

# Committee to Determine the Terms and Conditions of Employment of Chief and Deputy Chief Officers

14:00	Tuesday, 28 July 2015	C120,
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**Quorum: 3**

**Membership:**

Councillor D Finch  
Councillor K Bentley

Councillor M Mackrory  
Councillor D Madden  
Councillor J Young

Leader of the Council  
Deputy Leader and Cabinet Member for Economic  
Growth, Infrastructure and Waste and Recycling  
Leader of the Liberal Democrat Group  
Cabinet Member for Adults and Children  
Leader of the Labour Group

**For information about the meeting please ask for:**

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Essex County Council

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Please note that an audio recording may be made of the meeting – at the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

## **Part 1**

(During consideration of these items the meeting is likely to be open to the press and public)

### **Pages**

- |          |   |               |
|----------|---|---------------|
| <b>1</b> | <b>Apologies for Absence</b>  |               |
| <b>2</b> | <b>Minutes CDCOC 210415</b><br>To approve as a correct record the minutes of the Committee held on 21 April 2015  | <b>5 - 10</b> |
| <b>3</b> | <b>Declarations of Interest</b><br>To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct   |               |
| <b>4</b> | <b>Urgent Business</b><br>To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency. |               |

## **Exempt Items**

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

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|----------|--|
| <b>5</b> | <b>Annual Pay Award for Executive Directors</b> <ul style="list-style-type: none"><li>• Information relating to any individual;</li><li>• Information which is likely to reveal the identify of an individual;</li></ul> |
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**Urgent Exempt Business**

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

## **Minutes of a Meeting of the Committee to Determine the Conditions of Employment of Chief and Deputy Chief Officers held at County Hall, Chelmsford, at 11.05am on 21 April 2015**

Present:

### **Councillors**

D Finch	Leader of the Council (Chairman)
K Bentley	Deputy Leader and Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling
M Mackrory	Leader of the Liberal Democrat Group
D Madden	Cabinet Member for Families and Children
J Young	Leader of the Labour Group

The following officers were present in support:

Joanna Killian	Chief Executive (except for agenda item 4, Recruitment of the Chief Executive and Appointment of Interim Head of Paid Service, minute 4 below refers)
Adam Bowles	Director for Human Resources
Terry Osborne	Director for Corporate Law and Assurance (except for agenda item 6, Executive Directors' 'Supporting Success' Performance Outcomes for 2014/15, minute 6 below refers)
Judith Dignum	Committee Services Manager (Secretary to the Committee)

### **1. Opening Remarks**

The Chairman advised that this meeting was being held at an earlier stage in the year than usual, in order to ensure that the business was conducted before the departure of the Chief Executive. He apologised that there had been some delay concerning the availability of certain reports, and offered Members the opportunity to defer consideration of agenda item 6 (Executive Directors' 'Supporting Success' Performance Outcomes for 2014/15) if they considered it necessary.

### **2. Minutes**

The minutes of the last meeting of the Committee held on 26 November 2014 were agreed as a correct record and signed by the Chairman and also by Councillor Bentley, who had chaired the meeting concerned.

### **3. Declarations of Interest**

There were no declarations of interest.

#### **4. Recruitment of the Chief Executive and Appointment of Interim Head of Paid Service**

The Committee considered report CO/01/15 by the Director of Corporate Law and Assurance which sought agreement to the process and timetable for recruitment of a new Chief Executive in the light of the forthcoming departure of Joanna Killian. A draft role profile for the post was included as an appendix to the report.

The report also asked the Committee to recommend to Full Council the appointment of an interim Head of Paid Service and deputy Head of Paid Service from amongst the members of the Council's Corporate Management Board pending the appointment of a new Chief Executive.

In considering the draft role profile, Members requested an addition to the Key Responsibilities and Accountabilities to reflect the post holder's oversight of the Council's statutory responsibilities with regard to children's services.

In response to questions regarding the proposal to appoint members of the Corporate Management Board as interim Head of Paid Service on a rotational basis, the Committee was advised that the rota had been agreed by the officers concerned, who realised that a new Chief Executive was likely to have been appointed well before completion of the full rotation. The statutory role of Head of Paid Service constituted a small, non-strategic, part of a Chief Executive's responsibilities; the appointment of CMB members as proposed was a pragmatic, transparent and fair means of maintaining stability within the organisation, and in no way intended as a 'test' for anyone who may be interested in being considered for the substantive post.

#### **Resolved:**

- 1) That thanks be expressed to Joanna Killian, Chief Executive, for her dedication to and leadership of the Council over the past nine years, together with good wishes for her future career.
- 2) That the recruitment process and timeline for the role of Chief Executive for Essex County Council, as indicated in report CO/01/15, be noted.
- 3) That, subject to an addition to the Key Responsibilities and Accountabilities to reflect the post holder's oversight of the Council's statutory responsibilities with regard to children's services, the draft role profile for the position be noted, with the final text to be agreed by the Leader of the Council.
- 4) That executive recruitment consultants Gatenby Sanderson be appointed from amongst those firms who have expressed an interest for this recruitment campaign, to assist the Council in the recruitment of a new Chief Executive.
- 5) That a member panel comprising the following elected members be established for the purpose of conducting the final member-level interviews:
  - Leader of the Council (Councillor David Finch)

- Deputy Leader of the Council (Councillor Kevin Bentley)
  - Cabinet Member for Adults and Children (Councillor Dick Madden)
  - Leader of the Labour Group (Councillor Julie Young)
  - Leader of the Liberal Democrat Group (Councillor Mike Mackrory)
- 6) That it be noted that the salary for the Chief Executive post is unlikely to be any higher than the current Chief Executive's salary, which is reflected in the Council's Pay Policy Statement approved by the Council at its meeting in February 2015, but will be subject to advice from the Council's consultants and to negotiation with the successful candidate, dependent on skills and experience.
- 7) That it be noted that the recruitment be for a permanent or a fixed-term position, depending on the advice received from the Council's consultants.
- 8) That the Council be recommended to appoint the following members of the Corporate Management Board to act as interim Head of Paid Service for a period of three months each, on rotational basis, until such time as the new Chief Executive assumes his or her position:
- Margaret Lee, Executive Director for Corporate and Customer Services
  - Dave Hill, Executive Director for People Commissioning
  - Keir Lynch, Executive Director for Strategy, Transformation and Commissioning Support
  - Sonia Davidson-Grant, Executive Director for Place Commissioning
- 9) That it be noted that Margaret Lee's appointment will commence the day after Joanna Killian's departure and will run for slightly longer than three months, until the end of August 2015.
- 10) That it be noted that the person whose name next appears on the rota will act as the deputy Head of Paid Service, who will act in the absence of the Head of Paid Service or at any time during which he or she is unable to act for any reason including for example, conflict of interests.
- 11) That a separate member panel be established to deal with the appointment of an interim Executive Director for Place Operations (for a period of 6 to 18 months) comprising the following elected members:
- Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling (Councillor Kevin Bentley)
  - Cabinet Member for Libraries, Communities and Planning (Councillor Roger Hirst)
  - Cabinet Member for Education and Lifelong Learning (Councillor Ray Gooding)
  - Leader of the Labour Group (Councillor Julie Young)
  - Leader of the Liberal Democrat Group (Councillor Mike Mackrory)

- 12) That it be noted that the Monitoring Officer will submit a report to Full Council in May 2015 seeking approval for a number of constitutional changes required as a result of the Head of Paid Service arrangements.

## **5. Exclusion of the Press and Public**

### **Resolved:**

That, having reached the view that the public interest in maintaining the exemption (and discussing the matter in private) outweighed the public interest in disclosing the information, the public (including the press) be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as specified in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

## **6. Executive Directors' 'Supporting Success' Performance Outcomes for 2014/15**

(Exempt under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972)

The Committee considered a joint report (CO/02/15) by the Leader of the Council and the Chief Executive setting out the Chief Executive's assessment of each Executive Director's performance for the year 2014/15, and seeking Members' confirmation or amendment of the recommended outcomes. Members noted that no performance assessment had been included for the Chief Executive on this occasion in view of her imminent departure from the organisation.

The report also sought approval for an initial set of strategic goals for the Corporate Management Board, which would be set in consultation with the Leader of the Council prior to the Chief Executive's departure. It was recognised that these were likely to be subject to change by the incoming Chief Executive. The Chairman invited members of the Committee to pass any proposed additions or amendments to the draft objectives to him outside the meeting.

### **Resolved:**

- 1) That the determination of each Executive Director's performance for 2014/15 be as agreed at the meeting (and as set out in a confidential appendix to these minutes).
- 2) That the draft objectives for the Corporate Management Board for 2015/16 be agreed, with any proposals by Committee Members for additions or amendments to be passed to the Leader of the Council.

## **7. Executive Directors' Pay Award for 2015**

(Exempt under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972)



The Committee considered a report (CO/03/15) by the Chief Executive concerning the 2015 pay award for Executive Directors (excluding the Chief Executive), taking into account market conditions. Members noted that a panel had been established to look independently at executive pay and make recommendations to this Committee and that the panel was currently formulating proposals around all options (including, for example, the implementation of Long Term Incentive plans). The outcome and proposals were due to be presented to this Committee in the summer for consideration.

**Resolved:**

That a decision on the 2015 pay award to Executive Directors be deferred pending the completion of work on options for executive pay currently being undertaken by the independent panel, with recommendations due to be considered by this Committee in Summer 2015.

**8. Closing Remarks**

The Chairman advised the Committee that Adam Bowles would shortly be leaving Essex to take up a post elsewhere in the country. On behalf of the Committee, he thanked Mr Bowles for his hard work and wished him well in his future career.

The meeting closed at 12.15pm.

**Chairman**

