

Divisions Affected - All

COUNCIL

8 February 2022

Appointment of interim Chief Executive and Head of Paid Service Report by Director of Law and Governance and Director of Human Resources

This report is public

RECOMMENDATION

1. **Council is RECOMMENDED to:**
 - a) **Agree the recommendation of the Remuneration Committee to appoint Stephen Chandler as interim Chief Executive and Head of Paid Service with effect from 9 February 2022.**
 - b) **To delegate authority to the Director of Human Resources to take any further action**
 - c) **To delegate authority to the Monitoring Officer to make any consequential changes to the Constitution in light of appointment of the interim Chief Executive.**

Executive Summary

2. This report applies in the event that Cherwell District Council at their Extraordinary Full Council meeting on 7 February 2022 and this Council, at agenda item 7 of this meeting agenda, each resolve to mutually serve notice to end the formal S113 Agreement between Oxfordshire County Council (OCC) and Cherwell District Council (CDC).
3. In light of the agreement to mutually serve notice to end the formal S113 Agreement between the two councils, the current joint Chief Executive will return to her substantive role as Chief Executive of Cherwell District Council with effect from 9 February 2022.
4. It is therefore necessary for the Council to appoint an interim Chief Executive and Head of Paid Service pending recruitment to a permanent Chief Executive

Detail

5. The Constitution (Part 2, Article 13, Paragraph 1(d)) designates the Chief Executive to perform the statutory prescribed role of Head of Paid Service. The functions of the statutory post of Head of Paid Service are set out at Part 2, Article 13, Paragraph 2 of the Council's Constitution.
6. Expressions of interest were invited from interested persons from within the senior leadership team. The Remuneration Committee met on 2 February 2022 to interview prospective candidates.

7. The Remuneration Committee resolved to recommend that Stephen Chandler, currently, Director of Adult Services, is appointed as Interim Chief Executive and Head of Paid Service at Oxfordshire County Council.
8. In accordance with the Local Authorities' (Standing Orders) (England) Regulations 2001 as set out in the Council's Constitution (Part 8.4, Officer Employment Procedure Rules) the name of the person to be offered the appointment was sent to all Cabinet Members asking for any justified objections to the making of an offer to be submitted by 4.00 p.m. on 4 February 2022. No objections were received.

Financial Implications

9. The existing budget only includes the provision for the Chief Executive's salary based on prior shared arrangements under the s113 agreement. The full financial impact of the changes arising from the termination of the s113 agreement cannot be quantified until permanent structures are put in place during 2022/23. It is proposed therefore, that any additional costs that may be incurred as the result of new structures are met from the contingency budget in 2022/23 and addressed on a permanent basis as part of the Budget & Business Planning process for 2023/24.

Legal Implications

10. The Chief Executive is the Head of Paid Service under Part 2, Article 13, Paragraph 1(d) of the Constitution.
11. The Remuneration Committee is responsible for undertaking the recruitment process of the designated Head of Paid Service (Chief Executive) and recommending the appointment to Council (Constitution Part 8.4)
12. The Local Authorities (Standing Orders) (England) (Regulations) 2001 (as amended set out the requirements for appointing a Head of Paid Service (Chief Executive). These requirements are also set out in Part 8.4 of the Council's Constitution. A proposed appointment of a Head of Paid Service must be notified to Cabinet Members, who will have the opportunity to raise any objections. The appointment must be approved by full Council.
13. In accordance with Section 7 of the Local Government and Housing Act 1989 when appointing a person to a paid office or employment within the Council the appointment shall be on merit.

Anita Bradley
Director of Law and Governance

Annex: None

Background papers: None

Contact Officer: Karen Edwards
Director of Human Resources

February 2022