

Report to: Personnel Committee



Date of Meeting 28<sup>th</sup> November 2022

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

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## Monitoring Officer Recruitment

### Report summary:

To update on the recruitment process for the Director of Governance and Licensing (Monitoring Officer) role, confirm the Interviewing Sub Committee requirements and seek approval to interim arrangements, whilst the recruitment process is completed.

### Is the proposed decision in accordance with:

Budget Yes  No

Policy Framework Yes  No

### Recommendation:

That Committee:

- Note the recruitment process to date, including use of an executive search agency to support this.
- Confirm the requirement to convene the Interviewing Sub Committee as part of the recruitment and selection process and nominate members from the Personnel Committee to undertake this role.
- Approve the interim arrangements, as set out in the report.

### Reason for recommendation:

The appointment of the Head of Paid Service and Chief Officers requires approval by Council, following the recommendation of the Interviewing (Chief Officers) Sub Committee, as set out in the Personnel Committee Terms of Reference and the Employment Procedure Rules.

Officer: Mark Williams, Chief Executive

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

## **Equalities impact** Low Impact

Recruitment and selection will be undertaken in accordance with employment and equality law and the Council's procedures.

## **Climate change** Low Impact

**Risk:** Low Risk; Failure to recruit to this key role in the Council could lead to service disruption and inability to undertake Council business.

**Links to background information** n/a

**Link to [Council Plan](#)**

Priorities (check which apply)

- Better homes and communities for all
  - A greener East Devon
  - A resilient economy
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## **Report in full**

1. Following the resignation of the Strategic Lead for Governance and Licensing (Monitoring Officer), this report sets out the proposed recruitment, selection and interim arrangements for this Chief Officer post.

### **2. Background**

2.1. The Council's current Strategic Lead for Governance and Licensing (Monitoring Officer) has secured alternative employment and is due to leave the Council on 23<sup>rd</sup> January 2023.

2.2. As part of the Reward Review, it was proposed to rename the Strategic Leads to Directors and Service Leads to Assistant Directors, following feedback received during the recent recruitment exercise for the Environmental Health Service Lead, which suggested that the term Director/Assistant Director was more recognisable and attractive in the employment market. No other changes were made to the job descriptions, roles or responsibilities and a review of the current Strategic Lead for Governance and Licensing (Monitoring Officer) job description, prior to commencing the recruitment process, has not led to any major changes.

2.3. Strategic Leads/Directors are designated as Chief Officers on Joint Negotiating Committee (JNC) Chief Officer terms and conditions. Service Leads/Assistant Directors are on National Joint Council (NJC) terms and conditions.

2.4. The Council's Employment Procedure Rules (*Part 4, paragraph 4.8 of the Constitution*) state that full Council will approve the appointment of the Head of Paid Service or a Chief Officer following the recommendation of such an appointment by the Interviewing (Chief Officer) Sub Committee, which consists of seven councillors drawn from the membership of the Personnel Committee which shall include at least one member of the Cabinet (subject to the rules relating to political balance / proportionality) (*Personnel Committee Terms of Reference, Part 3, Section 2, paragraph 2.10.6*).

### **3. Recruitment and Selection Process**

- 3.1. As this post will be vacant from January 2023, it was essential that recruitment commenced as quickly as possible in order to secure a suitable alternative post holder. An executive search agency was commissioned to support the Council. The agency will liaise with potential candidates, develop a recruitment campaign and support the selection process. Using an agency provides the Council with access to a wider range of potential candidates and specialist advice and support, which is particularly helpful given the continuing challenging employment market (anecdotal feedback from the agencies and other councils suggests that this post will be particularly challenging to recruit to, due to the nature of the role and changes across the local government sector).
- 3.2. The timeline for the process is as follows:
- November 2022 – agency commissioned and preparation work undertaken.
  - Early December 2022 - recruitment advertising commences and potential candidates approached by the agency.
  - Mid-January 2023 – Closing date for applications.
  - Late January/early February 2023 – Shortlisting and selection process, including Sub Committee interviews and Full Council ratification.
  - April/May 2023 (Tbc) – Successful candidate commences employment (subject to notice requirements).
- 3.3. The timeline reflects the advice of the agency, who, based on previous experience, state that there are benefits to keeping the advert open over the Christmas and New Year period, as this is a time when many potential candidates may be reviewing their career options.
- 3.4. As set out in the Constitution, the Interviewing Sub Committee will be required to make recommendations to Full Council about the proposed appointment. Membership of the Committee consists of seven members of Personnel Committee and names are now sought to undertake this role, taking into account the Terms of Reference as described at paragraph 2.4. Following confirmation of the Sub Committee membership, the Head of Paid Service and HR Manager will liaise with them to confirm the interview date and to provide advice and support.

### **4. Interim Proposals**

- 4.1. As an interim measure and to ensure the Council meets the legal requirement of having a designated Monitoring Officer, it is proposed that the Principal Solicitor and Deputy Monitoring Officer is appointed with effect from 24th January 2023 to temporarily cover the Director (Monitoring Officer) role until the new post holder commences employment.
- 4.2. If agreed, there will be subsequent backfill arrangements which will need to be made, which the HR Manager will support.
5. Committee will be kept informed.

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### **Financial implications:**

Cost of recruitment is built into a general allowance within salary budgets across the Council.

### **Legal implications:**

The legal position is detailed in the report and no further comment is required.