

**CORPORATE LEADERSHIP TEAM'S
REPORT TO COUNCIL**

14th February 2024

Report Title: Interim Appointment of Head of Paid Service (Chief Executive)

Submitted by: Service Director for Strategy, People and Performance

Portfolios: All

Ward(s) affected: All

Purpose of the Report

To seek approval for the interim appointment of the Head of Paid Service (Chief Executive), pending permanent recruitment processes.

Recommendation

That Council:

In accordance with s4 of the Local Government & Housing Act 1989, Council confirm the appointment of Simon McEneny (Deputy Chief Executive) as the Council's Interim Head of Paid Service (Chief Executive) with effect from 1st April 2024 on an acting up basis for a period of 3 months or until the substantive appointment is in post, whichever is first.

Reasons

To comply with the requirement of the Local Government & Housing Act 1989 that all local authorities designate one of their officers as Head of Paid Service.

1. Background

- 1.1 Under section 4 of the Local Government and Housing Act 189; the Council has a statutory duty to appoint a Head of Paid Service.
- 1.2 The Head of Paid Service has a statutory responsibility over the following matters:
 - 1.2.1 the manner in which the discharge by the authority of their different functions is co-ordinated;
 - 1.2.2 the number and grades of staff required by the authority for the discharge of their functions;
 - 1.2.3 the organisation of the authority's staff; and
 - 1.2.4 the appointment and proper management of the authority's staff.

2. Issues

- 2.1 The current Head of Paid Service and Chief Executive has tendered his resignation and will leave his post on 31st March 2024.
- 2.2 Although the recruitment process for a substantive appointment has commenced, it is unlikely that a permanent replacement will be in post from 1st April 2024. Therefore, an interim appointment is required to satisfy our statutory responsibilities as outlined above.
- 2.3 The Council's Deputy Chief Executive covers the duties of the Chief Executive during and periods of absence, and as such is well placed to cover this interim period. To reflect the short-term nature of the cover arrangements, this acting up will be for a period of 3 months or until the substantive appointment is in post, whichever is first.
- 2.4 If after a 3-month period, no substantive appointment is in place, this Acting Up arrangement will be formally reviewed.

3. **Recommendation**

- 3.1 In accordance with s4 of the Local Government & Housing Act 1989, Council confirm the appointment of Simon McEneny (Deputy Chief Executive) as the Council's Interim Head of Paid Service (Chief Executive) with effect from 1st April 2024 on an acting up basis for a period of 3 months or until the substantive appointment is in post, whichever is first.

4. **Reasons**

- 4.1 To comply with statutory duties

5. **Options Considered**

- 5.1 Alternatives considered were to appoint an external interim, however this option would be more expensive, and potentially more disruptive for the organisation if on a very short-term basis as anticipated.
- 5.2 Consideration has been given to approaching a neighbouring authority regarding a shared arrangement in the short term, however given the local picture currently with regard to workloads and existing shared arrangements, it appears unlikely that a mutually beneficial arrangement with another authority would be successfully agreed.
- 5.3 The internal appointment provides short term cover with existing knowledge and relationships within the Authority.
- 5.4 Short-term Acting Up arrangements support our staff development strategy as well as providing a solution more financially efficiently.

6. **Legal and Statutory Implications**

- 6.1 Under section 4 of the Local Government and Housing Act 1989; the Council has a statutory duty to appoint a Head of Paid Service

7. **Equality Impact Assessment**

- 7.1 n/a

8. Financial and Resource Implications

- 8.1** The Head of Paid Service salary is £116, 530.65 pa. The Deputy Chief Executive's salary is £100,380.51
- 8.2** For the period of acting up, payment would be made at the salary of the current Head of Paid Service (an increase of £16, 150.14 pro rata)

9. Major Risks & Mitigation

- 9.1** The Council needs to ensure that it has its three statutory officers in place to comply with legal requirements and to demonstrate good governance.

10. UN Sustainable Development Goals (UNSDG)

- 10.1** There is no direct impact on UNSDGs resulting from this appointment.

11. Key Decision Information

- 11.1** N/A

12. Earlier Cabinet/Committee Resolutions

- 12.1** N/A

13. List of Appendices

- 13.1** none

14. Background Papers

- 14.1** N/A