

CUMBERLAND JOINT COMMITTEE

Meeting date: 12 May 2022

Report of: LGR Technical Lead, OD&HR Workstream

Subject: Interim Statutory Officer Appointments

1.0 SUMMARY:

1.1 The Cumbria (Structural Changes) Order 2022 requires that at its first meeting, the shadow authority for Cumberland must designate on an interim basis an officer to be responsible for performing the duties of the following statutory roles:

- Head of Paid Service
- Monitoring Officer
- Chief Finance Officer

1.2 At its meeting on 30th March 2022 the Cumberland Joint Committee agreed the process and principles for the appointments process to the designation of these roles, in order that recommendations could be made to the Shadow Authority. This report outlines the process that has been undertaken and the recommendations from the Joint Committee panel members of the Cumberland Joint Committee for those interim statutory roles.

2.0 RECOMMENDATIONS:

2.1 That the Joint Committee agrees the officer named below, to be recommended to the Shadow Authority, for appointment.

- **Interim Head of Paid Service – Andrew Seekings, Chief Executive Allerdale Borough Council**
- **Interim Monitoring Officer – to be confirmed**
- **Interim Chief Finance Officer – to be confirmed**

2.2 That the Joint Committee considers whether to recommend an honorarium payment to the Shadow Authority as payable to those holding the designations of Interim Monitoring Officer and Interim Chief Finance Officer.

2.3 That, if agreed, the Joint Committee delegates the decision to the Chief Executive, Allerdale Borough Council on the amount payable for the honorarium payment, which would be referred to the Shadow Authority for determination; OR

2.4 If the Joint Committee is not minded to recommend an honorarium payment it is recommended that the Joint Committee refer the said decision to the Shadow Authority for it to determine the matter.

3.0 BACKGROUND, INTRODUCTION AND CONSIDERATIONS:

3.1 On 30th March the Cumberland Joint Committee received a report from the LGR Technical Lead of the OD&HR Workstream on the Interim Statutory Officer Recruitment. It was resolved that the Joint Committee:

- i) Agreed the selection process, as outlined in paragraphs 3.5 – 3.8 of the report;
- ii) Agreed that the following members of the Joint Committee be nominated to act as interview panel members (with other members of the Joint Committee being able to substitute the representative panel member from their Council if required). In the case of a tied vote, the person presiding at the meeting (whether or not the Chair of the Committee) will have the casting vote:
 - Councillor M Johnson, Allerdale Borough Council
 - Councillor J Mallinson, Carlisle City Council
 - Councillor D Moore, Copeland Borough Council
 - Councillor C Tibble, Cumbria County Council
- iii) That Option 2 – to widen the field of selection, so that the opportunities are open to all officers of the Council who have the required experience, skills and qualifications, be agreed as the preferred field of selection for the designated roles;
- iv) That the principles outlined in paragraphs 3.14 – 3.17 be agreed;
- v) That the draft job descriptions for the roles of Interim Head of Paid Service, as amended and circulated separately, Interim Monitoring Officer and Interim Chief Finance Officer as attached to the report be agreed.

3.2 Following the meeting, the Interim Statutory roles were advertised, with expressions of interest invited from the agreed field of selection. Three applications were received for the Head of Paid Service role and no expressions of interest were received for either the Monitoring Officer or the Chief Finance officer roles. Interviews for the role of Interim Head of Paid Service took place on 8th April 2022.

3.3 The panel agreed a chair and were supported by Sharon Senior from NW Employers and Nicola Houwayek, LGR Technical Lead for the OD&HR Workstream. Candidates were asked to present an agreed presentation and a set of standard interview questions were agreed and asked by the panel members.

3.4 Following the interviews, the panel agreed that the following candidate should be recommended to the Joint Committee

- Interim Head of Paid Service – Andrew Seekings, Chief Executive Allerdale Borough Council

3.5 No expressions of interest were received for the Interim Statutory roles for Monitoring Officer and Chief Finance Officer and, at the time of writing this report, it

is not possible to confirm any candidates for these roles to recommend to the Joint Committee. A verbal update will be provided at the meeting.

3.6 The interview panel of the Cumberland Joint Committee has made a recommendation to the Cumberland Joint Committee to offer an honorarium as part of re-advertising the Monitoring Officer and Chief Finance Officer roles. This is a change to the principles for appointment agreed at the Joint Committee meeting of 30 March, where members determined that no additional allowance be paid for undertaking these roles.

4.0 OPTIONS, INCLUDING ALTERNATIVES (IF ANY)

4.1 The Joint Committee could decide not to refer the recommended candidates to the Shadow Authority. This is not advised as there would be no candidates available for selection for appointment by the Shadow Authority.

4.2 The Joint Committee could recommend an alternative candidate for selection to the Shadow Authority. This is not advised as there would be human resources implications and it would not be in line with the process adopted for selection.

4.3 The Joint Committee could decide that the honorarium payment should not be recommended to the Shadow Authority as payable for the posts of Interim Monitoring Officer and Interim Chief Finance Officer. This is not advised due to the human resources implications of doing so.

5.0 IMPLICATIONS:

5.1 Financial:

5.1.1 The financial implications for the interim roles have been assumed as zero on the basis that there was to be no allowance payable for the interim roles and any backfilling required to enable the interim officers to take on the role will be covered by the sovereign councils as part of the duty to cooperate included in the SCO. Subsequently there has been a request that backfilling costs and, if agreed, an honorarium payment for the interim officers be funded from the LGR Implementation reserve. This would require a virement from the LGR reserve contingency allocation to the Shadow authority costs allocation and this would be a decision of the LGR Programme Board.

5.2 Staffing:

5.2.1 As the designated responsibilities of these roles are in addition to those of the nominated candidates' substantive positions, arrangements will be made to ensure that the responsibilities of both roles can be fulfilled through delegation and backfill as required within the relevant sovereign council.

5.3 Legal:

5.3.1 Article 9 of the Cumbria (Structural Changes) Order 2022 requires that at its first meeting the shadow authority for Cumberland must designate on an interim basis an officer of the County Council or one of the Cumberland

councils to be responsible for performing, in relation to the shadow authority, various statutory duties of the Head of the Paid Service, the Monitoring Officer and the Chief Finance Officer (s151).

- 5.3.2 To enable the Shadow Authority to comply with its statutory obligation, the Councils set up the Joint Committee and included within its terms of reference (paragraph 7) the responsibility “[t]o agree and undertake the recruitment process for the selection of the posts of Interim Head of Paid Service, Interim Chief Finance Officer (Section 151 Officer) and Interim Monitoring Officer for the Shadow Authority and recommend to the Shadow Authority at its inaugural meeting nominations for the three interim statutory Officers.”
- 5.3.3 In turn, the Joint Committee established a sub-panel to act as the interview panel (CJC.14/22).
- 5.3.4 As detailed in the report, there weren’t any applications resulting from the first advertisement for the interim posts of Monitoring Officer or Chief Finance Officer. There was no opportunity or time to revert to the Joint Committee and still enable the committee to comply with its terms of reference requirement to provide the Shadow Authority with recommendations for the interim appointments therefore, on advice and subject to ratification by the Joint Committee, the sub-panel agreed to the posts being re-advertised with an honorarium. The Chair of the Joint Committee was subsequently notified of the sub-panel’s action including that the principle was subject to ratification by the Joint Committee. It was also acknowledged that the Joint Committee may choose not to ratify the action and it was suggested that in this scenario the committee would be able to refer the decision to the Shadow Authority for final determination.
- 5.3.5 At the time of writing it is unknown whether there will be any applications resulting from the second advertisement but it must be made clear to all persons expressing an interest that the honorarium is subject to the approval of the Joint Committee (or the Shadow Authority) so as to ensure that they are fully informed.

5.4 Information Governance:

- 5.4.1 There are no information governance issues.

6.0 HEALTH AND SUSTAINABILITY IMPACT:

- 6.1 There are no direct health and sustainability implications from this report.

6.2 EQUALITY AND DIVERSITY IMPACT:

- 6.3 There are no direct equality and diversity impacts from this report.

7.0 RISKS:

- 7.1 If a candidate is not recommended to the Shadow Authority for appointment, then there is a risk that the requirements of the Structural Change Order are not met.

8.0 CONCLUSION:

8.1 That members consider the recommendations outlined in paragraph 2.1 – 2.3.

Report Authors:

Nicola Houwayek – LGR Technical Lead, OD&HR Workstream

Link to related papers:

[Cumberland Area Joint Committee papers 30th March 2022](#)

- Interim Statutory Appointments
- Minutes