



Cyngor **Abertawe**  
**Swansea** Council

## Council

You are hereby summoned to attend an Extraordinary Meeting of the **Council of the City and County of Swansea** to be held in the Council Chamber - Guildhall, Swansea on Tuesday, 12 February 2019 at 1.00 pm.

The following business is proposed to be transacted:

1. **Apologies for Absence.**
2. **Disclosures of Personal and Prejudicial Interests.**  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
3. **Announcements of the Presiding Member.**
4. **Announcements of the Leader of the Council.**
5. **Public Questions.**  
Questions must relate to matters on the open part of the Agenda of the meeting and will be dealt with in a 10 minute period.
6. **Amendment to the Pay Policy Statement 2018-2019.** 1 - 2
7. **Appointment of an Interim Chief Executive.** 3 - 5

**Huw Evans**  
**Head of Democratic Services**  
**Guildhall,**  
**Swansea.**

**Wednesday, 6 February 2019**

**To: All Members of the Council**

# Agenda Item 6.



## Report of the Chief Executive

Extraordinary Meeting of Council - 12 February 2019

### Amendment to the Pay Policy Statement 2018-2019

<b>Purpose:</b>	To amend the Pay Policy Statement 2018-2019.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal
<b>Recommendation(s):</b>	It is recommended that:  1) The amended Pay Policy Statement 2018-2019 be adopted.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 The Localism Act 2011 required the Authority to prepare a Pay Policy Statement which articulates its Policy towards a range of issues relating to the pay of its workforce, particularly senior staff and the lowest paid employees.
- 1.2 This Authority's Pay Policy was first approved by Council in March 2012 and has been and subsequently reviewed each year. Council last conducted its review on 22 March 2018.
- 1.3 The Pay Policy statement must be:
  - a) Prepared each year
  - b) Approved by full Council each year by 31 March.
  - c) Published on relevant Authorities' websites

## **2. Pay Policy Statement 2018/2019**

2.1 A copy of the Pay Policy Statement 2018-2019 may be viewed at:

<https://democracy.swansea.gov.uk/documents/s43005/10%20-%20Pay%20Policy%20Report%20to%20Corporate%20Briefing%201st%20March%202018.pdf?LLL=-1>

2.2 Paragraph 11 of the Pay Policy Statement relates to “Re-Employment”. The current Paragraph 11 is outlined below:

### *“11. RE-EMPLOYMENT*

*11.1 No Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council.*

*11.2 The Authority will inform Chief Officers on appointment who are in receipt of a pension under the LGPS from a previous employer that they must inform their Pension Fund Provider of their re-employment in Local Government. The appropriate abatement rules can then be applied.”*

2.3 It is proposed to amend Paragraph 11.1 of the Pay Policy so that Council has in exceptional circumstances the ability to waive the requirement of this Paragraph. It is therefore proposed that Paragraph 11.1 be amended to read as follows:

*“11.1 No Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council save for in exceptional circumstances when a meeting of Council may waive this requirement.”*

## **3. Financial Implications**

3.1 The costs arising from the amended Council’s Pay Policy Statement 2018-19 will be accommodated within the 2018/2019 budget and beyond.

## **4. Legal Implications**

4.1 All of the Legal implications have been set out in the Policy.

## **5. Equalities and Engagement Implications**

5.1 Equalities and engagement considerations have been made in accordance with the Authority’s Equality Impact Assessment process.

### **Background Papers:**

None.

### **Appendices:**

None.

# Agenda Item 7.



## Report of the Leader of the Council

Extraordinary Meeting of Council - 12 February 2019

### Appointment of an Interim Chief Executive

<b>Purpose:</b>	To appoint an Interim Chief Executive / Head of Paid Services.
<b>Policy Framework:</b>	Council Constitution.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Jack Straw is appointed Interim Chief Executive / Head of Paid Service for a period of 3 months to exercise all the functions currently exercisable by the current Chief Executive including those of Returning Officer and Electoral Registration Officer;  2) The Chief Legal Officer is given delegated authority to take any further action necessary to give effect to the content of this report;  3) The Leader of the Council in consultation with other group Leaders and the Chief Legal Officer has delegated authority to extend the appointment to 6 months.
<b>Report Author:</b>	Tracey Meredith
<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Rhian Millar

#### 1. Introduction

- 1.1 There is no legal requirement to have a Chief Executive but a Local Authority must designate one of its officers as Head of Paid Service under the Local Government and Housing Act 1989. In Swansea the Chief Executive is designated as the Head of Paid Service.

- 1.2 The current Chief Executive is currently on long term sick leave. Presently it is not known as to how long the current Chief Executive will remain on sick leave and it is therefore necessary to ensure that an Interim Chief Executive is in place to fulfil the statutory function of Head of Paid Service and to ensure that the interim arrangements provide continuity of management direction at the highest of levels.
- 1.3 The Local Authority is currently engaged in a number of significant projects including ERW, City Deal, 21<sup>st</sup> Century Schools and other collaborations. In addition the Authority has to manage the Medium Term Financial Plan and ensure that there is a balanced budget.
- 1.4 In order to provide ongoing continuity for the organisation it is proposed that an interim Chief Executive is appointed for a period of 3 months but allowing for an extension of up to 6 months if necessary. Such an appointment will authorise the interim Chief Executive to exercise all functions currently exercisable by the current Chief Executive including those of Returning Officer.

## **2. Options**

- 2.1 The following options have been considered for making interim arrangements:
- 2.2 Option 1 - Sharing a Chief Executive with another Local Authority – there are concerns as to how much time a shared Chief Executive would be able to dedicate to Swansea and due to the time it would take to consider a suitable Authority with which to share and to agree terms and conditions this is not a suitable option.
- 2.3 Option 2 - Internal ring-fencing -whilst consideration has been given to the possibility of a ring-fenced internal appointment there is no doubt that the role is significantly demanding owing to the complexity and volume of work and that there would be capacity issues with a need for backfill arrangements which would take some considerable time to arrange. In addition the corporate management team is already subject to interim arrangements.
- 2.4 Option 3 - External appointment – consideration has been given to appointing an external candidate with in-depth knowledge and experience of local government. In normal circumstances appointing an external candidate can be a lengthy process and can involve considerable cost to engage a suitable candidate albeit for a short period of time. The external candidate is also likely to have to spend time becoming familiar with the organisation and current issues.

- 2.5 With the above considerations in mind discussions have taken place with the previous Chief Executive, Jack Straw, with a view to enabling the council to retain the services of a Chief Executive with not only a vast experience of local government but also a unique knowledge of issues facing Swansea council at this time.

Jack Straw is able to undertake the role immediately and this is the preferred option in what are wholly exceptional circumstances. The benefits in this appointment are:

- Securing an in-depth knowledge of the Organisation and the City;
- The remuneration will be at a lower level than securing an alternative external appointment;
- There could be an immediate start to avoid a hiatus in senior management.

### **3. Equality and Engagement Implications**

- 3.1 There are no equality and engagement implications associated with the report.

### **4. Financial Implications**

- 4.1 It is proposed that the Interim Chief Executive would receive remuneration of £83K per annum on a pro rata basis met from the contingency fund to cover sickness absence.

### **5. Legal Implications**

- 5.1 There are no additional legal implications associated with this report.

**Background Papers:** None

**Appendices:** None