



Report of the Cabinet Member for Corporate Service and Performance

Council - 7 July 2022

Proposals for Recruitment to Chief Executive

Purpose:	To present to full Council for approval, proposals for appointment to the role of Chief Executive
Policy Framework:	Appointment Procedure Rules – Council Constitution
Consultation:	Legal, Finance & Access to Services
Recommendation(s):	It is recommended that: 1) Council agrees to commence the recruitment process for a permanent Chief Executive by September 2022, at the existing remuneration.
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1. Introduction

1.1 Following the retirement of the substantive Chief Executive, Mr Martin Nicholls has been appointed as Interim Chief Executive for a period of up to twelve months with effect from May 2022. As a result, there will be a requirement to appoint into this role on a permanent basis from May 2023.

2. Appointment to Permanent Chief Executive

2.1 It is proposed that the appointment process for a permanent Chief Executive commences in September 2022. This will allow for a recruitment strategy to be established prior to September.

2.2 This strategy will include consideration of appropriate advertising for the role and whether external consultancy is required to support the process in advance of the post going out to advert.

2.3 A copy of the current Role Profile is included in Appendix A.

- 2.4 The role will need to be advertised externally in accordance with both the Council's Constitution and the legal requirements set out in the Local Authorities (Standing Orders) (Wales) Regulations 2006 which require posts with a remuneration level over £100k per annum to be externally advertised.
- 2.5 In the event of an external candidate being offered and appointed to the role this will allow for any notice period to be worked or for the post to be re-advertised if a suitable candidate is not appointed at the selection stage.
- 2.6 Should the remuneration level of the Chief Executive be altered, the Council must consult the Independent Remunerational Panel for Wales (IRPW) about any proposed change. The authority is then required to have regard to the IRPW's recommendations on the proposal. The Chief Executive remuneration as per the Council's Pay and Reward Policy is £154,962 (2022 pay award pending). This report does not recommend any change to the current level of remuneration for the permanent post and a referral to the IRPW is therefore not required.
- 2.7 Welsh Government's guidance on Pay Accountability in Local Government recommends that authorities should consider sharing appointments of senior staff with other organisations. Whilst this could result in efficiency savings, widens the pool of officer resources across authorities and supports the City Region approach around Swansea, evidence around the success of shared appointments at a senior level is limited. The scale of responsibility and accountability in a unitary authority of Swansea's size could be diluted in a shared arrangement. The capacity demands on an individual required to lead more than one organisation are significant. This report does not recommend that the role of Chief Executive be a shared appointment.

3. Integrated Assessment Implications

- 3.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - Deliver better outcomes for those people who experience socio-economic disadvantage
 - Consider opportunities for people to use the Welsh language
 - Treat the Welsh language no less favourably than English.

- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.
- 3.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 3.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 3.4 As this report is a proposal to move forward with a permanent appointment to an existing post, there is no proposed change to the structure which warrants a full IIA assessment to be carried out. There are no service delivery impacts identified as a result of this report and therefore no mitigation is required. Recruiting to the permanent post of Chief Executive will enable the Council to have regard to its responsibilities under the WFG legislation by having the most senior leader in post to work with members to make decisions for the benefit of our communities. No risks have been identified that would cause negative implications but the risk of not recruiting to the post would cause risk to the Council in not having that senior strategic leader to ensure delivery of the Corporate Plan. A full Integrated Impact Assessment (IIA) has not been undertaken on the proposals in this report based on the screening undertaken.

4. Financial Implications

- 4.1 The post of permanent Chief Executive is fully budgeted for at the proposed remuneration (plus an allowance for pay award pending). The associated costs of recruitment will be met from within existing budgetary provision.

5. Legal Implications

- 5.1 The legal implications are already set out in this report.
- 5.2 Details of the appointment arrangements for these roles are contained in the Council Constitution, Part 4.8 - JNC Officer Appointment Procedure Rules (Rules of Procedure).

Background Papers: None

Appendices

Appendix A: Role Profile for Chief Executive July 2022

Appendix B: IIA Screening Form