

CHIEF OFFICERS' COMMITTEE

Minutes of a Meeting of the Chief Officers' Committee held on Wednesday, 25 May 2022 at 2.00 pm at Cumbria House, Carlisle

PRESENT:

Mr SF Young (Chair)

Mrs A Burns
Mrs HF Carrick

Mr CJ Whiteside

Also in Attendance:-

Mr J Metcalfe	-	Chief Executive
Ms C Parkinson	-	Chief Legal Officer
Mrs J Currie	-	Democratic Services

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

1 APOLOGIES

An apology for absence was received from Mr Thornton.

2 EXCLUSION OF PRESS AND PUBLIC

RESOLVED, that the press and public be excluded during consideration of Agenda Item No 6 – The Role of the Returning Officer, Item 7 – Recruitment of Executive Director, Corporate, Customer and Community Services, and Item 8 - Appointment of the Section 151 Officer by virtue of Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972, as these reports contains exempt information relating to an individual.

3 DISCLOSURES OF INTEREST

There were no disclosures of interest made on this occasion.

4 MINUTES OF PREVIOUS MEETING

RESOLVED, that the minutes of the previous meeting held on 9 February 2022 be agreed as an accurate record.

5 DATE AND TIME OF NEXT MEETING

The date and time of the next meeting will be notified accordingly, when agreed.

PART II - ITEMS CONSIDERED NOT IN THE PRESENCE OF THE PRESS AND PUBLIC

6 THE ROLE OF THE RETURNING OFFICER

The Chief Officers' Committee considered a report from the Chief Legal Officer, which asked members to consider whether to remove the role of Returning Officer from the Role Profile of the Executive Director for Corporate, Customer and Community Services (CC&CS).

The current Executive Director – Corporate, Customer and Community Services had resigned and her last working day with the Council would be 24 June 2022.

The post currently included the statutory responsibility as Returning Officer. As there had recently been a member resignation and there was a current vacancy for which a notice of the vacancy was published on 11 May 2022, it was recommended that the role of Returning Officer be removed from the current job profile with immediate effect and that the Chief Executive undertake the statutory role of Returning officer. Members noted that any appointment to this role needed Council approval.

The Interim Chief Legal Officer took members through the report and the options for the role of the Returning Officer.

The Council had discretion on which officer to appoint as Returning Officer, and it was timely to consider whether the role should sit with the post of Executive Director - Corporate Customer and Community Services given the resignation of the current postholder and uncertainty with regards to the future options of this role.

The current Chief Executive was experienced as a Deputy Returning Officer and was supportive of the role being included in the terms and conditions of his employment.

RESOLVED, that the Chief Officers' Committee

- (1) approve, the revised role profile for the role of Executive Director – Corporate, Customer and Community Services and the associated terms and conditions of employment;
- (2) remove the statutory role of Returning Officer from the role profile and responsibilities of the post of Executive Director Corporate, Customer and Community Services and recommend to Council that the Chief Executive be appointed as the statutory Returning Officer.

7 RECRUITMENT OF EXECUTIVE DIRECTOR - CORPORATE, CUSTOMER AND COMMUNITY SERVICES

The Chief Officers' Committee considered a report from the Chief Executive, which recommended that the Committee consider options for the appointment of an Executive Director for Corporate, Customer and Community Services (CC&CS).

The Chief Officers' Committee was responsible for the appointment and terms and conditions of Chief Officers, including Executive Directors. The current Executive Director - CC&CS had resigned effective from 10 July 2022. Her last working day with the Council would be 24 June 2022.

The Chief Executive took members through the report and outlined each of the possible options in detail.

- Option 1: Internal Executive Director – CC&CS 'Acting up' arrangement.
- Option 2: External Executive Director – CC&CS Recruitment on a fixed term basis (as an employee).
- Option 3: External Executive Director – CC&CS Recruitment Contract for Services (Inside IR35).
- Option 4: Internal Distributed Leadership Model

Each of the options were considered and assessed by members, and a number of questions were asked, to which the Chief Executive responded.

Upon conclusion of the discussions it was, **RESOLVED** that members,

- (1) agree Option 4, the Internal Distributed Leadership Model, to fill the vacancy left by the departure of the current Executive Director – Corporate, Customer and Community Services, and
- (2) delegate to the Chief Executive the determination of the required changes to terms and conditions of employment of affected Assistant Directors.

8 APPOINTMENT OF SECTION 151 OFFICER

Members had before them a report from the Chief Executive, which recommended that the Committee considered options for the appointment of the Director of Finance (s151 Officer) for Cumbria County Council.

On 24 May 2021 the Chief Officers' Committee agreed to the appointment of Pam Duke, as the temporary Director of Finance (s151 Officer) for a period of up to 12 months, with the possibility of a further extension.

At that time consultation was in progress about the future arrangements for local government in Cumbria, with the formal order to proceed being laid in Autumn 2021. Due to the uncertainty, it was determined that it would be challenging to appoint to

the role on a permanent basis. It was recommended that the appointment should be undertaken on a temporary basis, for an initial period of 12 months, to allow flexibility pending the outcome of LGR.

Since Government announced its decision regarding the outcome of LGR in July 2021 work had been ongoing progressing towards the transition to two unitary authorities. It was timely that the temporary arrangements be reviewed in light of the current operating environment and statutory requirements for the role as Section 151 officer for the Council and in order to confirm the position with the current incumbent whose temporary contract expires in May 2022.

The Chief Legal Officer took members through the report and outlined the options available and a number of questions for clarification were asked.

Following the debate it was,

RESOLVED, that Chief Officers' Committee

- (1) agree to appoint the Director of Finance (s151 Officer) on a permanent basis;
- (2) agree that the terms and conditions of appointment should be in accordance with the Council's usual contractual terms for this post and with a salary of £107,254 per annum.

The meeting ended at 2.50 pm