

DONCASTER METROPOLITAN BOROUGH COUNCIL  
CHIEF OFFICERS' APPOINTMENTS AND CONDITIONS OF  
SERVICE COMMITTEE

1ST APRIL 2010

A MEETING of the CHIEF OFFICERS' APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE was held at the MANSION HOUSE, DONCASTER on THURSDAY 1ST APRIL 2010 at 10.00 a.m.

PRESENT:

Chair - Councillor Joe Blackham  
Vice-Chair – Tony Brown

Mayor Peter Davies, Councillors Bob Ford, Stuart Hardy, Chris Mills, Pat Porritt, Tony Sockett, Carol Williams, Patrick Wilson and Yvonne Woodcock.

ALSO IN ATTENDANCE:

Mark Greenburgh (Wragge & Co LLP)  
John Prentice, District Auditor

29. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST, IF ANY

In response to a request by the Chair for clarification on the need or otherwise for Members of the Committee to declare an interest in the matter before them, the Acting Assistant Director of Resources (Legal and Democratic Services) advised that it was a matter for Members to judge whether they felt they could consider this issue with an open mind. If they did feel they could approach it with an open mind, then he confirmed that predetermination would not arise.

No declarations were made at the meeting.

30. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that the public and press be excluded from the remaining proceedings of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information as defined in paragraphs 1, 3 & 4 of Schedule 12A to the Act, is likely to be disclosed.

31. TO CONSIDER A TERMINATION OF EMPLOYMENT ON AN AGREED BASIS (EXCLUSION PARAGRAPHS 1, 3 & 4)

The Committee considered a joint report of the Acting Assistant Director (Legal and Democratic Services) and the Director of People & Performance Improvement on a proposal to terminate the employment of the Council's Acting Chief Executive/Director of Resources on consensually negotiated terms.

(The Committee agreed to adjourn at 10.07 a.m. for 30 minutes to allow the Committee Members to fully read supporting documentation tabled at the meeting, comprising a detailed report on the terms proposed and legal advice received, and a letter from the Solicitor representing the Acting Chief Executive.)

(The Committee re-convened at 10.37 a.m.)

The Director of People and Performance Improvement and the Acting Assistant Director (Legal and Democratic Services) introduced the main report by outlining the circumstances surrounding the proposal to terminate the employment of the Council's Acting Chief Executive on negotiated terms.

Mark Greenburgh of Wragge & Co. then summarised in detail the advice set out in his letter appended to the report before Members and also responded to the points raised by the Acting Chief Executive's Solicitor.

After the Committee had discussed at length the proposal detailed in the report, during which Members made a number of observations and comments and asked a range of questions on the terms being proposed, it was

RESOLVED:-

- (1) to note the terms of the proposed consensual settlement as reported to the meeting;
- (2) to agree that the employment of the Acting Chief Executive/Director of Resources be terminated with effect from 2nd April 2010 on the terms provided for within the report on the grounds that in all the circumstances it is considered in the interests of the Council for him to step aside; and
- (3) to delegate to the Council's Director of People and Performance Improvement and the Acting Assistant Director (Legal and Democratic Services) the power to enter into a valid and binding compromise agreement giving effect to the resolutions of this Committee.

(In accordance with Council Procedure Rule 20.5, Councillor Carol Williams requested that her dissent from the above decision be recorded.)

(At this point, the Committee agreed to adjourn for a period of 5 minutes. The meeting re-convened at 12.10 p.m.)

With regard to interim arrangements in respect of appointing a new Head of Paid Service, the Director of People and Performance Improvement advised the Committee of an opportunity to appoint Jo Miller, Deputy Chief Executive of the Local Government Association (LGA) on a secondment basis as Interim Chief Executive of this Council, for a period of 6-8 weeks. After the Director of People and Performance Improvement had summarised Ms Miller's previous employment history and relevant experience, it was

RESOLVED:-

- (1) TO RECOMMEND THE COUNCIL that, subject to formal consultation being undertaken with the Mayor and Cabinet, Jo Miller be appointed as the Interim Head of Paid Service, Chief Executive, Returning Officer and Electoral Registration Officer for a period of 6-8 weeks.
- (2) To delegate to the Council's Director of People & Performance Improvement and Acting Director (Legal & Democratic Services) the power to agree the terms and conditions of employment for this secondment.

(Members noted that in anticipation of the resolution of the Council, Jo Miller would commence her secondment as Interim Chief Executive (Designate) with effect from 2nd April 2010.)

(In accordance with Council Procedure Rule 20.5, Councillor Carol Williams requested that her dissent from the above decision be recorded.)