

REPORT TO:	Appointments Committee 21 September 2021 Full Council 11 October 2021
SUBJECT:	Review of temporary chief officer cover arrangements
LEAD OFFICER:	Asmat Hussain Interim Executive Director of Resources and Monitoring Officer
<p>FINANCIAL IMPACT:</p> <p>There is no additional expenditure arising directly from the recommendations contained in this report beyond the salaries that are being paid to the individuals providing cover in these essential roles</p>	
<p>1. RECOMMENDATIONS:</p> <p>Members of the Appointments Committee are recommended to:-</p> <p>1.1 Agree, in accordance with paragraph 3.3(1) and (2) of Part 4J (Staff Employment Procedure Rules) of the Constitution, to delegate to the Head of Paid Service the decision whether or not to extend current temporary cover arrangements for the Chief Officer posts set out in recommendation 1.2. for a further period of up to six months, to 31 March 2022, pending the permanent recruitment processes via the Appointments Committee. The delegation to be subject to the usual notification requirements in paragraph 3.3.3 and notifying any extension of the temporary appointments to the next meeting of full Council.</p> <p>1.2 Note that the chief officer roles in consideration are :- 1.2.1 Corporate Director of Children, Young People and Education 1.2.2 Assistant Chief Executive</p> <p>1.3 In addition the Committee is asked to agree to convert the current fixed term contract for the Director of Children’s Social Care, to a permanent contract, following contract discussions for this role.</p>	

2 EXECUTIVE SUMMARY

- 2.1 In accordance with paragraph 3.3 of the Staff Employment Procedure Rules (Part 4J) in the Council’s Constitution, the appointment of Chief Officer posts is a matter reserved for an Appointments Committee, unless specifically delegated by them. The Head of Paid Service may make temporary appointments of chief officers up to six months, with notification to the next full council meeting.

- 2.2 The council comprehensive set of improvement activities, as detailed in the Croydon Renewal Plan are progressing and to ensure a continuous focus on delivery, there needs to be robust management of the organisation. There are currently a number of temporary cover arrangements in place at chief officer level that are due to conclude at the end of September 2021. These are in place primarily pending the reorganisation of the top 3 tiers of the council's management. Cover is in place to ensure continuity and support for all staff teams pending the permanent recruitment process of the new agreed structure.
- 2.3 The Council has made significant improvements in the matching and ring-fencing process and has concluded a procurement process for the Recruitment Partner for the vacant gaps in the top 3 tiers of council management. It is therefore necessary for good operational and business efficiency that the cover arrangements are extended to provide continuity and ensure progress on key projects is not delayed.

3. BACKGROUND AND CONTEXT

- 3.1 In September 2020 a number of fixed term appointments and secondments were made at chief officer level from internal resources, to maintain Director level accountability for a number of key areas of service. The appointment of the Councils new Head of Paid Service and approved Organisational Redesign of Croydon, the Council is now progressing the permanent recruitment and there is still a period of temporary cover.
- 3.2 The posts in question are:-
- 3.2.1 Corporate Director of Children, Young People and Education. The extension of the temporary arrangements is for a further period of up to 6 months to 31st March 2022, pending permanent recruitment
 - 3.2.2 Assistant Chief Executive, the extension of the temporary arrangements is for a further period of up to 6 months to 31st March 2022, pending permanent recruitment
- 3.3 Whilst the planned recruitment is underway the organisation needs some managerial stability to maintain service delivery. Staff confidence in management arrangements is crucial as is a sense of continuity, where possible in the short term.
- 3.4 The current temporary post holders are currently fully engaged in the planning and delivery of the budget of their services and are providing operational oversight and guidance to the services. There are no concerns about their performance.
- 3.5 The Improvement and Assurance Panel have welcomed the Council approved Organisational Redesign of Croydon and ensure that the Council has appropriate interim arrangements whilst that concludes.

- 3.6 In taking the decision to delegate the decision to extend the temporary arrangements for a further period of up to 6 months, to 31 March 2022, to the Chief Executive officer in this instance, will ensure quick reassurance for the staff concerned and the organisation more generally.
- 3.7 The recommendation to convert the current fixed term contract to a permanent contract arrangement for the Director of Children's Social Care, reflects a good business case to ensure stability for the service in its improvement journey. The appointment was made from a full Appointment Committee's unanimous decision on 10th March 2021 to recruit permanent to the role. At the request of the successful candidate a fixed term contract was entered into, subject to review. Subsequently the postholder has indicate their willingness to convert to a permanent contract as originally proposed as part of the recruitment exercise and Appointment Committee decision on 10 March 2021. This role is highlighted as hard to recruit to nationally and the current postholder is performing well and a permanent commitment is a positive step for service stability. Approval is sought for the conversion to a permanent role.

4. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

There are no additional finance requests beyond payment of salaries that are committed in the budget to cover these fixed-term contract extensions.

Approved by: Matthew Davies, interim Deputy Section 151 Officer

5. LEGAL CONSIDERATIONS

- 5.1 The Head of Litigation and Corporate Law comments on behalf of the interim Director of Law and Governance 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.
- 5.2 The function of appointment of a member of staff of the authority must generally be discharged, on behalf of the authority, by the Head of Paid Service or by an officer nominated by the Head of Paid Service. However, paragraph 3.3(1) of the Staff Employment Procedure Rules in Part 4J of the Constitution provides that with regard to the appointment of Chief Officers the function will usually be carried out by the Appointments Committee.
- 5.3 The definition of 'Chief Officer' in Part 4J of the Constitution includes interim appointments to Chief Officer positions such as the posts set out in paragraph 1.2 of the recommendations contained in this report.
- 5.4 Separately, paragraph 3.3(2) of the Staff Employment Procedure Rules in Part 4J in the Constitution delegates to the Head of Paid Service authority to make temporary appointments of Chief Officers for a period of up to 6 months subject

to the notification requirements in paragraph 3.3.3 to ensure that the Leader and any other Cabinet Members have no objections to the offer of appointment before an offer of appointment is made to him/her. Such temporary appointments must also be notified to the next meeting of full Council.

- 5.5 The proposal is to seek approval from the Committee to delegate to the Head of Paid Service authority to decide whether or not a further extension of the temporary appointments to the posts identified in paragraph 1.2 of the recommendations for a further period of up to 6 months, to 31 March 2022, subject to usual notification requirements to the Leader and Cabinet Members and the next meeting of full Council should be agreed.

Approved by: Sandra Herbert Head of Litigation and Corporate Law on behalf of the interim Director of Law and Governance.

6. HUMAN RESOURCES IMPACT

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

Approved by: Sue Moorman, Director of Human Resources

7. DATA PROTECTION IMPLICATIONS

The recommendations contained within this report will not directly involve the processing of data.

Approved by: Elaine Jackson, Interim assistant Chief Executive

CONTACT OFFICER:

Katie Wallace, Head of Recruitment

APPENDICES TO THIS REPORT:

None