

To: All Members of the Council

Louise Fleming, Democratic Services &
Business Support Team Manager

Policy and Governance

E-mail: louise.fleming@waverley.gov.uk

Direct line: 01483 523517

Calls may be recorded for training or monitoring

Date: 22 October 2021

Dear Councillor

COUNCIL MEETING - MONDAY, 1 NOVEMBER 2021

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the CAUDLE HALL, WILFRED NOYCE COMMUNITY CENTRE, CROWN COURT CAR PARK, GODALMING, GU7 1DY on **MONDAY, 1 NOVEMBER 2021** at **7.00 pm** and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

Agendas are available to download from Waverley's website (www.waverley.gov.uk/committees), where you can also subscribe to updates to receive information via email regarding arrangements for particular committee meetings.

Alternatively, agendas may be downloaded to a mobile device via the free Modern.Gov app, available for iPad, Android, Windows and Kindle Fire.

Most of our publications can be provided in alternative formats. For an audio version, large print, text only or a translated copy of this publication, please contact committees@waverley.gov.uk or call 01483 523351.

The meeting will be webcast and can be viewed by visiting
www.waverley.gov.uk/committees

AGENDA

1. APOLOGIES FOR ABSENCE

The Mayor to report apologies for absence.

2. DECLARATIONS OF INTEREST

To receive from Members, declarations of interest in relation to any items included on the agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

3. APPOINTMENT TO THE POST OF JOINT CHIEF EXECUTIVE (Pages 5 - 12)

Following a rigorous two-day process which included an external stakeholder panel and, with the advice and support of South East Employers, this report recommends the appointment of Tom Horwood as the Joint Chief Executive of Guildford and Waverley Borough Councils.

Recommendation

1. **The Joint Appointments Committee recommends to Council that Tom Horwood be appointed to the post of Joint Chief Executive of Guildford and Waverley Borough Councils, and to the statutory roles of Head of Paid Service, Returning Officer and Electoral Registration Officer for both Councils.**
2. **That the above appointment be confirmed once contract negotiations have finalised.**

4. APPOINTMENT OF CHAIRMEN TO OVERVIEW & SCRUTINY COMMITTEES

To agree the appointment of Councillor Stephen Mulliner as Chairman of the Policy Overview and Scrutiny Committee; and Councillor Kevin Deanus as Chairman of the Services Overview and Scrutiny Committee.

5. EXCLUSION OF PRESS AND PUBLIC

If necessary, to consider the following motion, to be moved by the Mayor:

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of any matter on this agenda on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s), there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part I of Schedule 12A of the Local Government Act 1972 (to be identified at the meeting).

WAVERLEY BOROUGH COUNCIL

SPECIAL COUNCIL

1 NOVEMBER 2021

Title:

APPOINTMENT TO THE POST OF JOINT CHIEF EXECUTIVE

Portfolio Holder: Councillor Paul Follows, Leader of the Council

Head of Service: Robin Taylor, Head of Policy and Governance

Key decision: No

Access: Part exempt

Annexe 2 to this report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972, namely:

Information relating to any Individual.

1. Purpose and summary

1.1 At its meeting on 6 July 2021 the Council agreed to pursue options for collaboration with Guildford Borough Council, namely the appointment of a single management team. At its meeting on 3 August 2021, the Council agreed the job description, person specification and the appointment of a Joint Appointments Committee to carry out the recruitment and make recommendations to both Councils for approval.

Following a rigorous two-day process which included an external stakeholder panel and, with the advice and support of South East Employers, this report recommends the appointment of Tom Horwood as the Joint Chief Executive of Guildford and Waverley Borough Councils.

The full Council may only make or approve the appointment where no well-founded objection has been made by the Leader on behalf of the Executive in accordance with the provisions of Part II of Schedule 1 of the Local Authorities (Standing Orders) (England) Regulations 2001. At the time the agenda for this meeting was published, no such objection had been received. Councillors will be updated on this at the meeting.

2. Recommendation

1. The Joint Appointments Committee recommends to Council that Tom Horwood be appointed to the post of Joint Chief Executive of Guildford and Waverley Borough Councils, and to the statutory roles of Head of Paid Service, Returning Officer and Electoral Registration Officer for both Councils.

2. That the above appointment be confirmed once contract negotiations have finalised.

3. Reason for recommendation

3.1 To ensure the Council complies with the requirements of Section 4 of the Local Government and Housing Act 1989 in respect of the appointment of a (Joint) Head of Paid Service.

4. Background

4.1 Annexe 1 sets out the selection process followed in relation to the appointment. Following the rigorous selection process, it is the decision of the Joint Appointments Committee that Tom Horwood be recommended for appointment to the role of Joint Chief Executive of Guildford and Waverley Borough Councils.

4.2 Annexe 2 sets out Tom Horwood's career summary (exempt).

5. Relationship to the Corporate Strategy and Service Plan

5.1 The recommendation supports the strategic priorities in the Corporate Strategy 2022-25 and the commitment to explore shared opportunities with other local authorities to work at scale where there are benefits to be achieved for our residents.

6. Implications of decision

6.1 Resource (Finance, procurement, staffing, IT)

The report to Council on 3 August set out the financial arrangements for redundancy and settlement costs as a result of moving to a joint Chief Executive..

6.2 Risk management

Annexe 4 to the report to Council on 6 July including an initial risk analysis, as well as opportunities arising from the overall collaboration. This will be developed further by the Joint Chief Executive and senior team. Any risks associated with further stages of the collaboration will be presented with each individual business case.

6.3 Legal

The Local Authorities (Standing Orders) (England) Regulations 2001 Schedule 1 Part II paragraph 4(1) as amended ('the Regulations') state that the function of the appointment of an authority's head of paid service must be exercised by the authority (that is, its full Council) before an offer of appointment is made. In this regard, meetings of the full Council of both authorities must confirm the appointment of the Chief Executive/Head of Paid Service before a formal offer of appointment is made.

The offer of appointment as Chief Executive/Head of Paid Service may only be made where no well-founded objection has been made by the Leaders of both councils on behalf of their respective Executives, with the ability to raise an objection being limited to a member(s) of the Executive via the Leader, in

accordance with the provisions of Schedule 1 Part II paragraph 5 of the Regulations. No such objection has been made at the time of publication of this report, and, provided no such objection has been made by the time of the meeting, as such there is no impediment to the Council confirming the proposed appointment.

Any other legal implications are addressed elsewhere within this report.

6.4 Equality, diversity and inclusion

Equality impact assessments are carried out when necessary across the Council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010. There are no immediate equality, diversity, or inclusion implications in this report's recommendations. Impact assessments may be required as further collaboration proposals are developed and implemented and will be reported as appropriate.

6.5 Climate emergency declaration

The climate change emergency declaration and the urgent target for net zero carbon by 2030 is a critical objective for both councils. While no specific impacts on the climate emergency declaration have been identified as a consequence of this report's recommendations, the Council will be assessing and prioritising the environmental, climate and carbon impacts of any proposals that emerge. It may be noted that Guildford BC, like Waverley, has declared a climate emergency. Waverley has a stated an ambition to "work towards making the Council's activities net-zero carbon by 2030"; potential synergies across the two councils can be explored as part of this project.

7. Consultation and engagement

7.1 None for the specific purposes of this report, following the recruitment assessment, which itself included a stakeholder panel.

8. Other options considered

8.1 The alternative would be to not appoint a joint chief executive and not progress the collaboration option agreed by Council on 6 July.

9. Governance journey

9.1 This matter is for the approval of the Council at its special meeting on 1 November 2021.

Annexes:

Annexe 1 – Selection process for the Joint Chief Executive appointment

Annexe 2 – Tom Horwood's career summary (exempt)

Background Papers

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

CONTACT OFFICER:

Name: Louise Fleming

Position: Democratic Services and Business Support Team Manager (Deputy Monitoring Officer)

Telephone: 0148 3523517

Email: louise.fleming@waverley.gov.uk

Annexe 1

Selection Process for the Joint Chief Executive Appointment

Introduction

Following decisions taken by both councils at their meetings held on 28 July 2021(Guildford), and 3 August 2021(Waverley) that selection for a Joint Chief Executive should progress through the Joint Appointments Committee, that process has now taken place and the Joint Appointments Committee have made a recommendation back to both Councils in respect of an appointment.

Process

The process followed was agreed by the Joint Appointments Committee when they met on 22 September 2021 and was as follows:

Date	Details
By 1 October	<p>The candidate completed a Thomas Personal Profile Analysis</p> <p>Thomas' Personality Profile Analysis (PPA) is a personality test which enables employers to evaluate a candidates' character traits in a more in-depth way to determine whether they will be a suitable fit for a role as well as how they prefer to communicate with others.</p>
11 October 10:00 – 12:30	<p>Stakeholder panel (facilitated by South East Employers)</p> <p>The panel format included an informal meeting followed by a formal stakeholder panel. The stakeholders gave structured feedback to the facilitator who then provided that to the Joint Appointments Committee</p> <p>8 stakeholders took part in the panel including representatives from:</p> <ul style="list-style-type: none">• Surrey County Council• NHS• Town Clerk• Surrey University• Local Economy and Business• Experience Guildford• Surrey Police• Unison
13 October 10:30 – 12:40	<p>Structured Interview with candidate including a pre-prepared presentation followed by open and structured questions</p>
13 October 12:45 – 14:00	<p>Joint Appointment Committee considered all available information to make recommendation to Councils</p>

Next Steps

Following the recommendation to Councils should this be accepted; the next steps are:

1. To confirm the appointment of the Joint Chief Executive by letter and to issue the new employment contract. A draft contract has been prepared and will be in accordance with the Terms and Conditions already agreed by both full Councils. The new Joint Chief Executive will remain the employee of Waverley Borough Council and subject to its Terms and Conditions.
2. The proposed start date of appointment is to be confirmed once contract negotiations have finalised and the process to allow for objections has been completed.
3. There is expected to be a period of transition and handover with the existing Guildford Managing Director. His leaving date is yet to be confirmed but it is currently anticipated that this transition period will last until December.
4. The existing Managing Director will leave the employment of Guildford Borough Council subject to the relevant exit payments and agreement.
5. There is a 4-week statutory trial period for the Joint Chief Executive role which will end on a date to be confirmed (subject to point 2. above).
6. The Joint Appointments Committee will continue to support the Joint Chief Executive role by:
 - a. confirming into post, or otherwise, the successful candidate following the trial period
 - b. Agreeing the performance management framework including objectives for the role.
 - c. Monitoring performance standards within the role.
 - d. Managing regular feedback and the annual appraisal process for the role.
7. The Joint Appointments Committee and the Joint Chief Executive will be supported in this by the HR teams in both Councils.

Sally Kipping and Francesca Smith

October 2021

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank