

# Appointments & Disciplinary Committee Agenda



To: Mayor Jason Perry (Chair)  
Councillor Lynne Hale (Vice-Chair)  
Councillors Jason Cummings, Stuart King, Enid Mollyneaux and  
Callton Young

A meeting of the **Appointments & Disciplinary Committee** which you are hereby invited to attend, will be held **Thursday, 13 October 2022 at 2.00 pm. Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX.**

Katherine Kerswell  
Chief Executive  
London Borough of Croydon  
Bernard Weatherill House  
8 Mint Walk, Croydon CR0 1EA

Democratic Services  
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www.croydon.gov.uk/meetings

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## **AGENDA**

**1. Apologies for Absence**

To receive any apologies for absence from Members.

**2. Disclosure of Interests**

Members are invited to declare any disclosable pecuniary interests (DPIs), pecuniary or non-pecuniary interests they may have in relation to any item(s) of business on today's agenda.

**3. Minutes - Part A - of the Previous Meetings (Pages 5 - 20)**

To approve the Part A minutes of the Appointments Committee, held on the 27<sup>th</sup> April 2022 and Appointment & Disciplinary Committee, held on the 31<sup>st</sup> August 2022.

**4. Exclusion of Press and Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting or a particular item:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

**5. Minutes - Part B - of the Previous Meetings (Pages 21 - 34)**

To approve the Part B minutes of the Appointments Committee, held on the 27<sup>th</sup> April 2022 and Appointment & Disciplinary Committee, held on the 31<sup>st</sup> August 2022.

**6. Confidential Staffing Matter (Pages 35 - 72)**

**7. Response to Query from External Auditor Relating to Former Chief Executive Settlement Agreement (Pages 73 - 116)**

**8. Update on Richard Penn's Independent Report**

(To Follow)

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# Public Document Pack Agenda Item 3

## Appointments and Disciplinary Committee

Meeting held on Wednesday, 31 August 2022 at 6.30pm in the Council Chamber, Town Hall, Katherine Street, Croydon, CRO 1NX.

### PART A MINUTES

**Present:** Councillor Lynne Hale (Vice-Chair)  
Councillors Jason Cummings, Stuart King, Enid Mollyneaux, Andy Stranack and Callton Young

**Also Present:** Gillian Bevan, Head of HR, Resources & Assistant Chief Executives  
Looqman Desai, Deputy Monitoring Officer  
Adrian May, Head of Democratic Services & Scrutiny  
Stephen Lawrence-Orumwense – Director of Legal Services & Monitoring Officer  
Dean Shoesmith, Chief People Officer  
Simon Trevaskis, Senior Democratic Services & Governance Officer

#### 1. Apologies for Absence

An apology for absence was received from Executive Mayor Perry. Councillor Stranack was in attendance as his substitute.

#### 2. Disclosure of Interests

Members confirmed that their entries on the Council's register of interests were up to date and that they had no further disclosures to make.

#### 3. Urgent Business (if any)

There were no items of urgent business.

#### 4. Exclusion of the Press and Public

The following motion was proposed by Councillor Hale, seconded by Councillor Cummings and agreed by the Committee to exclude the press and public for the remainder of the meeting.

"That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within paragraphs 1, 2 and 5 as indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended".

## [PUBLIC VERSION OF PART B MINUTES]

### 5. Confidential Staffing Matter Report

*Please note that a full confidential minute has also been produced that includes confidential resolutions of the Committee.*

### 6. Review of Temporary Chief Officer Cover Arrangements

*Please note that a full confidential minute has also been produced that includes confidential resolutions of the Committee.*

Note: The meeting returned to public session for consideration of the next item on the agenda.

## PART A

### 7. Appointment to the post of Director of Adult Social Care, Commissioning, Policy & Improvement

The Committee considered the report on making an appointment to the post of Director of Adult Social Care, Commissioning, Policy & Improvement, along with applications for the role.

It was highlighted that contrary to the wording set out recommendation 2 in the report, only the shortlisting would take place at the meeting, with the interviews due to be held at the Committee meeting scheduled for 15 September 2022. It was agreed that recommendation 2 would be amended to reflect that only shortlisting had taken place.

It was confirmed that the post had been evaluated with the salary band set out in the report and that progress across the increment points in the salary band was not linked to performance.

It was agreed that both the Cabinet Member and Shadow Cabinet Member for Adult Social Care would be invited to attend the interviews to inform the process.

Having considered the report and the applications submitted for the role, the Committee agreed the following.

**RESOLVED:** The Committee resolved to:

1. Agree the salary package for the post of Director of Adult Social Care, Director of Adults Social Care, Commissioning, Policy & Improvement at £106,476-£110,778 per annum under the Localism Act 2011.
2. Agree to shortlist two candidates for interview for the post of Director of Adults Social Care, Director of Adults Social Care, Commissioning, Policy & Improvement.
3. Agree that any appointment to be subject to the appointment notification process as set out in section 3.3 of part 4J of the Council's Constitution (Staff Employment Procedure Rules).

4. Agreed that both the Cabinet Member and Shadow Cabinet Member for Adult Social Care be invited to attend the interviews to inform the Committees deliberations.

*The meeting closed at 7.42pm*





# Public Document Pack

## Appointments Committee

Meeting held on Wednesday, 27 April 2022 at 9.00 am in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

### MINUTES

**Present:** Councillor Hamida Ali (Chair);  
Councillor Stuart King (Vice-Chair);  
Councillors Jason Cummings, Lynne Hale, Joy Prince and Callton Young

**Also Present:** Katherine Kerswell, Chief Executive  
Elaine Jackson, Assistant Chief Executive  
Jane West, Corporate Director of Resources & S151 Officer  
Dean Shoesmith, Chief People Officer  
Andrew Hunkin, Interim Monitoring Officer  
Gillian Bevan, Head of Human Resources  
Katie Wallace, Head of Recruitment  
Tariq Aniemeka Bailey, Trainee Democratic Services & Governance Officer  
Stephen Rowan, Head of Democratic Services & Scrutiny

### PART A

**13/20 Apologies for Absence**

There were no apologies for absence.

**14/20 Minutes of previous meetings**

The minutes of the meeting held on 17 March 2021 and reconvened on 23rd March 2021 and the meeting held on 23rd June 2021 were agreed as a correct record.

**15/20 Disclosure of Interest**

Members confirmed that their entries on the Council's register of interests were up to date and that they had no further disclosures to make.

**16/20 Urgent Business (if any)**

There were no items of urgent business.

## 17/20 Senior Leadership Recruitment Campaign 2021/22

The Committee considered the report of the Chief People Officer and noted the following points from the introductory presentation by officers:

- That the Council had used inclusive methodologies throughout its senior recruitment campaign in order to secure a diverse pool of candidates that reflected Croydon's local communities.
- To support this approach, the Council had used equality, diversity and inclusion best practice. This had included the Council's recruitment partner undertaking a review of all job descriptions to avoid any unconscious bias or racial discrimination.
- The Council's recruitment partner had also been briefed to search and attract candidates from different protected characteristics and to ensure that advertising was designed to be inclusive and welcoming.
- In addition to advertising through normal channels, all senior vacancies had also been advertised through a further 122 diversity specific sites as part of the Council's recruitment partner's 'Diversity Programmatic' package.
- The shortlisting process had used anonymised and redacted applications involving a range of diverse independent technical assessors. Committee Members had received full training from the LGA, including equality, diversity and inclusion best practice in recruitment.
- Overall, 50% of applicants had been of a Black, Asian or minority background and 70% of applicants had been female.
- In total, 124 different people had taken part in the candidate assessment process, including staff, partners, tenants, headteachers and pupils, trade unions and elected Members.
- Overall, the Council had successfully appointed to 7 out of the 9 vacant senior roles and there was a clear plan in place for the permanent recruitment to the two remaining roles.

During consideration of the report and questioning, Members noted the following

- That the campaign had been successful in recruiting the very best to the Council's top officer team and in building a senior team that would be able to work well and collaborate together successfully. However, it was an ongoing process for the Council to achieve its aspirations in terms of having a senior team that fully reflected the diversity of the both the Council's over all workforce and the Croydon community as a whole.
- That there were items elsewhere on the agenda that supported the Council's ambitions in this regard.
- That the Council still had work to do to enhance its brand as an employer and pursuing relevant accreditations would help the Council to achieve this.

At the conclusion of the debate it was

**RESOLVED:**

That the report, including the detail of the inclusive methodologies used and the outcomes achieved following the senior leadership recruitment campaign be noted.

**18/20 Update on the Implementation of the Organisational Redesign of Croydon Council**

The Committee considered the report of the Chief People Officer and noted the following points from the introductory presentation by officers:

- That the Council had used inclusive methodologies throughout its senior recruitment campaign in order to secure a diverse pool of candidates that reflected Croydon's local communities.
- To support this approach, the Council had used equality, diversity and inclusion best practice. This had included the Council's recruitment partner undertaking a review of all job descriptions to avoid any unconscious bias or racial discrimination.
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- That there were items elsewhere on the agenda that supported the Council's ambitions in this regard.
- That the Council still had work to do to enhance its brand as an employer and pursuing relevant accreditations would help the Council to achieve this.

At the conclusion of the debate it was

## **RESOLVED:**

That the report, including the detail of the inclusive methodologies used and the outcomes achieved following the senior leadership recruitment campaign be noted.

### **19/20 Formal Review of the Recruitment Policy**

The Committee considered the report of the Chief People Officer and noted the following points from officers' introductory comments:

- That the review of the policy would help the Council to ensure that it had a strong approach to equality, diversity and inclusion in its recruitment practices.
- That the review had been discussed at the Council's Equality, Diversity and Inclusion Board and with the Chairs of staff networks.
- That the review had produced baseline data that revealed potential issues regarding recruitment practices, notability for Asian candidates at interview stage and how the council's recruitment systems could be deterring disabled candidates from applying for roles.
- The data had also indicated that there were potential issues regarding age, with older candidates being notably more successful than older candidates. As a major employer in the Borough, this was an important area to address to support the economic inclusion of younger Croydon residents.
- That the Council also needed to review its policy regarding values based recruitment in addition to its existing practice of knowledge, education and skills based recruitment. The Committee heard how this would be an important development in recruitment in areas such as customer service and social care where the values that staff held influenced the approach they took to their work.
- That the Council needed to review its brand presence in the employment market and its reputation as an employer in regard to equality, diversity and inclusion. Ensuring that the Council had achieved the relevant accreditations would be a significant factor.

In response to deliberations and questions, the Committee considered the following points:

- That consideration would be given to new ways of recruitment that were more open and accessible, such as the use of open days and community outreach to target specific groups such as former offenders and people living in hostels. Consideration would also be given to how the Council could move away from rigid recruitment systems.
- That trade unions and staff networks were to be fully involved in the review in order to ensure that there was as much confidence in the recruitment policy as possible.

Following the conclusion of the debate it was:

**RESOLVED:**

That the report, the recommendations for change and the work to be initiated to develop an improved, accessible recruitment policy framework to support a more representative, diverse, and inclusive workforce in practice be noted.

**20/20 Positive Action Talent Development Programmes**

Davina Brown, Chair of the Race Equality Network was in attendance for this item.

The Committee considered the report of the Chief People Officer and noted the following points from officers' introductory comments:

- That the report built on feedback from the Race Equality Network, the staff survey and the Council's continuing aspiration to tackle barriers to staff developing in the organisation.
- That BAME staff that had previously completed courses, such as the BAME aspiring managers course, had often felt unable to progress after completing those courses and had subsequently left the organisation. Many of those staff had been able to secure secondments but permanent managerial positions. The inclusion of plans and pathways for staff to get the necessary exposure and experience to secure permanent promotions would be a positive development that staff networks would welcome.

- That the positive action programmes were one strand, alongside the organisational redesign and review of the recruitment policy, of interventions that the Council was taking to give staff and residents confidence that and belief that it was an organisation where everyone could learn and progress in their careers.

During discussion, the Committee heard that the Council would also engage with schools to encourage young people in the Borough to consider careers in Local Government. Following the conclusion of the discussion it was

**RESOLVED:**

That the report and the recommendations for reactivating talent development programmes to support the personal development and advancement of staff to create a more representative, diverse, and inclusive workforce, who are skilled to meet residents' needs be noted.

*At this stage in proceedings the Committee agreed to vary the order of business to the effect that items were taken in the following order: Item 10 (where the Committee moved in to part B), 11, 13, 15, 16, 12, 14, then 9 (where the Committee returned to part A). Please note that the minutes have been produced to reflect the running order of the published agenda.*

**21/20 Draft People and Cultural Transformation Strategy 2022-2025**

The Committee considered the report of the Chief People Officer and noted the following points from officers' introductory comments:

- That the strategy was at an early stage of drafting and would replace the existing "People Strategy" that would expire during 2022.
- The production of the new strategy was an opportunity for the Council to undertake a strategic pay review and to modernise its job evaluation scheme. That review would also seek to reduce the volume of job descriptions across roles in the Council, which stood at over 1000.
- That the importance of renewing the internal culture of the Council had been reflected by staff in webinars and the new strategy would

play in a significant role in the healing of the organisation and rebuilding of trust.

During discussion, the Committee agreed that the fifth recommendation in the report be amended to the effect that all managers would be given an objective to “develop the *diversity* of talent of their direct reports and teams”.

Following the conclusion of debate it was

**RESOLVED:**

1. That the outline draft People and Cultural Transformation Strategy included at appendix 1 to the report and the work done to date be noted;
2. That the draft report and appendix be agreed;
3. That the proposals for the work that will commence in May 2022 with all managers and staff on the results of the November 2021 staff survey, the values refresh and the consideration of this draft strategy be noted;
4. Agree that the outcome of that work would return to the committee with the final strategy for member consideration and agreement; and
5. To note that all managers would be required to adopt a personal performance indicator as part of the 2022/23 performance management system to develop the diversity talent of their direct reports and teams.

**22/20 Exclusion of the Press and Public**

The following motion was proposed by Councillor King, seconded by Councillor Young and agreed by the Committee to exclude the press and public for the remainder of the meeting.

“That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within paragraphs 1 and 2 as indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended”.

**23/20 Minutes of previous meetings**



The confidential minutes of the meeting held on 17 March 2021 and reconvened on 23rd March 2021 and the meeting held on 23rd June 2021 were agreed as a correct record.

**24/20 Extension of the fixed-term contract for the Interim Director of Culture and Community Safety and extension of the agency engagement of the Chief Digital Officer**

**RESOLVED:**

- 1 That a nine-month extension to the fixed-term contract for the Interim Director of Culture and Community Safety from 8 May 2022 to 7 February 2023 be agreed.

*Please note that a full confidential minute has also been produced that includes further confidential resolutions of the Committee.*

**25/20 Chief People Officer - Market Supplement and Grade**

*The Chief People Officer, Dean Shoesmith, declared a conflict of interests in this item and left the meeting room for the entirety of its consideration.*

**RESOLVED:**

- 1 That the revised salary package of Chief People Officer at Chief Officer Grade 2, £106,476 to £110,778 per annum under the Localism Act 2011 be agreed; and
- 2 That the pay offer for the Chief People Officer permanent appointment at Grade 2 (Chief Officer pay grade) £110,778 per annum with a market supplement of £8,731 per annum be agreed to the effect that
  - i) The total salary taking into account the 21/22 JNC pay award and including the market supplement be £119,509; and
  - ii) The revised salary and back dated pay award would be back dated to 1 February 2022, the date on which the postholder commenced in the permanent post.

*Please note that a full confidential minute has also been produced.*

**26/20 Director of Commercial Investment - Market Supplement**

**RESOLVED:**

1. That the inclusion of a market supplement of £10,914 per annum in the pay for the Director of Commercial Investment (Chief Officer Grade 2) be agreed of £10,914 per annum.
2. That the total salary package, taking into account the 21/22 JNC pay award and including the market supplement, was agreed at £121,692.
3. That the market supplement was to be back dated to 1 March 2022, the date on which the post holder commenced in the permanent post.

*Please note that a full confidential minute has also been produced.*

**27/20 Consideration of various recommendations placed before the Appointments Committee of 23 June 2021 - Matters pending the publication of the second Report in the Public Interest regarding the refurbishment of Fairfield Halls**

**RESOLVED:**

That the Committee's continuing aspiration for the 'Penn' report to be published in full be noted.

*Please note that a full confidential minute including further confidential resolutions has also been produced.*

**28/20 Response to Formal Query from the External Auditor raised in regard to the settlement agreement with the former Chief Executive**

**RESOLVED** that members of the Press and Public be excluded from the remainder of the meeting under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined in Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of Schedule 12A of the Act: and (ii) that the public

interest in maintaining the exemption outweighed the public interest in disclosing the information.

The meeting ended at 1.40 pm

**Signed:**

**Date:**

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