

Appointments and Disciplinary Committee Agenda



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

A meeting of the **Appointments and Disciplinary Committee** which you are hereby invited to attend, will be held **Friday, 11 November 2022 at 11.30 am in Room 1.01 and 1.02 - Bernard Weatherill House, Mint Walk, Croydon CR0 1EA.**

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

Democratic Services
Democratic.Services@croydon.gov.uk
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) and other registrable and non-registrable interests they may have in relation to any item(s) of business on today's agenda.

3. Minutes of Previous Meetings (Pages 5 - 8)

The Committee is invited to approve as correct records, the minutes of the meetings held on 8 and 15 September 2022.

4. Appointment to the Post of Director of Finance (Deputy S151 Officer) (Pages 9 - 14)

This report seeks the Committee's approval to agree the salary package and undertake the selection and appointment to the post of Director of Finance (Deputy s151 Officer).

A meeting of the Committee will be held on Wednesday 7 December 2022 to conduct formal interviews for the post.

5. 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 remaining item 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, as amended, of the Local Government Act 1972."

6. Review of Temporary Chief Officer Cover Arrangement (Pages 15 - 18)

The Committee is invited to agree to extend the current cover Arrangement of a temporary Chief Officer, as detailed in the Report.

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MINUTES of the **MEETING** of the **APPOINTMENTS AND DISCIPLINARY COMMITTEE**, held in Rooms 1.01 and 1.02, Bernard Weatherill House, Mint Walk, Croydon, at 1.00pm on Thursday 8 September 2022.

PRESENT:

Executive Mayor Jason Perry (Chair) and Councillors Lynne Hale (Deputy (Statutory Executive Mayor) (Vice-Chair), Enid Mollyneaux and Callton Young OBE.

ALSO PRESENT:

Councillors Janet Campbell (Shadow Cabinet Member for Health and Adult Social Care) and Yvette Hopley (Cabinet Member for Health and Social Care).

IN ATTENDANCE:

Deborah Calliste (Head of Human Resources), Tariq Aniemeka-Bailey (Democratic Services and Governance Officer) and Annette McPartland (Corporate Director of Adult Social Care and Health).

1. Chair's Opening Remarks

The Chair welcomed everybody present, in person, and those watching online, to this afternoon's meeting of the Council's Appointments and Disciplinary Committee.

He said that the live streaming of this meeting would cease, should Members pass a resolution to move into private session at Agenda Item 4 (Exclusion of the Press and Public).

2. Apologies for Absence

Apologies for Absence had been received from Councillors Jason Cummings and Stuart King.

3. Disclosure of Interests

There were no declarations of interests received from Members.

4. Minutes

The Minutes of the Meeting of the Committee, held on 23 August 2022, were approved as a correct record.

5. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business, on the grounds that it involved the likely disclosure of exempt information, as defined in Part 1 to Schedule 12A, as amended, of the Local Government Act 1972.

6. **Position of Director of Adult Social Care Commissioning, Policy and Improvement**

RESOLVED: The Committee **AGREED** to appoint Bianca Byrne to the position of Director of Adult Social Care Commissioning, Policy and Improvement.

MINUTES of the **MEETING** of the **APPOINTMENTS AND DISCIPLINARY COMMITTEE**, held in Rooms 1.01 and 1.02, Bernard Weatherill House, Mint Walk, Croydon, at 12.30pm on Thursday 15 September 2022.

PRESENT:

Executive Mayor Jason Perry (Chair) and Councillors Rowenna Davis, Lynne Hale (Deputy (Statutory) Executive Mayor) (Vice-Chair) and Callton Young OBE.

ALSO PRESENT:

Councillors Janet Campbell (Shadow Cabinet Member for Health and Adult Social Care) and Yvette Hopley (Cabinet Member for Health and Social Care).

IN ATTENDANCE:

Deborah Calliste (Head of Human Resources), Katherine Kerswell (Chief Executive), Annette McPartland (Corporate Director of Adult Social Care and Health) and Colin Sweeney (Senior Democratic Services and Governance Officer).

1. Chair's Opening Remarks

The Chair welcomed everybody present, in person, and those watching online, to this afternoon's meeting of the Council's Appointments and Disciplinary Committee.

He said that the live streaming of this meeting would cease, should Members pass a resolution to move into private session at Agenda Item 3 (Exclusion of the Press and Public).

2. Apologies for Absence

Apologies for Absence had been received from Councillors Stuart King (with Councillor Rowenna Davis substituting) and Councillor Enid Mollyneaux.

3. Disclosure of Interests

There were no declarations of interests received from Members.

4. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business, on the grounds that it involved the likely disclosure of exempt information, as defined in Part 1 to Schedule 12A, as amended, of the Local Government Act 1972.

5. **Position of Director of Adult Social Care Operations**

RESOLVED: The Committee **AGREED** to appoint Simon Robson to the position of Director of Adult Social Care Operations.

REPORT TO:	APPOINTMENTS AND DISCIPLINARY COMMITTEE 11 November 2022
SUBJECT:	Appointment to the Post of Director of Finance (Deputy S151 Officer)
LEAD OFFICER:	Katherine Kerswell Chief Executive and Head of Paid Service
WARDS:	All
PUBLIC	Yes

SUMMARY OF REPORT:

This report seeks the Committee’s approval to agree the salary package and undertake the selection and appointment to the post of Director of Finance (Deputy s151 Officer).

FINANCIAL IMPACT:

The salary costs and the oncosts of Pensions and National Insurance costs for the post are budgeted within the Resources Directorate. There are no further financial implications from recruiting to this post. The post is budgeted at Grade 2 with a maximum salary of £110,778.

1. RECOMMENDATIONS:

The Committee is **RECOMMENDED** to:

- 1.1 Agree the salary package for the post of Director of Finance (Deputy s151 Officer) at £106,476-£110,778 per annum under the Localism Act 2011.
- 1.2 Undertake the selection for and agree an appointment to the post of Director of Finance (Deputy s151) from the candidate(s) detailed in the Part B appendices to the agenda.
- 1.3 Note 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).

EXECUTIVE SUMMARY

- 1.1 As a member of the Council’s senior management, the Director of Finance (Deputy s151 Officer) will work collaboratively with other directors. The **Director of Finance** will provide budget management, planning and reporting (GF, HRA and Capital), support to all directorates through the heads of finance / business partners, treasury management, payments, revenues, benefits and debt services and promote the Council’s corporate competencies and values

through day-to-day managerial behaviours. The post holder will be the key Lead for the Finance team which sits within the Resources Directorate

The **Director of Finance** will provide high quality professional advice to the Corporate Director of Resources, the Chief Executive, Executive Mayor and Cabinet, the Scrutiny and Overview Committee, the Audit and Governance Committee and any other external bodies on all finance matters related to the functions of the Council.

The post incorporates the role of Deputy S151 Officer to the statutory role of Section 151 of the Local Government Act 1972, which is held by the Corporate Director of Resources.

1.2 Structure



Localism Act 2011 and Pay Policy

- 1.3 The Appointments & Disciplinary Committee established at the Annual Meeting in May 2022 has delegated responsibility for approving appointments beyond the threshold specified in statutory guidance issued by the Secretary of State under section 40 of the Localism Act 2011. The statutory guidance provides that elected Members should be given an opportunity to vote before salary packages upon appointment at or above a specified threshold are offered. For these purposes, the specified threshold is currently £100,000 as set by Government.
- 1.4 As set out in the Council's Pay Policy agreed by the Council on 07 March 2022 it was anticipated that a new pay range for Croydon Chief Officer Grades would be introduced in line with the new senior management structure. This includes

new Director roles. The Pay Policy provided that these roles would be placed on a grade and salary within the Croydon Chief Officer Grades 1 and 3 following evaluation of their post using the Hay job evaluation scheme with provision for incremental progression to the top spinal point of the grade. The Policy also provides that the salaries will be reviewed in line with national awards as determined by the JNC for Local Authority Chief Executives. The Council on 05 July 2021 agreed the new Job Descriptions for the three most senior tiers of management. This included agreeing the salary scale for the Director of Finance (Deputy s151) Grade 2 £106,476-£110,778.

- 1.5 Under these arrangements the Director of Finance (Deputy s151) would receive a salary package which would engage the Committee's discretion in accordance with the delegation set out in paragraph 1.3 above and therefore a decision is required by the Committee to appoint at this pay level.
- 1.6 The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provide for a notification process to ensure that the Executive Mayor and any other Cabinet Members have no objections to the offer of appointment occurs before an offer of appointment is made to him/her and these requirements will be complied with should members approve the above recommendations

2. CONSULTATION

- 2.1 The recruitment campaign and assessment and selection process included working in partnership with Allen Lane who undertook full executive search, concurrently, we advertised on our internal/external Croydon job sites.

3 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

3.1 Revenue and Capital consequences of report recommendations

There are no specific financial implications arising from this recruitment as salary costs and the associated on-costs can be met from within existing budgets within the Resources Directorate.

The search for this post has been contracted out to an experienced Local Government recruiter, Allen Lane. Part B further details the costs associated with this recruitment campaign as it is commercially sensitive to include within Part A and would be in breach of our contractual terms with Allen Lane. 3.2

The effect of the decision

Permanently appointing to this position will provide consistent leadership approach and support to the Finance function and support an efficient and improved management of the Council's finances. This is an established post and the salary costs arising from this decision can be met from the 2022/23 budget.

3.3 Risks

The failure to recruit the right candidate is always a risk and may result in further costs to recruit should this happen. There are broader operational and delivery

implications, particularly with savings targets and other Directorate responsibilities.

3.4 Options

The alternative option of not filling the role; and for not making provision within the parameters of the Council's agreed Pay Policy Statement is not considered sustainable or viable option.

3.5 Future savings/efficiencies

None identified.

3.6 Approved by: Nish Papat – Interim Head of Corporate Finance

4. LEGAL CONSIDERATIONS

4.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Legal Services and Monitoring Officer that the Council may generally appoint such staff as it considers necessary for the proper discharge of its functions on such reasonable terms and conditions, including remuneration, as the Council thinks fit.

4.2 However, such appointments are subject to the requirement of Member approval as detailed in section 40 of the Localism Act 2011 in relation to appointments to salary packages in excess of £100,000 authority for which has been delegated by full Council to this Committee.

4.3 Separately, the local authority is under a duty to appoint an officer known as a Chief Finance Officer (Section 151 Officer) responsible for the administration of the Council's financial affairs who must hold a professional accountancy qualification as prescribed by the Local Government Finance Act 1988 section 113. The role of Director of Finance includes the responsibility of Deputy Section 151 Officer who must be similarly so qualified where they are acting on behalf of the Chief Finance Officer (Section 151 Officer).

4.4 The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provides for a notification process to ensure that the Mayor and any other Cabinet Members have no objections to the offer of appointment which must occur before an offer of appointment can be made to him/her.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law for and on behalf of Stephen Lawrence-Orumwense the Director Legal Services and Monitoring Officer.

5 HUMAN RESOURCES IMPACT

5.1 There are no additional human resources impacts beyond those described in the body of the report.

5.2 Approved by: Dean Shoesmith, Chief People Officer.

6 EQUALITIES IMPACT

6.1 There are no direct equality considerations arising from this report. However, as a senior member of staff the Director will be required to promote the Public Sector Equality Duties (PSED) as detailed:

- (i) Eliminate unlawful discrimination, harassment and victimisation.
- (ii) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (iii) Foster or encourage good relations between people who share a protected characteristic and those who do not.

6.2 Approved by: Denise McCausland, Equalities Programme Manager

7 ENVIRONMENTAL IMPACT

7.1 There are none

7.1 (Approved by: *[A N. Other]* on behalf of the Director of XX)

8 CRIME AND DISORDER REDUCTION IMPACT

8.1 There are none.

8.1 (Approved by: *[A N. Other]* on behalf of the Director of XX)

9 DATA PROTECTION IMPLICATIONS

9.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?

The recommendations contained within this report involve the processing of data in accordance with data protection requirements via the Council's HR and payroll systems, policies and processes.

Approved by: Dean Shoesmith Chief People Officer

CONTACT OFFICER: Katie Wallace, Head of Recruitment

APPENDICES TO THIS REPORT

Appendix 1: Role Profile

BACKGROUND DOCUMENTS:

Part B appendices. Not for publication – exempt under part 1 of Schedule 12A of the Local Government Act 1972 and the public interest in withholding disclosure outweighs the public interest in disclosure.

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

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