governance arrangements may not be developed that enable the right decisions to be taken that are appropriate for the environment that we are operating in.	Unlikely	Bad	Use of the same qualified specialist recruitment agency as the Joint Chief Executive role to advertise the benefits of the AD role and to search for suitable candidates.

6. Consultations

6.1 None

7. Equality Analysis

7.1 This report does not raise any equality issues that would affect those with protected characteristics.

8. Shared Service / Partnership Implications

8.1 This report covers the process to appoint a permanent Assistant Director – Law and Governance (the Monitoring Officer) across Babergh and Mid Suffolk District Councils and will involve councillors and staff across the two councils.

9. Links to Joint Strategic Plan

9.1 The Assistant Director – Law and Governance role is key to leading the work around strengthening governance within the Enabled and Efficient Organisation theme of the Joint Strategic Plan.

10. Key Information

10.1 The Assistant Director – Law and Governance role has been filled on an interim basis since July 2015 by Suki Binjal.

10.2 The role was advertised on a permanent basis earlier in 2016, but it was not possible to make an appointment from the pool of candidates at that point in time. Following the unsuccessful recruitment the interim arrangement with Suki Binjal was extended.

- 10.3 With the Joint Chief Executive role currently being out to advertisement, the opportunity has been taken to re-advertise the Assistant Director – Law and Governance role at the same time. The specialist recruitment agency, Gatenby Sanderson, is being used to recruit both roles.
- 10.4 The Assistant Director – Law and Governance will hold the statutory officer role of the Monitoring Officer and hence has to be appointed by Council.
- 10.5 The new Joint Chief Executive will hold the statutory officer role of Head of Paid Service and the recruitment process for this role is being overseen by the Joint Task and Finish group as agreed by Council in June 2016.
- 10.6 Due to the important working relationship between the two statutory officer roles and the fact that they are both Council appointments, it is proposed that the Joint Task and Finish group that is overseeing the recruitment of the Joint Chief Executive role undertakes the same function for the Assistant Director – Law and Governance role.
- 10.7 The membership of the Joint Task and Finish Group is:
- Babergh District Council
Jennie Jenkins – Leader of the Conservative Group
Clive Arthey – Leader of the Independent Group
Sue Carpendale – Leader of the Liberal Democrat Group
- Mid Suffolk District Council
Nick Gowrley – Leader of the Conservative Group
Andrew Stringer – Leader of the Green Group
Penny Otton – Leader of the Liberal Democrat Group
- 10.8 The Assistant Director – Law and Governance role is currently being advertised, with a closing date of 30 September. Longlisting, shortlisting and final interviews will take place during October and early November, with a recommendation for appointment being made to Council in November.

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