

## COMBINED AUTHORITY MEETING

22 JULY 2024

### APPOINTMENT OF HEAD OF LEGAL (MONITORING OFFICER)

#### Report of the Head of HR

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#### **1.0 Purpose of the Report**

- 1.1 The purpose of this report is to request that the Combined Authority approve the recruitment process for the role of Head of Legal (Monitoring Officer)
- 1.2 Formal approval is sought to establish an Appointments Sub Committee and to delegate sufficient powers to that subcommittee to enable them to conduct the recruitment process and select and appoint a candidate, subject to the requirements of the Combined Authority's Constitution and the Local Government and Housing Act 1989 Standing Orders.

#### **2.0 Recommendations**

- 2.1 Consider and approve the recruitment process for the position of Head of Legal, including the proposal to set up an Appointments Sub Committee enabling them to conduct the recruitment process and select and appoint a candidate to the role, subject to the Standing Orders.
- 2.2 Agree which is the preferred date sequence for the recruitment campaign, shortlisting and assessment process (options A – C detailed at 3.5 of the report)
- 2.3 Nominate who will make up the appointment panel under separate cover after the Combined Authority Meeting.
- 2.4 Note that should the recruitment campaign and/or appointment process 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.

#### **3.0 Background**

- 3.1 The Combined Authority Meeting on 22<sup>nd</sup> January 2024 approved Officer to progress the permanent recruitment of the key statutory posts that make up part of the senior leadership team of the Combined Authority structure. This included the roles of Chief Executive (as Head of Paid Services), Director of

Resources (as the designated Section 73 Officer) and Head of Legal (as the designated Monitoring Officer)

- 3.2 It was agreed that the Head of Legal (Monitoring Officer) role would be advertised at a later date and the agreed interim arrangements would 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. It was also agreed that a further update would be provided to the Combined Authority later in the year regarding the recruitment campaign for this role.
- 3.3 The role has been benchmarked and graded at SM3 which covers a salary range of £73,755 - £82,065. It is envisaged that this salary will attract a suitably experienced and qualified field of applicants.
- 3.4 A nationwide recruitment campaign and executive search exercise will be undertaken by North Yorkshire Resourcing Solutions via their current service level agreement. This will look to attract and bring the role to the attention of suitably experienced professionals to ensure the widest possible field of applicants.
- 3.5 There are three proposed options available in terms of a recruitment timeline:
- a) Launch w/c 22 July with a 3-week campaign and attraction period; Close 11 August; Shortlist w/c 12 August; Assessment Events w/c 26 August
  - b) Launch 22 July with a 4-week campaign and attraction period; Close 18 August; Shortlist w/c 19 August; Assessment Events w/c 2 September
  - c) Launch 2 September with a 3-week campaign and attraction period; Close 22 September; Shortlist w/c 23 September; Assessment Events w/c 7 October

The above options are all highly reliant on diary availability of the agreed Appointment Sub Committee.

- 3.6 It is proposed that the appointments committee would be responsible for both the shortlisting of candidates and the interview panel. It is proposed that the committee would be made up as follows:

Mayor – Chair of panel

Leader/Deputy Leader – City of York Council

Leader/Deputy Leader – North Yorkshire Council

YNYCA Chief Executive

Supported by the Head of HR

- 3.7 A key part of the appointment process is stakeholder views and recommendations. This will form part of the assessment process for applicants and provide valuable feedback for the appointment committee. The stakeholder process will be conducted on the same day as the interviews.

- 3.8 Prior to a final appointment offer being made to the successful candidate, all members of the Combined Authority must be informed of the details of the intended appointee and have raised no objections within the specified period (5 clear days) Usual pre-employment checks will then commence in line with Human Resources and regulatory procedures and processes.
- 3.9 The Combined Authority will approve the appointment of the Monitoring Officer following the recommendation of such an appointment by the Appointment Sub Committee.
- 3.10 In the unfortunate event that there is not a suitably qualified and experienced applicant that can be appointed (or shortlisted at the shortlist stage) then a further report with options will be presented to the Combined Authority.

#### **4.0 Financial Implications**

- 4.1 The financial implications associated with this appointment can be covered from within the existing revenue budget for 2024/25. This statutory role is included in the budget on an ongoing basis. The estimated recruitment campaign costs are approximately £11k plus VAT.

#### **5.0 Legal Implications**

- 5.1 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 Executive and further, that no formal offer of appointment may be made until all members of the Executive have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

#### **6.0 Equalities Implications**

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

#### **7.0 Environmental Implications**

- 7.1 There are no additional environmental implications within this report.

#### **8.0 Combined Authority Areas Impacted (Council Areas/Wards/Divisions)**

- 8.1 York and North Yorkshire area.

## 9.0 Recommendations

- 9.1 Consider and approve the recruitment process for the position of Head of Legal, including the proposal to set up an Appointments Sub Committee enabling them to conduct the recruitment process and select and appoint a candidate to the role, subject to the Standing Orders.
- 9.2 Agree which is the preferred date sequence for the recruitment campaign, shortlisting and assessment process (options A – C detailed at 3.5 of the report)
- 9.3 Nominate who will make up the appointment panel under separate cover after the Combined Authority Meeting.
- 9.4 Note that should the recruitment campaign and/or appointment process 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.

## 10.0 Reasons For Recommendations

- 10.1 To ensure that the appointment to the statutory post of Monitoring Officer meets Standing Order procedures and a timely appointment is made to a key post.

## 11.0 Contact Details

For further information please contact the author of this Report.

### Author

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<b>Date:</b>	4/07/2024

**Background papers - None**

**Appendices – None**