

PERSONNEL COMMITTEE**Agenda Item 11****Interim Manager Appointments****4 June 2018****Report of the Chief Executive****PURPOSE OF REPORT**

To enable the Committee to consider the extension of the current Interim Head of Legal and Democratic Services until October 2018.

This report is public

RECOMMENDATIONS

- (1) That Personnel Committee considers the continued engagement of the interim Head of Legal and Democratic Services to October 2018 and should this be supported, it be subject to Cabinet's approval regarding the financing.
- (2) That Personnel Committee notes the Chief Executive's proposals regarding HR specialist support as set out in paragraph 3.0 of the report, subject to Cabinet's approval regarding the financing.

1.0 Introduction

- 1.1 On 3rd April 2018, it was agreed that the Chief Executive, under delegated authority, continues to manage and agree appointments for interim managers to cover Chief Officer level duties through contracts for services, potentially subject to a defined maximum length of appointment of 6 months, with approval required from Personnel Committee for any extension over 6 months.

2.0 Interim Head of Legal and Democratic Services

- 2.1 The Interim Head of Legal and Democratic Services, David Brown, joined the Council in February 2018 and reports directly to the Chief Executive. He was appointed to the role of Monitoring Officer by the Council on 28 February 2018.
- 2.2 Mr Brown has undertaken a number of actions, with work on these set to continue in the coming months. The following are examples:
 - Ensured the day to day function of the service is maintained
 - Set out a governance regime around the land/deed registration project to ensure delivery
 - Managed through the information Governance Manager stage 1 delivery of the GDPR compliance project
 - Initiated the digital agenda for legal services & formed delivery group
 - Initiated the review of legal services provision
 - Set a programme for the delivery of the Constitution Review

- Overseen the departure of the senior lawyer and commenced recruitment for replacement planning lawyer
- Commenced Service wide meetings with all staff
- Identified future threats & opportunities such as central government digitalisation of land charges register
- Created a risk register

2.3 It is proposed that Mr Brown continues to carry out such responsibilities until the restructure is resolved i.e. October 2018.

3.0 Interim HR Specialist

3.1 Mr Rigby joined the Council as Interim HR Manager in January 2018 and reports directly to the Chief Executive since January. (This is not a Chief Officer post.) Mr Rigby's background prior to joining the Council includes a number of senior roles within large organisations, including the Crown Prosecution Service, University of Edinburgh, Ministry of Justice and DWP. Since January, Mr Rigby has worked with the Chief Executive, contributing significantly to the development of proposals for organisational change at a senior level. Additionally, he has made much progress in development of the plans for implementation of the proposed new structure, subject to its agreement. His focus is on the proposed restructure and other projects, such as individual performance management, rather than day-to-day HR work.

3.2 It is proposed that Mr Rigby's contract continues for the time being until a decision is made about the proposals for restructure of the senior team. If it is the case that a decision is made to implement proposals for restructure, then it is proposed that Mr Rigby's contract is extended until the end of March 2019, at which point the initial work for this programme will be complete. If Cabinet decides that a restructure of the senior team will not take place, then it is envisaged that Mr Rigby's contract will terminate in early July. It should be noted that, as Interim HR Manager, Mr Rigby does not perform duties at Chief Officer level, which is why this Committee has not been asked to approve extending his placement.

4.0 Options for Consideration

4.1 The Committee should discuss the options below in relation to the Interim Head of Legal and Democratic Services.

- a) To extend Mr Brown's placement as Interim Head of Legal and Democratic Services until October 2018.
- b) Not to extend Mr Brown's placement as Interim Head of Legal and Democratic Services.

It should be noted that, should the Committee choose option (b), it would be necessary to make other arrangements for interim legal support at a senior level, particularly for the role of Monitoring Officer, which Mr Brown currently holds.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):

No impact

LEGAL IMPLICATIONS**FINANCIAL IMPLICATIONS**

With regard to the interim Head of Legal and Democratic Services, in the current financial year it would cost approximately £75,000 for the post to run from 01 April to 30 October 2018 (broadly 30 weeks at £500 per day x 5 days per week), of which up to £43,000 could be met from turnover savings (from the vacant post of Chief Officer (Legal & Governance)). The remaining balance, currently estimated at £32,000, would need to be met from the Budget Support Reserve.

With regard to the interim HR Manager, in the current financial year it would cost approximately £40,000 for the post to run from 01 April to 31 July 2018 (broadly 17 weeks at £579.80 per day x 4 days per week, based on the current contract), of which up to £17,000 could be met from vacancy savings (from the vacant HR&OD Manager post). The remaining balance, currently estimated at £23,000, would need to be met from the Budget Support Reserve.

Following Personnel Committee, the financing of the above would be considered by Cabinet, as reflected in the recommendations.

Thereafter, should the HR post be extended to the end of March 2019, this is currently estimated to cost a further £74,000 (broadly 32 weeks, with some allowance for holiday). Up to £34,000 vacancy savings may be available to help offset this, leaving an additional cost of up to £40,000. This would be covered in the future report to Cabinet regarding the management restructure.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:**SECTION 151 OFFICER'S COMMENTS**

The s151 Officer has contributed to this report; she would add that alongside the costs and financing, Members are advised to consider the value for money aspects of the proposals.

DEPUTY MONITORING OFFICER'S COMMENTS

The Deputy Monitoring Officer has been consulted and her comments have been incorporated.

BACKGROUND PAPERS

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