



# Doncaster Council

6 June 2019

## To the Chair and Members of the COUNCIL

### APPOINTMENT OF ACTING CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

#### PURPOSE

1. The purpose of this report is to seek the approval of Council to appoint Damian Francis Allen for an interim period as Doncaster Council's Acting Chief Executive and Head of Paid Service and appointed Returning Officer and Electoral Registration Officer for elections with effect from 1 July 2019.

#### RECOMMENDATION

2. It is recommended that Damian Francis Allen be appointed as Doncaster Council's Acting Chief Executive and Head of Paid Service and appointed Returning Officer and Electoral Registration Officer for elections with effect from 1 July 2019 for a period of up to 12 months.

#### WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. The impact of the post holder on the citizens of Doncaster is to ensure that their employment meets its statutory responsibilities in respect of the administration of the Council's affairs acting as the Council's Head of Paid Service.

#### BACKGROUND

4. Following the resignation and departure of the current post holder who leaves their employment at the end of June, arrangements need to be put in place to appoint a replacement as this is a statutory role.
5. In view of the council's significant transformational agenda specifically around its ambitious people and place model, and the timescale to recruit, it was deemed appropriate to seek an interim appointment. This will be for a period of up to 12 months to allow for a full recruitment process to take place, and will be subject to a permanent appointment being made within the timeframe via the Council's established and approved chief officer recruitment practice.
6. Following an internal expression of interest process, final interviews were held by an established panel from the Chief Officers Appointments Committee (COAC) supported by the Assistant Director for Human Resources and Communications. A recommended decision was made to offer this role to Damian Allen, subject to ratification at this meeting of Full Council.

## OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION

7. It is a statutory requirement to have a designated Head of Paid Service, which is fulfilled by the Chief Executive post and is a key post within the current approved chief officer senior management structure. Therefore the only option considered appropriate is to recruit to this position, via the Council's established and approved chief officer recruitment practice.

## IMPACT ON THE COUNCIL'S KEY PRIORITIES

8.

	<b>Outcomes</b>	<b>Implications</b>
	<p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>	
	<p><b>Doncaster Living:</b> Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul>	
	<p><b>Doncaster Learning:</b> Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>	
	<p><b>Doncaster Caring:</b> Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes</li> </ul>	

	<p><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and residents to provide effective leadership and governance</li> </ul>	<p>This is a key statutory role within the Council's Management Structure and the successful candidate will be expected to make a significant contribution to the delivery of these priorities</p>
--	--	--

## RISKS AND ASSUMPTIONS

9. The proposals outlined in the report are consistent with the requirements set out in law. This statutory role must be appropriately designated and undertaken to ensure the Council meets its statutory responsibilities as well as ensuring stability and effective leadership.

## LEGAL IMPLICATIONS (HW 15.5.19)

10. Section 4 Local Government and Housing Act 1989 provides that every Local Authority must designate one of their officers as Head of Paid Service.

Legislation also requires that an authority appoint a Returning Officer and an Electoral Registrations Officer who is responsible, inter alia, for the conduct of elections and registration within the Authority.

Whilst the Authority must designate an officer as Head of Paid service there is no statutory requirement to appoint a Chief Executive. At present, the post of Head of Paid Service is designated as also being the Council's Chief Executive.

Under the Council's Constitution, the responsibility for the appointment of chief officers, sits with the Chief Officers' Appointment Committee (COAC) (section 1 of the Terms of Reference). As part of the process, COAC must establish an appointment panel for each chief officer post recruitment (section 2 of the Terms of Reference).

Pursuant to Section 8 of the Local Government and Housing Act 1989 the Secretary of State has issued the Local Authorities (Standing Orders) Regulations that mandate Councils to incorporate certain prescribed standing orders. One of the mandatory requirements reads as follows:

Authority with Mayor and Cabinet Executive- Where a committee, sub-committee or officer is discharging, on behalf of the authority, the function of the appointment or dismissal of an officer designated as the head of the authority's paid service, the authority must approve that appointment before an offer of appointment is made to him or, as

the case may be, must approve that dismissal before notice of dismissal is given to him.

Section 112 of the Local Government Act 1972 allows a local authority to appoint such officers as are necessary for the proper discharge of its functions, on such reasonable terms and conditions as it thinks fit. The appointment of Chief Officers should be compliant with the Council's Employment Procedure Rules and the Recruitment and Selection Policy and Procedure. The appointment should be made on merit in accordance with section 7 Local Government and Housing Act 1989.

### **FINANCIAL IMPLICATIONS (FT 13.5.19)**

11. There are no specific financial implications arising from this report, the cost will be funded from the Chief Executive budget allocation

### **HUMAN RESOURCES IMPLICATIONS (JP 13.5.19)**

12. There are no specific human resources implications other than those mentioned elsewhere in this report.

### **EQUALITY IMPLICATIONS (JP 13.5.19)**

13. The appointment process is being conducted in accordance with the Equalities Act 2010 and associated principles.

### **CONSULTATION**

14. Consultation has taken place with the Chair and Vice Chair of the Chief Officer Appointments Committee to agree a reasonable selection process that is appropriate to the circumstances. Members of the Executive and Group Leaders have also been informed.

This report has significant implications in terms of the following:

Procurement		Crime & Disorder	
Human Resources	X	Human Rights & Equalities	
Buildings, Land and Occupiers		Environment & Sustainability	
ICT		Capital Programme	

### **BACKGROUND PAPERS**

15. None

### **REPORT AUTHOR & CONTRIBUTORS**

Jill Parker, Assistant Director for Human Resources, Communications and Executive Office  
Tel: 01302 737004

Email: [jill.parker@doncaster.gov.uk](mailto:jill.parker@doncaster.gov.uk)

**Jo Miller**  
**Chief Executive**