

APPOINTMENT OF DIRECTOR, LEGAL AND GOVERNANCE SERVICES

- To:** Staffing and Appeals Committee
- Date:** 4th September 2018
- From:** Gillian Beasley, Chief Executive
- Purpose:** To set out a proposal to establish a shared post of Director of Governance and Legal Services for Cambridgeshire and Peterborough, and subject to agreement, to agree the recruitment process to be followed.
- Recommendation:** The Committee is therefore asked to consider the proposals for joint arrangements as set out above and to:
- Confirm that a new shared Director of Governance and Legal Services post be advertised externally and internally.
 - Agree the appointments process set out in this report to be followed.

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1.0 Background

- 1.1 At Cambridgeshire, the role of Director Legal and Democratic Services, and Monitoring Officer function has been provided by the Executive Director of LGSS Law until recently. The role became part of LGSS in 2010, and subsequently in 2015 LGSS Law Ltd was formed.
- 1.2 The postholder left LGSS Law Ltd earlier this year and since then the management of Democratic Services has been retained within LGSS, and an interim Executive Director appointed at LGSS Law Ltd.
- 1.3 At Peterborough, until 30 June 2017, the substantive postholder of the Director of Legal & Governance also held the delegated statutory Monitoring Officer role. From the 1st July, she was seconded to the Combined Authority to take on their Monitoring Officer post full-time, and this has now become a permanent arrangement.
- 1.4 This has therefore left a full time, permanent vacant position within Peterborough City Council (PCC).

2.0 Introduction

- 2.1 Following the agreement between Peterborough City Council and Cambridgeshire County Council (CCC) to share several senior roles across the senior and corporate leadership teams, these vacancies now offer an opportunity to consider a further shared post, and saving, to both authorities.
- 2.2 Sharing management of services is not an end in itself, but one of a number of means by which Councils can achieve their strategic ambitions.
- 2.3 The principles that have underlined all sharing considerations to date are as follows:
 - Removing duplication of effort;
 - Bringing together arrangements which are similar between both Councils to create added value;
 - Exploiting expenditure that exists in both organisations;
 - Creating a positive impact on key partners such as Health, Probation and Police by dealing with joint agendas of Cambridgeshire and Peterborough in single, rather than duplicate meetings;
 - Creating career development opportunities for officers working across both;
 - Utilising the expertise that already exists in both councils to best effect.
- 2.4 It is now proposed to create a further shared role across Cambridgeshire and Peterborough, specifically the Director of Legal and Governance.
- 2.5 The role of Monitoring Officer is a statutory appointment under the provisions of Section 5 of the Local Government and Housing Act 1989, which means that any appointment must be confirmed by Full Council.

3.0 Proposed Approach

- 3.1 It is proposed that the post would be recruited to and employed by Cambridgeshire.
- 3.2 The key areas of accountability that the post will hold are:
- Providing advice to Cabinet, Committees and Full Council and supporting meetings (CCC and PCC).
 - Legal Services for Peterborough and Cambridgeshire Councils – commissioning legal and democratic services for Cambridgeshire from LGSS Law Ltd.
 - Democratic and Constitutional Services (PCC).
 - Scrutiny services (PCC).
 - Members Services (PCC)
 - Civic Office and Mayoral Support (PCC).
 - School admission appeals, exclusion and transport appeals (CCC and PCC).
 - Data Protection and Freedom of Information provision (PCC).
- 3.3 Democratic Services for CCC will remain part of LGSS.
- 3.4 Creating this shared role will enhance the service provision for CCC. The postholder will be responsible for commissioning legal services from LGSS Law Ltd, and for overseeing delivery and quality of those services to CCC.

4.0 Financial Implications

- 4.1 The outline role in **Appendix 1** has been valued within the Council's grading system and the outcome is Director Grade C which is a salary band with a starting salary of £93,399. The on costs would be approximately 25% in addition to this.
- 4.2 The full job description is attached as Appendix 1 and the salary scale is set out below:

1	New in post with development needs	93,399
2	New in post	95,665
3	Full competence in role	97,933
4	Growth in role	100,200
5	Growth beyond role	102,468
6	Absolute ceiling	104,736

- 4.3 The grade for the post previously at PCC was £105,897 to £129,430, but this role incorporated other responsibilities that have since been redistributed. The most recent cost was £127,600 including on-costs.

The cost of purchasing Monitoring Officer support from LGSS Law for CCC has been £70,000 per annum.

- 4.4 If an appointment is made to this role at £95,665 plus on costs of 25% (£114,798), the proposed new role would deliver a saving of approximately £12.5k for CCC and £70k for PCC.

5.0 Timetable

- 5.1 It is recommended that, if agreed, the role is advertised externally and internally simultaneously. PCC will be considering this proposal at its Employment Committee on 19th September.
- 5.2 If both Committees agreed to proceed, an advert would go live last week of September with a view to a Committee interview process taking place in late October/early November.
- 5.3 The Constitution of CCC requires the appointment of the Monitoring Officer to be confirmed by full Council.

6.0 Appointments Process

- 6.1 The previously tried and tested approach to recruiting shared posts will be adopted.
- 6.2 Interviews will take place on the same day and will be before members of both the Staffing and Appeals Committee of Cambridgeshire County Council ('SAC') and of the Employment Committee of Peterborough City Council ('EC').
- 6.3 The normal requirements relating to quorum and political balance will apply to the SAC and the EC respectively.
- 6.4 Both the SAC and the EC will have an opportunity to ask questions and participate fully in the interview process.
- 6.5 At the conclusion of the interviews the SAC and the EC will jointly consider, in turn, the suitability of each candidate. The normal voting rules will apply to the SAC and the EC respectively.
- 6.6 Once the EC and SAC have both reached a decision as to suitability, the Chair of each Committee will confirm the decision of their respective Committees.
- 6.7 Where the EC and SAC are in agreement, the Committee of the employing Council will move to agree an appointment by majority vote. The committee of the other Council will move to endorse the agreement to enter into a shared arrangement in respect of that candidate.
- 6.8 If the EC and SAC reach conflicting decisions as to suitability, there will follow a period of collective deliberation amongst members of both the EC and SAC seeking advice and/or guidance from the shared Chief Executive.

- 6.9 If at the conclusion of the collective deliberations the EC and SAC are in agreement the same process of approval will be followed as set out above.
- 6.10 If the EC and SAC are unable to reach agreement, an appointment will not be approved or endorsed and consideration will be given as to next steps.

7.0 Conclusion

- 7.1 The proposal set out builds on the arrangements already in place between Cambridgeshire and Peterborough through the joint senior management arrangements.

Source Documents	Location
Constitution	https://www.cambridgeshire.gov.uk/council/council-structure/council-s-constitution/