



WEST NORTHAMPTONSHIRE JOINT COMMITTEE

Task & Finish Group – Interim Appointments

14 May 2019

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| Report Title: | Process for the Appointment to the proposed West Northamptonshire Shadow Authority of Interim Statutory Officers |
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1. Purpose

- 1.1 At the inaugural meeting of the West Northamptonshire Joint Committee (WNJC) on 26th March 2019 an Interim Statutory Appointments Task & Finish Group was set up, under the Chairmanship of Cllr Alan Chantler, to develop a process for the identification of three interim statutory officers to be recommended by the WNJC to the proposed West Northamptonshire Shadow Authority at the latter's inaugural meeting.
- 1.2 The proposed West Northamptonshire Shadow Authority would then be able to meet with one of the key legal requirements (nominated Section 151, Monitoring Officer and Head of Paid Service) in place, subject to its acceptance of the WNJC's recommended interim statutory officer appointees.
- 1.3 The Interim Statutory Appointments Task & Finish Group met throughout April, with support from the Daventry District Council Governance & HR Manager, to develop a draft process for recommendation to the second (14th May 2019) meeting of the WNJC.
- 1.4 This is the resultant report of the Interim Statutory Appointments Task & Finish Group to the WNJC, and contains the following:
 - a) Details of a recommended process for the appointment of interim statutory officers to the proposed West Northamptonshire Shadow Authority.

- b) Recommended elected member interview panel composition, including proposals for the provision of external (i.e. non-West Northants area) HR support for the interview process.

2. Recommendations

It is recommended that the WNJC:

- 2.1 Approve the proposed process (Appendix A) to designate officers as Interim Head of Paid Service (to include Returning Officer), Interim Monitoring Officer and Interim S.151 for the Shadow Authority.
- 2.2 Nominate Councillors to participate in the recruitment and selection process, in accordance with the recommended process at Appendix A, i.e:
 - a) A panel comprising one elected Member from each of the constituent West Northamptonshire Councils be established to undertake the selection process, including an interview and presentation.
 - b) The panel to be comprised of the same members for the interviews for each statutory role, but the same panel does not need to consider all of the roles.

3. Report Background

- 3.1 At its meeting on 26 March 2019 the WNJC directed that a Task & Finish Group be established to assist with the recruitment of the interim statutory officers for the proposed West Northamptonshire Shadow Authority (SA), to include a nomination for the role of Returning Officer.
- 3.2 Although the proposed process has been formulated in advance of the decision of the Secretary of State; it is anticipated that the Structural Change Order, when received, will direct the appointment of interim statutory officers to the SA. Should there be a subsequent delay in the timetable for the SA then it is proposed that the recommended process may be put on hold or alternatively further consideration of the approach may be required.

4. Issues and Choices

- 4.1 It is anticipated that the interim statutory roles for the SA will be taken up by existing officers of the West Northamptonshire Councils. Once designated the individuals will continue to operate in their substantive posts and it is important to be clear about the responsibilities and likely time commitment for interim roles at the outset, so that expectations and obligations can be met and managed.

4.2 The statutory roles are described as designations because they are described in statute as a set of responsibilities, rather than a full role to be discharged by the designated officers. The constituent authorities will be under an obligation in the SCO to co-operate with the SA and to provide resources for its functions. This includes the resourcing of work streams that will enable the statutory officers to discharge their responsibilities.

4.3 In support of a designation to one of these posts, the officer's employing authority will be required to agree a secondment to the SA. It is difficult to quantify the time that will be needed for each of the roles. It is anticipated that higher levels of input will be required at specific points in the lead up to Vesting Day and it may be decided by the seconding organisation that there is a need to backfill the officer's substantive role for at least part of the period of secondment.

4.4 As the designations for interim statutory officers are roles rather than jobs and will be selected from amongst the officers of the West Northamptonshire constituent authorities; a full recruitment process is not required. The process recommended, however, involves defining the roles via job descriptions/person specifications; invitations for expressions of interest and a selection process.

Risks

| | Risk | Mitigation |
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| i) | If the Secretary of State decision is further delayed, then there may be an impact on the timing of the inaugural meeting of the Shadow Council | <p>Recruitment process can be agreed and then held back (i.e. not transact the process), until a more appropriate time</p> <p>If recruitment process has transacted and expected scheduling of inaugural meeting of Shadow Authority is altered, then recommended appointees may be held in reserve, pending further consideration by the various parties concerned</p> <p>Alternatively, further consideration of the approach may be necessary.</p> |
| ii) | If no suitable candidate is identified, then there may be nobody immediately available to fulfil a statutory officer/s role on behalf of the proposed West Northamptonshire Shadow Authority | There may be a number of eventualities leading to this risk materialising, but the immediate action would be to reconvene Interim Statutory Appointments Task & Finish Group to take advice and consider options, which may include extending the recruitment pool. |

5. Implications

5.1 Policy

There are no specific policy implications arising from the recommendations. The recommendations are made pursuant to the previous decisions of the WNJC and seek the approval and further direction of the WNJC as the decision making body.

5.2 Resources and Risk

There is no immediate recommendation for additional resources; however there may be a need for some backfilling of roles as the programme progresses towards Vesting Day, resources for this should be available from the programme.

The recommendations include the nomination of Councillors to undertake the process proposed to the WNJC. It is anticipated that the selection process will be undertaken over a period of 1 – 2 days and Councillors assigned with this responsibility must have the availability of time to give to the process.

5.3 Legal

The proposed process anticipates the requirements of the Structural Change Order, once laid before parliament, for the implementation of a West Northamptonshire Shadow Authority.

5.4 Equality and Health

The proposals contained in this report should not impact adversely on any of the protected characteristics under the Equality Act 2010.

The proposed process requires that applicants for the designations must have the support of their Council. Councils will need to ensure sufficient support to enable applicants to undertake the roles without detrimental impact on the welfare of the officers concerned.

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