

LONDON BOROUGH OF CROYDON

REPORT:	APPOINTMENTS AND DISCIPLINARY COMMITTEE	
DATE OF DECISION	12 July 2023	
REPORT TITLE:	REVIEW OF TEMPORARY CHIEF OFFICER COVER ARRANGEMENT: EXTENSION OF FIXED TERM CONTRACT	
CORPORATE DIRECTOR / DIRECTOR:	KATHERINE KERSWELL CHIEF EXECUTIVE AND HEAD OF PAID SERVICE	
LEAD OFFICER:	GILLIAN BEVAN HEAD OF HR, RESOURCES AND ACE DIRECTORATES Email: Gillian.Bevan@croydon.gov.uk	
LEAD MEMBER:	CLLR MARIA GATLAND	
AUTHORITY TO TAKE DECISION:	Appointments of staff are a non-executive function of the Council and the Council's established practice is to report all director appointments to Members for decision.	
KEY DECISION?	No	REASON: N/A
CONTAINS EXEMPT INFORMATION?	No	Public
WARDS AFFECTED:	N/A	

1 SUMMARY OF REPORT

- 1.1 This report concerns the request for an extension of the fixed term contract for the Interim Corporate Director, Children, Young People and Education, as outlined in the body of the report.

2 RECOMMENDATIONS

For the reasons set out in the report Appointments and Disciplinary Committee is recommended:

- 2.1 To agree to extend the current fixed term contract for the Interim Corporate Director, Children, Young People and Education for 12 months from 18 August 2023 to 17 August 2024, until the Ofsted inspection has taken place.
- 2.2 Note that if the extension is agreed, the Committee's decision will be subject to the usual notification requirements in paragraph 3.3 of Part 4J (Staff Employment Procedure Rules) in the Constitution.

3 REASONS FOR RECOMMENDATIONS

- 3.1 This report seeks agreement to extend the fixed term contract for the Corporate Director, Children, Young People and Education by a further 12 months until after the Ofsted inspection has taken place.
- 3.2 The reason for the extension is that an assessment of the market for a permanent DCS was taken during April and whilst there were a few possible applicants the market is exceptionally tight and especially so for Croydon.
- 3.3 The view was taken in discussion with the Executive Mayor that in the light of the Ofsted inspection, expected within a 12 month' timeframe, it would add a risk of destabilising the leadership and management of children's services to our situation if the Council sought to recruit on a permanent basis.

4 BACKGROUND AND DETAILS

- 4.1 The Interim Corporate Director, Children Young People and Education was appointed on 13 October 2020 on a fixed term contract which has since been extended, most recently for a 6 month' period from 17 February 2023 until 17 August 2023, pending permanent recruitment arrangements.
- 4.2 It should be noted that after four years in post there is automatic permanency of employment contract. The current interim post holder is under 4 years' service and will still be within 4 years with this with extension request to 17 August 2024. However, should there be a future request and agreement for the fixed term contract to be extended beyond 12 October 2024, the postholder would then automatically become permanent in post (unless the continued use of a fixed term contract can be objectively justified).

5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 As there is a need to maintain a stable management team pending Ofsted, there are no alternative options at this present time without risk to the Council.

6 CONSULTATION

- 6.1** The appointment of Chief Officer posts, other than temporary appointments for up to 6 months, is a matter reserved for the Appointments and Disciplinary Committee, unless specifically delegated by them. There has been no prior consultation with the Committee on this further extension of appointment.

7. IMPLICATIONS

7.1 FINANCIAL IMPLICATIONS

- 7.1.1** Finance have assessed the impact of the decision and can confirm the cost of the fixed term contract extension recommended in this report can be met within existing budgets.
- 7.1.2** Comments approved by Maiyani Henry-Hercules, Head of Finance for Childrens Young People and Education on behalf of the Director of Finance. (Date: 29/06/23)

7.2 LEGAL IMPLICATIONS

- 7.2.1** 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.
- 7.2.2** The function of appointment of a member of staff below deputy chief officer level must be discharged by the Head of Paid Service or by an officer nominated by the Head of Paid Service. Appointment decisions concerning more senior officers can be made by officers or Members subject to statutory requirements and Council rules and established practices.
- 7.2.3** The proposal is to seek approval from the committee to decide whether or not to extend the fixed term contract for the Interim Corporate Director, Children Young People and Education for 12 months subject to the usual notification requirements to the Executive Mayor and Cabinet Members.
- 7.2.4** Comments approved by: Looqman Desai, Deputy Monitoring Officer on behalf of the Director of Legal Services and Monitoring Officer (Date: 29/06/23)

7.3 EQUALITIES IMPLICATIONS

- 7.3.1** The post is a senior post within the Council, therefore the post holder 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 don't.
- (iii) foster or encourage good relations between people who share a protected characteristic and those who don't.

7.3.2 Senior members of staff are also responsible for the deliverables of the Equality Strategy 2020 -2024 within their service area. This includes: ensuring that every strategy, delivery plan and staff appraisal has an equality objective linked to it.

7.3.3 As a member of the management team, the post holder will also have responsibility for the implementation of the Equality Strategy 2020- 2026 which includes the standards of the Chief Executive for London Council's Tackling Racial Injustice programme. This includes ensuring that both equality and race have measurable actions on personal development plans for the post holder.

7.3.3 The post holder will be requested to share equality monitoring data whilst in post.

7.3.4 Comments approved by: Denise McCausland, Equalities Programme Manager (Date: 04/07/23)

7.4 HUMAN RESOURCES IMPLICATIONS

7.4.1 There are no additional human resources impacts beyond those described in the body of the report. Note that the extension referred to in this report is for an employee on a fixed term contract and not an agency/consultant contract.

7.4.2 Comments approved by Gillian Bevan, Head of HR Resources and Assistant Chief Executives on behalf of the Chief People Officer (Date: 27/06/23)