

## YORK AND NORTH YORKSHIRE COMBINED AUTHORITY

### COMBINED AUTHORITY MEETING

23 FEBRUARY 2024

#### Proposed Statutory Officers Appointment Panel Arrangements

#### Report of the City of York Council Head of Human Resources

#### Purpose of the Report

1. To update the Combined Authority on the progress of the senior statutory appointments for the role of Chief Executive Officer and Director of Resources following approval to recruit at the Combined Authority meeting on 22<sup>nd</sup> January 2024.
2. Formal approval is sought to establish an Appointments Sub Committee for the two Statutory roles and to delegate sufficient powers to that Sub-Committee to enable them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the Combined Authority's Constitution and Local Government and Housing Act 1989 Standing Orders.

#### Recommendations

3. It is recommended that the Combined Authority:
  - a) Consider and approve the recruitment process for the positions of Chief Executive Officer and Director of Resources including the proposal to set up an Appointments Sub Committee enabling them to conduct the recruitment process, select and appoint a candidate to each of the roles, subject to the Standing Orders (***as detailed in paragraphs 13 to 15 and 19 to 21***)
  - b) Combined Authority Members are requested to nominate who will make up the appointment panel under separate cover after the Combined Authority Meeting. Details of the appointing panels are outlined in ***paragraphs 13 to 14 and 19 to 20***)
  - c) Note that should either of the recruitment campaigns and / or appointment processes fail to appoint a suitable candidate, a further

report will be presented to the Combined Authority with options for a way forward to resolve the particular circumstance (**paragraphs 16 and 17 and 21**)

- d) Create and delegate to the Appointment Committee the ability to appoint the Director of Resources and to make recommendation to the Combined Authority to the Chief Executive Officer.

## Background

4. The Combined Authority Meeting on 22<sup>nd</sup> January approved Officers to progress the permanent recruitment of the key statutory posts that make up part of the senior leadership team of the new combined authority structure. This included the roles of Chief Executive (as Head of Paid Service), Director of Resources (as the designated Section 73 Officer) and Head of Legal / Monitoring Officer.
5. At the meeting on 22<sup>nd</sup> January, it was agreed that the Chief Executive post would be advertised as soon as practically possible however, the appointment process would wait for the Mayor to be elected in May.
6. With regard to the Director of Resources, the Combined Authority agreed that the recruitment campaign can progress as soon as practically possible and ahead of the Mayor's election in order to release the current interim arrangements and ensure that the Combined Authority has a robust leadership team who can begin to grow the new organisation, deliver key priorities and add stability for the wider workforce including those employees who report into this post on the structure.
7. It was agreed that the Head of Legal / Monitoring Officer role would be advertised at a later date and the agreed interim arrangements will remain in place for a period of at least four months following the TUPE transfer of the Office of the Police Fire and Crime Commissioner (OPFCC) and Fire and Rescue Service (FRS) staff in May 2024. A further update will be provided to the Combined Authority later in the year regarding the recruitment campaign for this role.

## Proposed Outline Recruitment of the Chief Executive Officer

8. As detailed in the January Combined Authority Statutory Officer Structure report, the role of the post has been evaluated and is a spot salary of £124,656 (*there is a pay award pending from 1<sup>st</sup> April 2024*). It is envisaged that this salary will attract a suitably experienced and qualified field of applicants.

9. A nationwide recruitment campaign and executive search exercise will commence in April to attract and bring the role to the attention of suitability experience professionals to ensure the widest possible field of applicants. This exercise will be undertaken by North Yorkshire Resourcing Solutions Service which is part of the suite of service level agreements that the Combined Authority has in place.
10. Ahead of April and the formal recruitment campaign commencing, there is preliminary work already underway to test the market and seek interested applicants as part of the recruitment for the Director of Resources post which has now been advertised. This preliminary work is also showcasing the reach, benefits and promotion of the new Combined Authority's aims for the communities and businesses that it serves across York and North Yorkshire.
11. For the Chief Executive post, it is proposed that an initial shortlist of candidates can be undertaken in May, with the aid of the Mayor, the two Leaders and support of the Chief Executives of York and North Yorkshire Councils. Interview and assessment dates can be published as part of the recruitment campaign with final interview dates to take place after the election of the Mayor. A typical assessment process will take place over two days; day one candidates meet panels of stakeholders, and those deemed to meet the requirements of the role will be shortlisted to attend a final interview with the appointment panel on day two. The successfully appointed candidate should then hopefully be able to give notice in their current role (which could be a notice period of between 3 to 6 months) and be in post by November / December 2024 at the latest.
12. It would be hoped that the successful candidate would be available during their notice period for keep in touch days to progress with funded projects and to assist with the shaping of the Combined Authority in its first 12 months.

### **Proposed Appointments Committee for the role of Chief Executive**

13. The appointment of Chief Officer posts are part of the Standing Orders of the Local Government and Housing Act 1989. The proposed appointment panel for the role of Chief Executive will be proposed as follows:

Mayor - Chair of the panel  
Leader or Deputy Leader for North Yorkshire Council  
Leader or Deputy Leader of City of York Council

The panel will be supported by the Chief Executive of North Yorkshire Council and / or Chief Operating Officer City of York Council and the Head of HR.

14. A key part of the appointment process is stakeholder views and recommendations. This will form day one of the assessment process for the applicants and provide valuable feedback for the appointment panel. Stakeholder panels can consist of a series of meetings on a rotational basis, but these will be subject to availability on the scheduled dates and appropriate number of delegates on the interview panels.

The stakeholder panels will consist of a combination of key partners across the public sector and business community, key members (to include Executive members not on the Combined Authority) and leaders across the Combined Authority partner organisations.

15. The views gained across the various assessments will be considered to objectively decide which candidates are invited to attend the final interview with the appointments panel on day two.

16. Prior to a final appointment offer being made to the successful applicant, all Members of the Combined Authority must be informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days). Usual pre-employment checks will then commence in line with Human Resources and regulatory procedures and processes.

17. The Combined Authority will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Appointment Panel.

18. Once an appointment has been made, the current interim arrangements for the Head of Paid Service will be determined. The Combined Authority is not able to operate without a Head of Paid Service so the transition from interim to permanent appointment will be seamless.

19. In the unfortunate event that there is not a suitably qualified and experienced applicant that can be appointed (or shortlisted at the shortlist stage), a further report with options will be presented to the Combined Authority.

### **Proposed Outline Recruitment of the Director of Resources**

20. The recruitment campaign for the role of Director of Resources has commenced and a micro campaign site is being promoted on a range of platforms including the Combined Authorities website, City of York Council

North Yorkshire Council websites and across national recruitment channels (i.e. LinkedIn profiles, the Municipal Journal, Local Government Jobs and Indeed). These promotions are in addition to a dedicated executive recruitment search being undertaken by North Yorkshire Resourcing Solutions Service as part of the Combined Authority's service level agreement.

21. For the Director of Resources post, it is proposed that an initial shortlist of candidates can be undertaken by the end of March. Interview and assessment dates have been published as part of the campaign and will take place in April. A typical assessment process will take place over two days; day one candidates meet panels of stakeholders, and those deemed to meet the requirements of the role will be shortlisted to attend a final interview with the appointment panel on day two. The successfully appointed candidate should then hopefully be able to give notice in their current role (which could be a notice period of between 3 to 6 months) and be in post by October 2024 at the latest.
  
22. Similar to the appointment process for the Chief Executive post, the Director of Resources assessment process will take place over a two-day period, with the first day exploring technical expertise and experience to undertake the role which will be guided and tested with key stakeholders including:
  - a. Technical Interview – led jointly by Director of Finance and Section 151 Officer for City of York Council (who is also the Interim Director of Resources and Section 73 Officer for the York and North Yorkshire Combined Authority) and the Corporate Director of Resources and Section 151 Officer for North Yorkshire Council
  - b. Series of meetings with key partners across public sector and business community, key members (to include Executive members not on the Combined Authority) and leaders across the Combined Authority partner organisations.
  
23. Panels will be arranged subject to availability on scheduled dates and appropriate number of delegates on stakeholder panels.
  
24. The second day of assessment will comprise of a formal interview. This post will be appointed to prior to the Mayor and therefore, it is proposed that the appointing panel will be led by Interim Head of Paid Services supported by a Member of the Combined Authority, the Director of Finance from City of York Council as the Interim Director of Resources for the Combined Authority and North Yorkshire Police, Fire and Crime Commissioner. It is therefore, proposed that the panel (the Chair of which will be appointed by the Panel) is as follows:

Leader and/or Deputy Leader for North Yorkshire Council

## Leader and/or Deputy Leader of City of York Council

The Panel will be supported by:

Interim Head of Paid Services

Director of Finance from City of York Council as the Interim Director of Resources for the Combined Authority

North Yorkshire Police, Fire and Crime Commissioner

Supported by a Head of HR

25. Interview dates will be arranged to secure the key appointment panel delegates availability.
26. Again, as this is a Statutory role, prior to a final appointment offer being made to the successful applicant, all Members of the combined Authority must be informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days). Usual pre-employment checks will then commence in line with Human Resources and regulatory procedures and processes.
27. The Members of the appointment panel will make the appointment, with the support of the Officers and the Police, Fire and Crime Commissioner.
28. Once an appointment has been made, the current interim arrangements for the Director of resources will cease. In the unfortunate, event that there is not a suitably qualified and experienced applicant that can be appointed (or shortlisted at the shortlist stage), a further report with options will be presented to the Combined Authority.

### **Recommendations**

It is recommended that the Combined Authority:

- a) Consider and approve the recruitment process for the positions of Chief Executive Officer and Director of Resources including the proposal to set up an Appointments Sub Committee enabling them to conduct the recruitment process, select and appoint a candidate to each of the roles, subject to the Standing Orders.
- b) Combined Authority Members are requested to nominate who will make up the appointment panel under separate cover after the Combined Authority Meeting. Details of the appointing panels are outlined in **paragraphs 13 and 22**.
- c) Note that should either of the recruitment campaigns and / or appointment processes fail to appoint a suitable candidate, a further report will be presented to the Combined Authority with options for a way forward to resolve the particular circumstance (**paragraphs 18 and 25**).

d) Create and delegate to the Appointment Committee the ability to appoint the Director of Resources and to make recommendation to the Combined Authority to the Chief Executive Officer.

## **Reason for Recommendations**

29. To ensure that the appointment of Statutory posts meets Standing Orders procedures and a timely appointment of key posts.

## **Implications**

### **Financial implications**

30. The CEO post has a salary of £124,656 (pay award pending), and the total cost, including on costs, is c.£160,000 and the Director of Resources salary is up to £105,438 (pending pay award) which with oncosts is c.£135,000. The recruitment costs will be approximately £13,000 for each campaign which includes the cost of advertising on professional recruitment social media platforms and executive searches.

31. All of these costs have been included within the approved budget.

32. The estimated cost of the recruitment is not included in the budget. However, due to vacancies and other underspends, this one off cost can be contained within the overall staffing budget.

### **Legal implications**

33. All Chief Officer posts are politically restricted pursuant to the Local Government and Housing Act 1989.

34. It is the statutory responsibility of the Head of Paid Service to ensure that a structure is in place which can effectively and efficiently discharge the council's differing functions and to determine the organisation of the authority's staff alongside their proper appointment and management.

35. The process of appointing Chief Officers is regulated by the Local Authority (Standing Orders) (England) Regulations 2001 (as amended). Amongst other things, these regulations require that an appointment committee must include at least one member of the Combined Authority and further, that no formal offer of appointment may be made until all members of the Combined Authority have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

## Equalities implications

36. Recruitment will be carried out in a transparent and open recruitment process which will comply with the equality processes.

## Crime and Disorder, Information Technology and Property

37. There are no known crime and disorder, information and technology and property risks.

## Combined Authority Area Impacted – York and North Yorkshire

### Background papers:

York and North Yorkshire Combined Authority - 22<sup>nd</sup> January 2024  
Combined Authority Governance: Proposed Statutory Officer Structure for the Combined Authority and the Mayoral Combined Authority

<https://edemocracy.northyorks.gov.uk/documents/s27487/Combined%20Authority%20Governance%20Proposed%20Statutory%20Officers%20Structure.pdf>

## Contact Details

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