

Interim arrangements for the post of Chief Executive and designation of the Head of Paid Service

Lead Member: Cllr Bill Revans

Division and Local Member: n/a

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1. Summary

- 1.1.** 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. As a result, Somerset County Council (the Council) is required to carry out a recruitment process to appoint a Chief Executive for the new council.
- 1.2.** Council Leaders endorsed the commencement of the recruitment campaign prior to the elections in May. This was to meet the ambition of concluding the appointment process in July 2022 to meet the Local Government Reorganisation Implementation Plan agreed milestone and to lead the Council's transition to the new Somerset Council.
- 1.3.** Interviews and assessments for the appointment were held on 11th & 12th July 2022. The Appointments Committee met on 12th July and resolved to recommend a candidate for the post of Chief Executive to the Council on 20th July.
- 1.4.** The Chief Executive of Somerset County Council has resigned from his post and his last day of employment will be 4th September 2022. It is anticipated that he will take a fortnight's annual leave ahead of this date.
- 1.5.** There will be a gap between the current Chief Executive leaving Somerset County Council and a new appointment starting (the Interim Period). It is anticipated that this will be for a period of up to 12 weeks.
- 1.6.** It is therefore necessary for the Council to put in place interim arrangements for an acting Chief Executive pending the commencement of the new appointment.
- 1.7.** The Council must also designate a Head of Paid Service for the intervening period between the departure of the existing Chief Executive and the point at which the new permanent Chief Executive takes up their post.
- 1.8.** Somerset County Council has a Deputy Chief Executive - Paula Hewitt (current Lead Director of Economic & Community Infrastructure and Director of Commissioning). It is proposed that the Council temporarily delegates the powers of the Chief Executive (as set out in the Council's Officer Scheme of Delegation) to the Deputy Chief Executive during the Interim period.
- 1.9.** It is further proposed that the Council designates the Deputy Chief Executive as the Head of Paid Service for the Interim period.

- 1.10. Somerset County Council will also need to appoint and delegate existing powers for an acting Deputy Chief Executive for the Interim Period. It is recommended that this decision is delegated to the current Chief Executive, who will appoint following consultation with the Leader and Deputy Leader of the Council and the current Deputy Chief Executive.

2. Recommendations

- 2.1. That the Council resolves to delegate the powers of the Chief Executive to Paula Hewitt (Director of Economic & Community Infrastructure and Deputy Chief Executive) as the acting Chief Executive of Somerset County Council during the Interim Period.
- 2.2. That the Council designates Paula Hewitt as the Council's Head of Paid Service for the Interim Period.
- 2.3. That the Council delegates to the current Chief Executive the decision on the appointment and delegation of existing powers for an acting Deputy Chief Executive for the Interim period.

3. Background & Detail

- 3.1. The powers of the Chief Executive are set out in the Council's Officer Scheme of Delegation. Some of these powers relate to council functions while others derive from executive functions. A resolution of the Council is required delegate to the acting Chief Executive those powers which relate from council functions. A separate executive decision will be required to delegate powers relating to executive functions.
- 3.2. The role of Deputy Chief Executive exists to provide cover during any absence of the incumbent chief executive. However where there is a requirement for an Interim Chief Executive over a period that is longer than typical short-term absence alternative arrangements are required.
- 3.3. It is a legal requirement that the Council should at all times have a Head of Paid Service. It is the Council's function to designate one of its officers as the Head of Paid Service.
- 3.4. If the recommendations in this report are accepted the Deputy Chief Executive will be paid an acting up allowance to reflect the temporary assumption of increased responsibilities. This allowance will equate to the difference in salaries of the current Chief Executive and the Deputy Chief Executive.
- 3.5. Whilst ordinarily the Council appoint the Deputy Chief Executive, this decision may be delegated. No proposal for the appointment of the temporary Deputy Chief Executive can be made at this time. The Council does not have a scheduled meeting after July until November 2022 and therefore an extraordinary meeting would be required to make the decision unless the appointment is delegated. The proposed delegation applies only in respect of the appointment for the Interim Period.
- 3.6. The current Deputy Chief Executive is also the Lead Director of Economic & Community Infrastructure. Backfill will be required whilst she is acting Chief Executive and this will be done in accordance with section 7 of the Constitution, therefore as a process involving elected members.

4. Implications

- 4.1.** The delegation of powers to the Deputy Chief Executive and the designation of her as Head of Paid Service will continue for as long as the Interim Period continues (even where this is longer than currently anticipated). The delegation and designation will expire at the end of the Interim Period.
- 4.2.** There are no financial implications to this decision, as there are no increases to salaries for the existing posts and there are no additional posts.
- 4.3.** The Chief Executive is the Head of Paid Service under Part 1, Section 7 paragraph 7.1.1 of the Constitution.
- 4.4.** The appointment of a chief executive must be approved by the Council, under paragraph 7.1.10(b) of the Constitution.

Chris Squire, Director of Customers, Digital & Workforce, 15th July 2022