

Appointments Committee

Monday 4 February 2019

3.30 pm County Hall, Taunton



To: The Members of the Appointments Committee

Cllr M Chilcott, Cllr D Huxtable and Cllr L Leyshon

Issued By Scott Wooldridge, Strategic Manager - Governance and Risk – 25 January 2019

For further information about the meeting, please contact Scott Wooldridge, Monitoring Officer on 01823 357628 or or email: SWooldridge@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers



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AGENDA

Item Appointments Committee - 3.30 pm Monday 4 February 2019

1 **Appointment of Chair**

To appoint a Chair for the meeting.

2 **Declarations of interest**

Members to declare any interests including membership of District, Town and Parish Councils. The Statutory Register of Member's Interests can be inspected via the Democratic Services team.

3 **Public Question Time**

The Chair will allow members of the public to ask any questions or make a statement about any matter on the agenda for this meeting. Questions or statements need to be sent to the Monitoring Officer by 5pm on Tuesday 29 January.

4 **Exclusion of the press and public**

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 that the press and public be excluded during the remainder of the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure to them of exempt information of the following description:

- ☐ Information relating to any individual
- ☐ Information which is likely to reveal the identity of any individual

5 **Proposed appointment of Interim Director of Finance (Section 151 Officer)**

To confirm the Committee's recommendation for appointment to the role of Interim Director of Finance or to recommend an alternative course of action for the Chief Executive to consider.

6 **Minutes of the meeting**

To authorise the Chair to sign the Minutes of the meeting as a correct record following circulation to the Committee members.

**SOMERSET COUNTY COUNCIL
DECISION TAKEN BY THE CHIEF EXECUTIVE**

Decision to defer the recruitment to the Director of Corporate Resources post and instead, to recruit an Interim Director of Finance (Section 151 Officer)

Cabinet Member: Cllr David Fothergill, Leader of the Council

Division and Local Member: All

Lead Officer: Pat Flaherty, Chief Executive

Author: Chris Squire, Director of HR & Organisational Development

Contact Details: csquire@somerset.gov.uk

Date of Decision: 21 January 2019

1. Decision:

That the recruitment to the post of Director of Corporate Resources is deferred and a process to appoint an Interim Director of Finance & Section 151 Officer to end-March 2020 is followed.

I have been consulted on the above decision/s and give my approval

**Name and title of officer approving decision:
Patrick Flaherty, Chief Executive**

Date: 22 January 2019

2. Reason for Decision(s)

As stated in the officer report

3. Reason(s) for Urgency (where applicable)

As set out in the officer report.

4. Details of any alternative options considered and rejected

As stated in the officer report

5. Any relevant Personal Interest that the Decision Maker may have under the Council's Code of Conduct

None

6. Other background information considered before making this decision.

Officer report

Process to Recruit an Interim Director of Finance (Section 151 Officer) & to Defer the Recruitment to the Director of Corporate Resources post.

Cabinet Member: David Fothergill, Leader

Division and Local Member: All

Lead Officer: Pat Flaherty, Chief Executive

Author: Chris Squire, Director of HR & Organisational Development

Contact Details: csquire@somerset.gov.uk

Please complete sign off boxes below prior to submission to Community Governance

	Seen by:	Name	Date
Report Sign off	Legal	Honor Clarke	24/1/19
	Monitoring Officer	Scott Wooldridge	24/1/19
	Corporate Finance	Peter Lewis	24/1/19
	Human Resources	Chris Squire	24/1/19
	Senior Manager	Pat Flaherty	
	Cabinet Member	Cllr David Fothergill	
Summary:	This report proposes an appointments process for an Interim Director of Finance (Section 151 Officer) and defers the recruitment to the Director of Corporate Resources post.		
Recommendations:	The Chief Executive is recommended, having obtained the agreement of the Leader of the Council, to defer the process to appoint a Director of Corporate Resources and instead progress the appointment an Interim Director of Finance (Section 151 Officer) on a proposed term to end of March 2020 (subject to further review), under the decision-making powers vested in him in the Constitution.		
Reasons for Recommendations:	<ol style="list-style-type: none"> 1. There is an urgent need to ensure that the Council has an experienced senior manager as the Council's Director of Finance and appoint that postholder as the Section 151 Officer (subject to approval by Full Council), following Peter Lewis's departure at end of February. 2. The financial challenge facing Somerset County Council is such that an experienced, well-regarded professional is needed in post. 3. To support this appointment, it is proposed that the role focuses solely on Finance functions and the responsibilities of a Section 151 Officer. Other functions currently that previously reported to the permanent role (Governance and Legal Services) will continue to report to the Director of HR & Organisational Development. 4. The Council has an experienced section 151 officer currently working in the Finance team in an interim capacity, who has expressed a willingness to take on the s151 role subject to an appointment process. 		

Links to Priorities and Impact on Service Plans:	As set out in the reasons for recommendations above.
Financial Implications:	The gross cost of this interim appointment will be published following appointment. The bulk of the cost of the interim appointment will be funded via the vacant Director post; any margin between that and the actual cost will be funded via the contingency.
Equalities Implications:	All necessary aspects of employment law have been followed in relation to this interim appointment and it is not considered therefore that a full Equalities Impact Assessment is required.
Risk Assessment:	This appointment will ensure that risks to the Council are minimised by having sufficient senior management focus and capacity to ensure high quality delivery of the Council's statutory responsibilities in this key service area and ensure the best possible outcomes for our service users.
Scrutiny Recommendation (if any)	N/A

1. Background

- 1.1** The interim Director of Finance post and its responsibility for the section 151 role has been a key part of the Senior Leadership team and instrumental in helping to create a financially sustainable council.
- 1.2** The restructuring of the Senior Leadership team included extending this post to include the Procurement and Property functions to create a new Director of Corporate Resources role.
- 1.3** The financial challenge facing Somerset County Council remains significant and it is therefore vital that the post is filled.
- 1.4** A process to fill the Director of Finance role on an interim basis was completed in May 2018 (Peter Lewis). The appointment gave the following advantages:
- Providing Somerset County Council with significant financial and business expertise gained at other organisations;
 - A view as to the strength and capability of the current Finance function and where our skills and capacity might need to be enhanced;
 - An individual who could 'hold' the role whilst we run a process to secure a permanent appointment.
- 1.5** A process to appoint a Director of Corporate Resources started in June 2018 but concluded without an appointment being made. The process was re-run in September and December but concluded without an appointment being made. However, the application of the Director of Finance to the Financial Imperative Programme at Somerset County Council brought huge benefits to the council. The result of this was a reconsideration of the Director of Corporate Resources role.
- 1.7** As a result of this consideration, the process to recruit a Director of Corporate Resources has been deferred and an appointment process to recruit an Interim Director of Finance has started in order to meet the Council's statutory duties and business needs.

2. Options Considered

- 2.1** To proceed with the appointment of a Director of Corporate Resources. This was dismissed as it would dilute attention from the financial-focus needed at SCC.
- 2.2** In view of the financial challenges facing the Council, choosing not to appoint a replacement interim Director of Finance is not a viable option. and it is essential that there is a postholder with the statutory Chief Finance Officer designation.

3. Consultations undertaken

- 3.1** Individuals have been consulted with as appropriate. The HR Policy Committee was briefed on 21st January.

4. Implications

- 4.1** As set out in the decision report.

5. Background papers

- 5.1** Appointment of Interim Director of Finance – Chief Executive decision on 11 June 2018