



**Chief Officer Employment
Committee**

19 February 2019

Subject: Designation of Head of Paid Service Role

Report by:	Monitoring Officer
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Purpose / Summary:	This Report seeks recommendation to Full Council for changes to the Council's designated Head of Paid Service

RECOMMENDATION(S):

Should the Executive Director of Operations agree to relinquish the designation as head of paid service that members agree:

1. The committee recommends to Full Council that Ian Knowles the Executive Director of Resources is designated as the Head of Paid Service for West Lindsey District Council
2. The committee resolves to delegate to the newly designated Head of Paid Service the authority to agree a leaving date with the Executive Director of Operations ahead of his intended retirement date of 1 October 2019, should that prove necessary ensuring that post holder is no worse off financially than if he had left the employment of the council on that date within existing budgets, following consultation with the Leader of the Council and Chair of this Committee.

IMPLICATIONS

Legal:

The Executive Director of Operations/Head of Paid Service has given formal notice that he will retire on 1st October 2019. The post holder is required to give the council three months' notice but has given more notice to enable the Council to plan its future structure.

In legal terms, the Executive Director of Operations will continue in post until he formally retires on 1 October 2019. Even after a formal letter of resignation is received and the resignation formally accepted, the intention to resign could be rescinded but only with the consent of the Council as employer.

The Council is required to designate one of its officers as Head of Paid Service. This Report enables the Council to comply with these legal obligations.

Financial :

The proposals within this report can be met from within the existing budgets of the Council

Staffing

The Council is required to designate one of its officers as Head of Paid Service

Equality and Diversity including Human Rights :

N/A

Risk Assessment :

Covered in the legal advice above

Climate Related Risks and Opportunities :

N/A

Title and Location of any Background Papers used in the preparation of this report:

None

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Background

1.1 The current Executive Director of Operations/Head of Paid Service has given notice that he will retire on 1 October 2019. The post holder has made his intention clear to the Leader of the Council earlier than the three months' required notice so that the council has time to consider its options and accommodate this change with the least disruption as possible to the operation of the council and its services.

2 Head of Paid Service

2.1 The Head of Paid Service is not a post within the Council's structure. It is a statutory role which in accordance with Section 4 of the Local Government and Housing Act 1989 the Council must designate to one of its officers. The Head of Paid Services is responsible for ensuring that appropriate structures are in place to deliver the services and ambitions of the Council.

2.2 Since July 2017 Mark Sturgess the Executive Director of Operations has been designated as the Head of Paid Service for West Lindsey District Council. As he has indicated his intention to retire it is appropriate to designate the role to another officer of the Council who can therefore plan for and implement a structure in the future. Any changes to the senior management structure would require consultation with this Committee and full Council.

2.3 Once an officer has given their notice it is normal for negotiations to take place on how the notice can be served and the terms under which the officer will leave the council. In the case of Chief Officers, it is a function of this committee. To enable a successful transition it may be necessary to enter into such negotiations with the Executive Director of Operations. It is therefore recommended that the newly designated Head of Paid Service is delegated authority to agree a leaving date with the Executive Director of Operations ahead of his intended retirement date of 1 October 2019, should that prove necessary ensuring that post holder is no worse off financially than if he had left the employment of the council on that date within agreed budgets. This delegation would be in consultation with the Leader of the Council and Chair of this committee.

3 Recommended Officer

- 3.1 It is recommended that Ian Knowles the Executive Director of Resources is designated as the Head of Paid Service as this fits well with the responsibilities he already holds in terms of governance, finance and resources. There is no legislation which prohibits a single officer from being designated to both statutory roles of Head of Paid Service and Chief Finance Officer.