

COUNCIL

Thursday, 24 FEBRUARY 2022

APPOINTMENT OF CHIEF EXECUTIVE

Report of the HR Lead

Recommendation

It is recommended that Council approve the appointment of the Council's Chief Executive and Head of Paid Service.

Summary

All councils are required to appoint a Head of Paid Service in accordance with Section 4 of the Local Government and Housing Act 1989 ('the 1989 Act'). The Council's Constitution Part 3 Responsibilities for Functions, confirms the Chief Executive is designated to carry out this role.

Following the resignation of the current Chief Executive, Nick Tustian, and a robust recruitment and selection programme, the Appointment Panel recommends that James Strachan be appointed as Chief Executive with effect from 16 May 2022.

Statutory Powers

Section 4 of the Local Government and Housing Act 1989

Introduction

1. In accordance with Section 4 of the Local Government and Housing Act 1989 ('the 1989 Act') the Council must designate one of its officers to hold the statutory office of Head of Paid Service. The responsibilities of the Head of Paid Service are prescribed by the 1989 Act and the Local Government Act 2000 ('the 2000 Act') and are described in the Constitution.
2. Section 4 of the Local Government and Housing Act 1989, requires that the Council designate one of its officers as Head of the Paid Service (usually the Chief Executive) who is responsible for preparing reports on the way the local authority's staff are organised, on the authority's staffing needs and on the co-ordination of the way in which the authority's functions are discharged. Failure to appoint a Head of Paid Service, which will put the Council in breach of its statutory obligation.

3. In addition, Section 35 of the Representation of the People Act 1983 requires the Council to appoint an officer of the Council to be the Returning Officer for the election of Councillors. In accordance with the decision of the Council the Chief Executive is also appointed as Returning Officer which is an independent statutory role. The Chief Executive is appointed as the Council's Electoral Registration Officer under Section 8 of the Representation of the People Act 1983.

Appointment

4. The current Chief Executive, Nick Tustian, will shortly be leaving the Council after 22 years with the authority, eight of them as Chief Executive. Nick has been an outstanding Chief Executive for the Council and we wish him well in his retirement.
5. The Council's Constitution, Part 4 Rules of Procedure, sets out that the Responsibility for appointment of the Chief Executive/Head of Paid Service rests with the full Council. The Council will decide whether to:
 - (i) make an appointment on the recommendation of a Panel appointed for this purpose; or
 - (ii) delegate responsibility for the appointment to an appointments panel.

In either event, the appointments panel must include at least one member of the Cabinet

The Appointment Panel convened comprised Cllr Keith House, Cllr Tonia Craig, Cllr Paul Bicknell, Cllr Ian Corben and Cllr Louise Parker-Jones.

6. The role was advertised internally and externally via a recruitment agency called Mclean Partnership with a closing date of 25 January 2022. Applicants were interviewed by Mclean Partnership and an independent technical assessor. Following these interviews, recommendations were reviewed by the Appointment Panel and shortlisted applicants were invited to an Assessment Day on 14 February 2022. The Assessment Day included four separate panels supported by Councillors and staff members. The stakeholder panel was supported by, Chief Inspector Marcus Cator, Dr Neeraj Sonpal -Blackthorn Health Centre, Debra Clothier -1 Community, Mohammed Mossadaq – Asian Welfare and Culture Association. On 15 February 2022 the candidates attended a competency-based interview and delivered a presentation to the Appointment Panel.
7. Following the above selection process and in order to ensure continuity of provision of the Chief Executive role, the Appointment Panel recommend that James Strachan be appointed on a permanent basis with effect from 16 May 2022. James is currently Business Development Director at neighbouring Southampton City Council and has also had roles in central government and the private sector.

Financial Implications

8. The cost of the recruitment process was met within existing budgets and the salary is within the salary band and agreed budget.

Risk Assessment

9. The post of Chief Executive is crucial to ensure the Council's effective governance. Failure to appoint would be a breach of legislation and would also expose the Council to an unacceptable level of governance risk.

Equality and Diversity Implications

10. The Equality Act is not relevant to the decision in this report because it is a report dealing with internal or procedural matters only.

Climate Change and Environmental Implications

11. The decision to appoint a Chief Executive does not have any Climate Change or Environmental implications.

Conclusion

12. It is the responsibility of Council to designate one of its officers as the Chief Executive, Returning Officer (all elections) and Electoral Registration Officer and this report recommends that James Strachan is appointed to these roles from 16 May 2022.

SUKHI AUJLA
HR LEAD

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Appendices Attached: none

LOCAL GOVERNMENT ACT 1972 - SECTION 100D

The following is a list of documents which disclose facts or matters on which this report or an important part of it is based and have been relied upon to a material extent in the preparation of this report. This list does not include any published works or documents which would disclose exempt or confidential information.

None.