
SENIOR LEADERSHIP APPOINTMENTS PROCESSES

FORMAL APPOINTMENTS PANEL BRIEFING

17TH JULY 2024

1. Introduction

Somerset Council has now concluded the consultation process on the proposed new Senior Leadership organisational structure and roles and the proposals for managing the recruitment/ redundancy process.

This document presents both legal and constitutional requirements, and based on this, recommendations on the process for members to discuss and agree to appoint to the new Senior Leadership roles at Somerset Council. The document deals just with appointments. It excludes consideration of redundancy and dismissal processes which would apply where relevant.

2. Constitutional Requirements

Appointments to Senior Leadership Team (SLT) posts must be conducted in accordance with relevant local government requirements, to be considered lawful and to avoid potential future challenge. These posts are chief officer and/or deputy chief officer roles and these appointments will also need to follow the requirements set out in the constitution of Somerset Council.

The requirements for appointing to Senior Leadership Team posts are as follows:

2.1. Appointments Panel

A proposal to appoint to a Senior Leadership Team post will need to be put before an appointments' panel. The panel will consist of the Leader, the Opposition Leader and the Deputy Leader of the Council (or their nominated representatives) plus any relevant Executive Lead Members as consultees.

The role of the panel is to review the job description and terms & conditions of employment relating to a post, make appropriate recommendations to the Chief Executive, decide on the process and to appoint the Appointments Committee to undertake the appointments' process.

2.2. Appointments Committee

The Appointments' Panel agrees the process to appoint to the role and then proposes the membership of the Appointments' Committee. This typically includes the leader (or deputy), the relevant Executive Lead Member and the opposition lead for the area to be recruited to. The Constitution specifies a maximum of 5 members of the committee, with the remaining 2 places assigned based on the rules of political proportionality. The implications of this are that each committee will comprise 3 Liberal Democrats and 2 Conservatives.

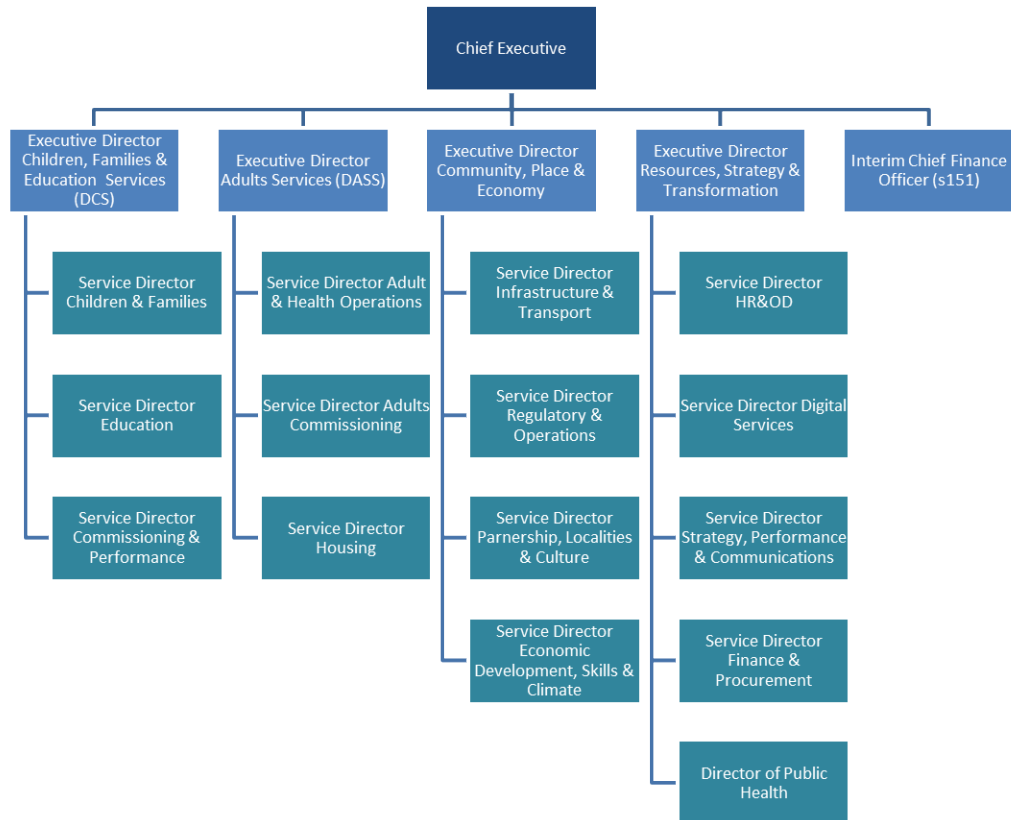
The role of the Appointments' Committee is to 'run' the process. This will include agreeing the shortlist for the role, interviewing and then confirming the appointments.

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It is recommended that the appointments panel delegates the shortlisting, if required, and appointment decision to the Chief Executive in consultation with the Appointments Committee, who will undertake an interview.

3. New Senior Leadership Structure

3.1. New Structure



3.2. Posts in scope for member appointments

Appointment processes are proposed for the following posts:

- Executive Director Community, Place & Economy
- Executive Director Resources, Strategy & Transformation
- Service Director, Economic Development, Skills & Climate
- Service Director Regulatory & Operational
- Service Director Partnerships, Localities & Culture
- Service Director of Public Health (to be covered on a temporary basis whilst the national DPH recruitment process is undertaken jointly in accordance with the National Health Service Act 2006)
- Service Director Housing – vacancy

- Service Director Infrastructure & Transport - vacancy

3.3. Posts out of scope

The following posts are excluded from these processes:

- Executive Director Children Family & Education
- Service Director of Children and Families
- Service Director Commissioning & Performance
- Executive Director Adults Services
- Service Director Education
- Service Director of Adult Social Care Operations
- Service Director Adult Social Care Commissioning
- Service Director Finance & Procurement
- Service Director Strategy, Performance & Communications
- Service Director Digital Services

The reasons for excluding these posts are as follows:

- They are broadly unchanged, based on the proposed structure, therefore the current incumbents will continue in post.

The Service Director HR & OD is currently covered by an interim and the Chief Finance Officer (s151) will be covered through an interim appointment from 1 September. These arrangements are currently scheduled to continue. The new Director of Public Health is a joint public appointment with the Secretary of State for Health and will need to go through a nationally advertised recruitment process to be filled substantively.

4. Process Considerations

These are significant posts that are subject to member appointments processes. The roles are part of the Senior Leadership team and as such, the Chief Executive will want to be part of the interview processes, advising the Appointments Committees.

All applicants for these posts are internal candidates and were recruited into their current posts in the senior management structure under the Local Government Reorganisation (LGR) Programme. The LGR recruitment process included interviews with the Appointments Committee, staff and stakeholder panels.

The Appointments Panel will need to consider:

- There are 8 posts that we will be recruiting to.
- Each post is subject to a member appointments process, which necessitates up to 5 members per panel.
- The Appointments Panel, working with the Chief Executive and relevant Executive Director, will review all the job descriptions.
- The Appointments Panel will establish an overarching Appointments Committee, to delegate the following functions to the Chief Executive.:

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- Shortlisting decisions (if required) – delegated to Chief Executive with the Appointments Committee for the role attending the meeting (which can be done via MS Teams)
- Interviews and appointments decisions – Appointments Committees, in person. No other additional stages to the process.
- Training will be provided to each elected member taking part in appointments committees, covering equality, diversity, and bias (where this hasn't been received in other, recent interview processes).
- Each post will be reviewed to take account of any 'slot-ins' or 'ring-fencing' arrangements. This part of the process is crucial, having been agreed as part of the Managing Change Principles and to comply with employment legislation.
- Support will be required from Democratic Services, with regard to setting-up panels, minuting meetings and publishing decisions.
- Interview processes and administration will also be supported by HR leads, business support and project management.

5. Proposed Selection Process

The following principles will be applied to populating the new Senior Leadership Structure:

- Aim will be to slot-in employees as the default position (no selection process required) for posts where there is little or no change.
- Ring fence arrangements where this makes sense and where there are more people than available posts.
- New posts will be either ring-fenced or open internal recruitment.
- Those in ring fences or where a post is open to internal recruitment will be asked to complete an expression of interest (EOI) and provide a CV.

5.1 Key Principles

- Less than 25% change, one person impacted – direct slot in
- More than 25% change – post deleted
- New posts – available to a defined ringfence of employees, where a role clearly combines responsibilities of existing posts.
- If only one expression of interest is received for a new role, this will still require a Member Appointments Committee process.
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5.2 Proposed Ring-fencing arrangements

It is proposed that ring-fencing arrangements should be as follows:

Community, Place & Economy		
Layer	Job Title & Reporting Line	Appointment Process/Ringfence Group

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2	Executive Director Community, Place & Economy Reporting to the Chief Executive	Ringfenced to: <ul style="list-style-type: none"> • Executive Director Climate & Place • Executive Director Community Services
3	Service Director Partnerships, Localities & Culture Reporting to the Executive Director Community, Place & Economy	Ringfenced to: <ul style="list-style-type: none"> • Service Director Partnerships, Localities • Service Director Culture
3	Service Director Economic Development, Skills & Climate Reporting to Executive Director Community, Place & Economy	Ringfenced to: <ul style="list-style-type: none"> • Service Director Climate & Sustainability • Service Director Economy, Employment & Planning
3	Service Director Regulatory & Operations Reporting to Executive Director Community, Place & Economy	Ringfenced to: <ul style="list-style-type: none"> • Service Director Regulatory & Operations • Service Director Climate & Sustainability
Resources, Strategy & Transformation		
Layer	Job Title & Reporting Line	Appointment Process/Ringfence Group
2	Executive Director Resources, Strategy & Transformation Reporting to the Chief Executive	Ringfenced to: <ul style="list-style-type: none"> • Executive Director Strategy, Workforce & Localities

5.3 Vacant Posts

There are currently 3 vacant posts in the new structure. The Council has a duty to keep the number of compulsory redundancies to a minimum. Vacant posts will initially be considered as suitable alternative employment to unsuccessful applicants, if the applicants meet the essential criteria of a job role. Should this arise, a Member appointment process will be followed.

A joint national recruitment process is legally required to recruit the permanent Director of Public Health. To ensure suitable qualified applicants with the required expertise and skills are

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recruited to all posts in the new senior leadership structure, any remaining vacancies will be advertised externally once the internal process has been completed.

Whilst external recruitment is on-going, any vacancies may be covered by internal acting up arrangements.

6. Indicative Timeline

- The timeline for appointing to these tier posts is set out below:

Activity	Indicative Timeframe
Close of consultation	Midnight 26 June
Review of consultation feedback & proposals updated & finalised	27 June – 5 July
Close of consultation meeting to present finalised proposals	10 July
Formal Member Panel Meeting	17 July
Expressions of interest process	17 – 24 July
Member Committee panels/interviews	30th July – 1 st August
Executive Objections Process	w/c 5 August
Appointments confirmed	9 August
Suitable alternative employment interviews & acting up arrangements	August 24
External recruitment for vacant posts	September/ October 24

6.1. Job Descriptions

Job descriptions have been drafted and evaluated and are attached.

Salary comparison work was undertaken prior to the Local Government Reorganisation in 2023 to ensure the salary levels for Executive and Service Directors broadly reflect arrangements in similar sized unitary authorities and the responsibilities attached to the roles.

Two 'levels' of salary were agreed for Executive Directors and three 'levels' for Service Directors. There is no proposal to change these 'levels' and all new posts have been evaluated and allocated to one of them.

Appointees will receive spot salaries, subject to an annual cost-of-living pay increase.

Recruitment & Retention Premia may still be applied, in line with Somerset Council's Policy.

7. Risks

There are a number of risks inherent in senior appointment processes.

Risk	Mitigation
Complaints about the consultation and recruitment processes	Ensure that staff and trade unions are advised of the proposed processes as part of the consultation. That any changes are advised in a timely manner.
Inability to appoint due to either a) no applications or b) inappropriate applications	Assess whether there is suitable alternative employment to be applied to staff Interims & external advertising
Employment related risks, such as Employment Tribunal Claims (which could for example, include claims for unfair dismissal and unlawful discrimination)	Use of robust selection processes
Appointments don't work out	Performance management

8. Recommendations

- That the panel endorses the selection process, key principles and ring-fencing proposals as detailed in section 5 and confirms that any unfilled vacancies should then proceed to external search and advertising.
- Appointments committees will be set up for each post
- The Panel supports the format for the interviews in section 5 and the delegation of shortlisting to the Chief Executive, if this is required.
- The Panel will review and agree the job description for each vacant post, in conjunction with the Chief Executive.