

Guildford and Waverley Borough Councils

Report to: Council

Date: 19 December 2023

Ward(s) affected: N/A

Report of Strategic Director: Transformation & Governance

Author: Jon Formby, Waverley Borough Council Interim HR Manager

Tel: 01483 523499

Email: jon.formby@waverley.gov.uk

Report Status: Open

Appointment of Joint Chief Executive/Head of Paid Service

1. Executive Summary

- 1.1 Section 4 of the Local Government and Housing Act 1989 requires a local authority to designate one of their officers as the head of their paid service. Most authorities designate their chief executive as the Head of Paid Service. In November 2021, both councils confirmed the recommendation of the Joint Appointments Committee (JAC) to appoint Tom Horwood to the post of Joint Chief Executive and Head of Paid Service.
- 1.2 Following the announcement by Mr Horwood of his resignation as Joint Chief Executive/Head of Paid Service, the search for a permanent appointment of his successor has been carried out in conjunction with Penna.
- 1.3 This report sets out details of the recruitment campaign, and the process for the selection of five shortlisted candidates, for final interview by the JAC on Thursday 14 December.

- 1.4 Following the final interviews of shortlisted candidates, the JAC will be invited to recommend, where appropriate, an appointment for confirmation at extraordinary meetings of both councils scheduled to take place on Tuesday 19 December 2023¹.
- 1.5 If the JAC has a preferred candidate, that person will be given a conditional offer of appointment which will be subject to the usual clearances, and to:
- The formal approval by both councils
 - No material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives, in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001; and
 - Agreement of a commencement date, details of which will be reported to both councils at their extraordinary meetings.
- 1.6 If the preferred candidate has a contractual notice period to serve in respect of their current employment, or if the JAC is unable to recommend a candidate to the councils, which means that a new Joint Chief Executive/Head of Paid Service cannot start until after Mr Horwood has departed on 9 February 2024, it will be necessary to consider the designation of an interim Joint Head of Paid Service, with effect from 10 February 2024. This will require the JAC to consider such designation and to make a recommendation, as appropriate, to both councils for approval. If required, the JAC will be convened on 15 January 2024 for this purpose, with extraordinary meetings of both councils taking place on 23 January (Guildford), and 24 January 2024 (Waverley) to consider any formal recommendation from the JAC.

2. Recommendation to Council

- 2.1 The Council will be asked to consider the recommendation of the JAC, following its meeting on 14 December 2023 for an appointment to the Joint Chief Executive/ Head of Paid Service post, which will be made subject to confirmation of the commencement date of the appointment

¹ Guildford's to take place at 6pm on 19 December, and Waverley's to take place at 7pm on 19 December.

and no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives.

3. Reasons for Recommendation:

- 3.1. To appoint a Joint Chief Executive and Head of Paid Service, as part of the agreed collaboration arrangements between Guildford and Waverley Borough Councils.
- 3.2. To comply with the requirements of Section 4 of the Local Government and Housing Act 1989.

4. Exemption from publication

Yes. **Appendix 2.**

- 4.1 The content of **Appendix 2** is to be treated as exempt from the Access to Information publication rules because the process for candidate selection will involve the disclosure, or likely disclosure of personal information about the candidates and is therefore exempt from publication by virtue of paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 as follows:

(1) "Information relating to any individual".

- 4.2 The content is restricted to the members of the Council.
- 4.3 It is not anticipated that the exempt information can be expected to be made available for public inspection.
- 4.4 The decision to maintain the exemption may be challenged by any person at the point at which the Council may be invited to pass a resolution to exclude the public from the meeting to consider the exempt information.

5. Purpose of Report

- 5.1 Following the resignation of Tom Horwood as the Joint Chief Executive/Head of Paid Service, the JAC at its meeting on 14

December 2023, will be invited to interview the shortlisted candidates and agree a recommendation in respect of the formal appointment of a new Joint Chief Executive/Head of Paid Service, as per the role profile included in **Appendix 1**.

5.2 The JAC's role, as set out in its terms of reference, is:

“Adopting and exercising such of the functions of Guildford Borough Council and Waverley Borough Council (“the councils”) as can be delegated by those councils in respect of the appointment of the councils’ Joint Chief Executive/Head of Paid Service and any Joint Statutory Officer and Director posts as are covered by the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended) or any successor regulations.”

6. Strategic Priorities

6.1 The Joint Chief Executive/Head of Paid Service plays a pivotal role in the delivery of Guildford and Waverley Borough Councils' aspirations set out in the respective Corporate Plan and Corporate Strategy.

7. Background

7.1. The search for a permanent appointment of a new Joint Chief Executive/Head of Paid Service has been carried out in conjunction with Penna. A copy of the advertisement in respect of the post is included in **Appendix 1**.

7.2. The selection process consisted of the following steps:

- The creation of a microsite and an editorial and advert in the Municipal Journal (MJ)
- An executive search recruitment campaign through Penna
- Initial telephone calls with interested candidates and the Leaders of Waverley and Guildford

- An initial longlist with recommended candidates drawn up by Penna and a follow up shortlist meeting with the Leaders of Waverley and Guildford
- A technical interview with each shortlisted candidate carried out by Julie Towers (Managing Director, Penna) and Jonathan Stephenson (Chief Executive of Rochford District Council and Brentwood Borough Council).
- Psychometric Assessments for each candidate using the Wave, Hogan and IJI models.
- Further additional calls with Councillor Paul Follows, Leader, Waverley Borough Council and Councillor Julia McShane, Leader, Guildford Borough Council
- Stakeholder Panel
- Meetings with Strategic Directors
- Final Interviews by the JAC

7.3 A copy of the Career Summary of the candidate recommended by the JAC for appointment as the new Joint Chief Executive/Head of Paid Service (exempt **Appendix 2**) will be circulated to all councillors on Friday 15 December.

8. Financial Implications

8.1 Under the collaboration agreement, the cost of employing a Joint Chief Executive/Head of Paid Service is split equally between the two councils, with Waverley being the employing council.

9. Legal Implications

9.1 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 Joint Chief Executive/Head of Paid Service before an offer of appointment is made.

- 9.2 The offer of appointment as Joint 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.

10. Human Resource Implications

- 10.1 The Joint Chief Executive/Head of Paid Service is the most senior officer appointment and leads the strategic Joint Management Team at Guildford and Waverley Borough Councils.

11. Equality and Diversity Implications

- 11.1 Equality impact assessments are carried out when necessary 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.

12. Climate Change/Sustainability Implications

- 12.1 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 Councils will be assessing and prioritising the environmental, climate and carbon impacts of any proposals that emerge.

13. Background Papers

None

14. Appendices

Appendix 1: JAC Recruitment Pack Part One

Including:

- Chief Executive Job Profile
- Chief Executive Job Advert

Appendix 2: [TO FOLLOW] Career summary of the candidate recommended for appointment by the JAC (EXEMPT)