

FAREHAM

BOROUGH COUNCIL

Report to Council

Friday 24 February 2023

Subject: Creation of Council Sub-Committee for the appointment of a Chief Executive Officer

Report of: **Director of Support Services and Monitoring Officer**

SUMMARY

In accordance with Section 4 of the Local Government and Housing Act 1989, Fareham Borough Council is required to appoint a Head of Paid Service. The Council's Constitution Part 1, Chapter 10 confirms the Chief Executive Officer is designated to carry out this role.

Following the resignation of the current Chief Executive Officer, it is necessary to proceed with a recruitment process to select and appoint a new Chief Executive Officer.

RECOMMENDATION

That the Council agrees:

- (a) to create a sub-committee to act as an Appointment Panel to consist of 3 Members, at least one of which must be an Executive Member; and
- (b) that the sub-committee meets at times and dates to suit the recruitment process, as advised by the Director of Support Services.

INTRODUCTION

1. In accordance with Section 4 of the Local Government and Housing Act 1989 ('LGH 1989') 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 LGH1989 Act and the Local Government Act 2000 ('LGA2000 Act') and are described in the Council's 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, would 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.

BACKGROUND

4. The current Chief Executive, Peter Grimwood, has tendered his resignation after a highly successful 40-year career working in Local Government, with the last 27 years at Fareham Borough Council serving as the Chief Executive since April 2009.
5. Peter will depart the Council on 30 June 2023 and the Council must now put in place a selection process to appoint a new Chief Executive Officer.

APPOINTMENT PANEL

6. The Appointment Panel is a formal sub-committee of Council and will consist of three Members, at least one of which must be an Executive Member. In the interest of political balance one Member of the panel will be from the opposition group. A deputy for each political group may also be appointed.
7. The Appointment Panel will be asked to agree its Terms of Reference at its inaugural meeting and will be guided on this by the Director of Support Services who will also lead and advise on the recruitment and selection process.
8. The Panel is likely to meet three times, the first to agree the statement specifying duties of the post and qualifications/experience of the ideal applicant. The second meeting to agree the shortlist of applicants to be invited to attend the selection days and the third to meeting to form part of the interview and selection process.
9. Meetings of the Panel will be held in accordance with the Council's Standing Orders and will move into private session, as appropriate, to consider the applications and to conduct interviews.

FINANCIAL IMPLICATIONS

10. The cost of the recruitment process will be met within existing budgets and the salary

offered within the salary band as set out in the Council's Pay Policy Statement.

RISK ASSESSMENT

11. The post of Chief Executive Officer is crucial to ensure the Council's effective governance. Failure to appoint would be a breach of legislation.

CONCLUSION

12. That the Council agrees:
 - (a) to create a sub-committee to act as an Appointment Panel to consist of 3 Members, at least one of which must be an Executive Member; and
 - (b) that the sub-committee meets at times and dates to suit the recruitment process, as advised by the Director of Support Services.

Appendices:

Background Papers: HR files (Exempt from publication)

Reference Papers: Fareham Borough Council Constitution

Contact: For further information please contact Leigh Usher (01329 824553)