

COUNCIL:

21 JUNE 2018

**REPORT OF THE CHIEF EXECUTIVE AND HEAD OF PAID
SERVICE**

**APPOINTMENT TO THE POST OF CORPORATE DIRECTOR RESOURCES
AND SECTION 151 OFFICER**

Reason for this Report

1. To seek the approval of Council for the public advertisement and remuneration of the post of Corporate Director Resources in view of the pending retirement of the current Corporate Director Resources in October 2018.

Background

2. The Cabinet approved a new Tier 1 and Tier 2 senior management structure on 16 November 2017 (Tier 1 is shown in **Appendix A** to this report). The new structure represented an evolution of existing senior management arrangements and included the role of Corporate Director Resources, which had been established following a previous Cabinet decision on senior management arrangements that was taken on 11 October 2012.
3. On 5 November 2012, the Council's Employment Conditions Committee, within the scope of its terms of reference, approved the terms & conditions and remuneration of the post of Corporate Director Resources.
4. The role of Corporate Director Resources is critical in supporting the delivery of the Council's priorities and in responding to the severe financial challenges that will become increasingly significant for the Council over the next few years.

Issues

5. The current Corporate Director Resources has confirmed her intention to retire in October 2018.
6. The Local Authorities (Standing Orders) (Wales) Regulations 2006 (as amended in 2014), and the Council's Employment Procedure Rules, require all decisions on the remuneration of Chief Officers to be taken by resolution of the Authority itself (i.e. by Full Council) and all vacant posts with a salary of £100,000 per annum or greater must be advertised externally.

7. In order to recruit to the vacancy that will arise upon the retirement of the current Corporate Director Resources later this year, Council approval is therefore sought for the public advertisement and remuneration of the post.
8. A copy of the existing role profile for the post of Corporate Director Resources is attached as **Appendix B** to this report.
9. In accordance with Section 151 of the 1972 Local Government Act, the post holder will be designated as the Council's Statutory Finance Officer (otherwise referred to as the Section 151 Officer) and, as required by Section 113 of the 1988 Local Government Finance Act, will be a member of one of the six recognised chartered accountancy bodies in Great Britain and Ireland. The role includes managerial responsibility for the Council's Governance & Legal Services, Digital Services and a range of corporate services such as Finance, HR, Procurement, as well as Performance & Partnerships. The post holder will also have operational responsibility for the Cardiff and Vale of Glamorgan Local Government Pension Fund and will be the Statutory Finance Officer for the Cardiff Capital Region City Deal Joint Governance Committee.
10. The remuneration of the post is a matter for the Council. The remuneration level of Corporate Director posts within the Council was considered as recently as November 2017 when the new post of Corporate Director People & Communities was created. The process included an evaluation of the post and associated remuneration by Korn Ferry Hay Group in the context of the existing remuneration level for the post of Corporate Director, as set out in the Council's annual Pay Policy Statement. On 30 November 2017, the Council approved the remuneration of the new post in accordance with the recommendation of the Employment Conditions Committee that it should be paid at the level set previously for Corporate Directors. This decision ensured consistency and maintained the integrity of the Council's senior management arrangements and associated remuneration.
11. The Council's annual Pay Policy Statement for 2018/19 was approved by the Council on 22 March 2018. This sets out the current level of remuneration of Corporate Director posts, which is a spot salary of £132,613 per annum.
12. Under the 2006 Regulations and the Council's Employment Procedure Rules, the appointment of various officers, including Corporate Directors, must be made by the Council or by a Committee delegated by the Council to make the appointment, which must contain at least one Cabinet Member, but not more than half of the members of that Committee shall be Cabinet Members.
13. The appointment of Chief Officers (which includes Corporate Directors) is delegated to the Council's Appointments Committee. Appointment to the post of Corporate Director Resources will therefore be made by the Appointments Committee.

Financial Implications

14. The costs of the Corporate Director Resources can be met from within the existing budget for the post. The one-off costs associated with the advertising and appointment process will be funded from within existing resources.

Legal Implications

15. The recruitment of Chief Officers (including Corporate Directors) is subject to a number of specific requirements set out in the Local Authorities (Standing Orders) (Wales) Regulations 2006, as amended in 2014. These requirements are further set out in the Employment Procedure Rules contained within the Council's Constitution.
16. The Employment Procedure Rules state under Rule 2 that:

2. Recruitment of Chief Officers

- (a) *A vacancy for the post of Chief Officer must be reported to the Council or body delegated to do so which will consider whether the post should be filled, and if so, subject to Rule 2A, the terms and conditions of employment and method of appointment.*
- (b) *Where the proposed remuneration of the Chief Officer post is £100,000 or more per annum, the Council will arrange for the following to be prepared:-*
 - (i) *A statement of the duties of the officer concerned and the required qualifications or qualities to be sought in the person appointed, which is sent to any person on request; and*
 - (ii) *Public advertisement of the post to bring it to the attention of people who are qualified to apply, unless the proposed appointment is for a period of 12 months or less.*
- (c) *Following advertisement, the Council will arrange for either all qualified candidates to be interviewed; or a shortlist to be prepared of qualified applicants and those candidates interviewed. If no suitably qualified person has applied, or if the Council decides to re-advertise the appointment, the post will be re-advertised in accordance with paragraph (b) above.*

2A. Remuneration of Chief Officers

Any decision to determine or vary the remuneration of Chief Officers (or those to be appointed as Chief Officers) must be made by full Council.

17. On 5th November 2012 the Employment Conditions Committee, within the scope of its terms of reference, determined the duties, qualifications or qualities to be sought, and terms and conditions for the post of Corporate Director Resources. These were reaffirmed on 22nd November 2017. A copy of the Role Profile for the post is attached to this Report as Appendix B.

18. It is now for the full Council to consider approving the public advertisement and the level of remuneration of the post.
19. As has been stated in the text of this report, any appointment to the post would be made by the Appointments Committee.

HR Implications

20. This report contains HR implications which will need to be managed in accordance with the recommended legal principles, and the requirements set out by the Welsh Government. The Trade Unions have been briefed on the pending retirement of the Corporate Director Resources.

RECOMMENDATIONS

The Council is recommended to:

1. approve the public advertisement of the post of Corporate Director Resources on the basis of the existing duties, role profile and terms & conditions;
2. approve the remuneration of the post of Corporate Director Resources based on a spot salary of £132,613 per annum in accordance with the Council's Pay Policy Statement 2018/19; and
3. note that responsibility for the appointment of a suitable candidate to the post of Corporate Director Resources is delegated to the Appointments Committee.

Paul Orders

Chief Executive and Head of Paid Service

21st June 2018

The following appendices are attached to this report:

Appendix A: Tier 1 Structure Chart

Appendix B: Corporate Director Resources – Role Profile