

# Appointments Committee

Thursday 16 March 2023

12.30 pm Yeovil Innovation Centre,  
Barracks Close, Copse Road, Yeovil,  
BA22 8RN



To: The Members of the Appointments Committee

Cllr P Clayton, Cllr V Keitch, Cllr T Munt, Cllr F Nicholson and Cllr H Shearer

All Somerset County Council Members are invited to attend meetings of the Executive and Scrutiny Committees.

Issued By Scott Wooldridge, Monitoring Officer and Head of Governance and Democratic Services – 8 March 2023

For further information about the meeting, please contact Democratic Services Team - email - [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@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 Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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](http://www.somerset.gov.uk/agendasandpapers)



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# AGENDA

Item Appointments Committee - 12.30 pm Thursday 16 March 2023

**\*\*Public guidance notes contained in agenda annexe\*\***

1 **Appointment of a Chair for the meeting**

To appoint a Chair from the elected members of the Committee.

2 **Apologies**

To receive any apologies.

3 **Declaration of interests**

Members to declare any interests. The statutory register of interests can be inspected upon request to the Democratic Services Team.

4 **Public Question Time**

The Chair will allow members of the public to ask any questions or make a statement about the matters on the agenda for the meeting.

5 **Exclusion of the press and public**

The committee are requested to consider and agree a resolution 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

6 **To Appoint Service Director for Partnerships and Localities** (Pages 7 - 12)

To consider the recommendations of the Appointments Panel – Report to follow.

7 **Minutes of the meeting**

To authorise the Chair of the meeting to agree the accuracy and sign the minutes as a correct record following circulation to the members of the Committee.

## Guidance notes for the meeting

### 1. **Council Public Meetings**

The former regulations that enabled virtual committee meetings ended on 7 May 2021. Since then, all committee meetings need to return to face-to-face meetings. The requirement is for members of the committee and key supporting officers to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

### 2. **Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) or telephone 01823 357628. They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers). Printed agendas can also be viewed in reception at the Council offices at County Hall, Taunton TA1 4DY.

### 3. **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

### 4. **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### 5. **Public Question Time**

If you wish to speak, please contact Democratic Services by 5pm 3 clear working days before the meeting. Email [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out.

After entering the Council building you may be taken to a waiting room before being taken to the meeting for the relevant agenda item to ask your question. After the agenda item has finished you will be asked to leave the meeting for other members of the public to attend to speak on other items.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. However, questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

At the Chair's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total (20 minutes for meetings other than County Council meetings).

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish.

If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, to three minutes only.

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

Provision will be made for anybody who wishes to listen in on the meeting only to follow the meeting online.

## 6. **Meeting Etiquette for participants**

- Only speak when invited to do so by the Chair.
- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Speak clearly (if you are not using video then please state your name)

- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.
- There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

## 7. **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask Participants to leave the meeting when any exempt or confidential information is about to be discussed.

## 8. **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Please contact the Committee Administrator or Democratic Services on 01823 357628 or email [democraticservicesteam@somerset.gov.uk](mailto:democraticservicesteam@somerset.gov.uk) if you have any questions or concerns.

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## **Recruitment to Tier 3 Posts in Somerset Council Appointments Committees Briefing Paper**

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Lead Member: Cllr Bill Revans

Division and Local Member: n/a

Lead Officer: Duncan Sharkey

Author: Chris Squire – Director of Customers, Digital & Workforce

### **1. Background**

**1.1** Somerset Council will be established on 1<sup>st</sup> April 2023, with the four District Councils being abolished and their functions transferring to Somerset County Council, as the continuing authority. The programme to achieve this merger has the following objectives:

- Create a new unitary Council for Somerset that delivers the approved business case on 1 April 2023.
- Enable performance capability – to deliver the approved business case vision on 1 April 2023.
- Develop the new council to optimise benefits and opportunities from 1 April 2023 to 31 March 2025.

The process to appoint a chief executive for the new council was completed in July 2022, with the appointment of Duncan Sharkey to Somerset County Council (as the continuing authority designated to become Somerset's unitary local authority). The processes to appoint to four new Executive Director posts ('Tier Two') were completed in February and approved at a full meeting of Council on 22<sup>nd</sup> February 2023.

The programme is now preparing to appoint to the new Service Director posts ('tier three') to the new Council.

On 18 March 2022 the Secretary of State made the Somerset (Structural Changes) Order 2022 (SCO). The SCO formalises the decision to implement local government reorganisation in Somerset and sets out the legal framework for implementation. Staff at the four district councils employed immediately before the transfer will become Somerset Council employees on 1 April 2023; in the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

A consultation on the new structure and pre-transfer collective redundancy consultations took place from 10<sup>th</sup> November 2022 to 12<sup>th</sup> December 2022. This consultation also covered:

- The proposed structure for the top 3 tiers of Somerset Council and the process to recruit to the posts at tiers 2 and 3.
- Proposed redundancies that will be made post Vesting Day by Somerset Council, as a result of Tiers 2 & 3 restructuring.

Any changes proposed to the Senior Leadership Team and supporting officer structures are subject to consultation with the Executive and informing Full Council of the changes. Changes will be agreed via a formal decision taken by the Chief Executive.

## **1.2 Purpose of the Restructure**

The opportunities presented by local government reorganisation are huge, as are the challenges that the new organisation will face. Bringing together 5 organisations will help the new Council to realise positive change, including:

- Putting the people of Somerset at the heart of the new Authority.
- Creating new local opportunities for residents to have a real say about their own communities.
- Cutting red-tape.
- Freeing up money that can be spent on real local issues and challenges, including:
  - Caring for our most vulnerable residents
  - Delivering life-chances for our children and young people
  - Reducing rural isolation and loneliness
  - Delivering the housing each community needs
  - Investing in climate change
  - Boosting economic growth, jobs and apprenticeships.

It is anticipated that the restructuring of senior teams will result in approx. £2 million of savings, as part of the unitary business case.

The existing structures within each of the 5 Councils vary significantly both in terms of roles and levels. It is not sustainable or manageable for the existing senior leadership structures to remain with the creation of a single Council. It is vital to the delivery of the new Council that an effective and sustainable leadership team is in place, in time for Vesting Day on 1<sup>st</sup> April 2023, to help realise the opportunities that local government reorganisation presents, and to deliver financial stability to the organisation.

- ## **1.3**
- The Chief Executive proposed a structure for Tiers 2 & 3 in Somerset Council, with a list of functions by directorate. This proposal was agreed with the Leader of Somerset Council and the Executive and presented to the meeting of Council on 22<sup>nd</sup> February 2023. The proposal has been consulted on with staff and trade unions – see section 3.

After careful consideration of the responses from staff and trade unions to the consultation, the Chief Executive decided that the posts that will exist at Tier 2 necessary for the Council to meet its objectives are those set out in his proposal. The proposed job title for one of the roles was changed, following feedback from staff as part of the consultation, from Executive Director of Strategy, Performance & Localities to Executive Director of Strategy, Workforce & Localities. The four posts at Tier 2 of Somerset Council, that have subsequently been appointed to, are:

- Executive Director of Climate and Place



- Executive Director of Community Services
- Executive Director of Strategy, Workforce and Localities
- Executive Director of Resources and Corporate Services (section 151 officer)

The feedback from staff also resulted in changes to where some functions report to, in terms of Service Director responsibilities.

Following the appointments to the Executive Director posts, the processes to appoint to Service Director (Tier 3) roles were started.

**1.4** As a result, the Appointments Panel confirmed the processes for Service Director appointments, which include:

- Job Descriptions
- Salaries
- Appointments Committees

The Briefing Paper for the Appointments Panel can be seen in Appendix Two. The Chief Executive and Executive Directors, having determined following consultation the roles that will exist at Tier 3, agreed the job descriptions for the roles detailed in section 1.5.

**1.5** As a result of these considerations, the decision was taken to recruit to the following posts:

- Service Director Climate, Environment & Sustainability
- Service Director Infrastructure & Transport
- Service Director Economy, Employment & Planning
- Service Director Housing
- Service Director Culture
- Service Director Customers
- Service Director Regulatory & Operational
- Service Director Finance & Procurement
- Service Director Strategic Asset Management
- Service Director Information Communication & Technology
- Service Director Partnerships & Localities
- Service Director Strategy & Performance
- Service Director Governance, Democratic & Legal Services
- Service Director Workforce

**1.6** The Chief Executive also took a decision to exclude eight posts from Tier 3 Appointments Processes (see below, section 2.2). These are as follows:

- Service Director of Public Health
- Service Director of Children and Families
- Service Director Commissioning & Performance

- Service Director Inclusion
- Service Director Education, Partnerships & Skills
- Service Director of Adult Social Care Operations
- Service Director Adult Social Care Commissioning
- Service Director Adult Social Care Transformation

## **2. Options Considered**

- 2.1** To advertise the fourteen Tier 3 posts externally. This was discounted, due to employment law considerations, retention and development of current talent in the five local authorities and the additional time that it would take to appoint to the posts.
- 2.2** To include the service director posts within Adults Services, Children's Services and Public Health. This was rejected, as the posts are broadly the same after Vesting Day and there are no comparable roles in Somerset's district councils.

## **3. Consultations undertaken**

- 3.1** A 30-day consultation process has been completed, which gave all staff and recognised trade unions the opportunity to feedback on the structure. This included the statutory 30-day pre-transfer collective consultation period to consult with the elected representatives of staff in roles that are immediately affected by proposals in respect of tiers 2 & 3. The Consultation Paper can be seen in Appendix Three.
- 3.2** The consultation with staff was concluded on 12<sup>th</sup> December 2022. There were 135 responses to the consultation and each one has been answered individually, where possible, with a collective response to the consultation also written. All questions and answers (anonymised and depersonalised) have been shared with staff.
- 3.3** The Chief Executive read all the responses to the staff consultation and took the view that the response to the consultation did not present any issues which required material changes to the Tier 2 structure or the Tier 3 posts. However, there was further work on the functions reporting into the Service Director posts, as a consequence of the consultation.
- 3.4** The Leader of the Council and the Executive have been consulted on the structure, in line with section 7.1 of the Constitution. Full Council was informed of the final structure at its meeting on 22<sup>nd</sup> February 2023.
- 3.5** A set of principles to govern Organisational Change has been agreed with trade unions and chief executives. This can be seen in Appendix Four.
- 3.6** An Equalities Impact Assessment to support the 30-day pre-transfer redundancy consultation and subsequently updated following consultation can be seen in Appendix Five.

#### **4. Process**

The selection processes for these roles include the following:

- Invitation to staff to submit a 'matching' request, if they believe that their current role is broadly the same as the advertised post. Requests were assessed by a panel comprising HR advisors, a job evaluation specialist, and recommendations made to the relevant Appointments Committee. There were matches to two roles:
  - Service Director Strategic Asset Management
  - Service Director Governance, Democratic and Legal Services

As a result of these matching decisions, staff were given a further opportunity to submit a matching request for these roles, or for those in posts that may be at risk of redundancy from 1<sup>st</sup> April, to be considered for the roles as part of suitable alternative employment.

- Written application including supporting statement and CV.
- Interview with staff panel.
- Interview with stakeholder panel, to include partner organisations.
- Interview with the relevant Appointments Committee.

Members of the Appointments Committees met w/c 6<sup>th</sup> March 2023 to shortlist candidates for interview.

#### **5. Implications**

5.1 As set out in the decision report.

#### **6. Background papers**

5.1 Appendix One – Tiers 2 & 3 Structure for Somerset Council

5.2 Appendix Two - Appointments Panel Briefing Paper

5.2 Appendix Three - Somerset Council Tiers 2 & 3 Restructure Proposal and Pre-Transfer Redundancy Consultation

5.3 Appendix Four – Organisational Change Principles

5.4 Appendix Five – Equalities Impact Assessment

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