

Title of Report	Appointment of Interim Chief Executive (Head of Paid Service) and Returning Officer, Appointment of Interim Group Director Finance and Appointment of Acting Director of Legal, Democratic and Electoral Services and Monitoring Officer
For Consideration By	Council
Meeting Date	24 July 2023
Classification	Open
Ward(s) Affected	All
Group Director	Group Director Finance & Corporate Resources

1. Purpose

- 1.1. The purpose of this report is to seek Full Council approval of the following Appointment Sub-Committee recommendations to fulfil the statutory roles and responsibilities of the following roles:
- (i) Interim Chief Executive (Head of Paid Service) and Returning Officer
 - (ii) Interim Group Director Finance (Section 151 Officer)
 - (iii) Acting Director of Legal, Democratic and Electoral Services and Monitoring Officer.

2. Recommendations

- 2.1. Full Council is asked to approve the Appointment Sub-Committee's recommendation for Dawn Carter-McDonald, Director of Legal, Democratic and Electoral Services and Monitoring Officer to undertake the statutory role of Interim Chief Executive (Head of Paid Service) and Returning Officer from 1 August 2023. The post is designated as the Council's Returning Officer and Electoral Registration Officer for the purposes of legislation pertaining to electoral law. This appointment is anticipated to be for up to six months, whilst a permanent recruitment process is undertaken.
- 2.2. Full Council is asked to approve the Appointment Sub-Committee's recommendation for Jackie Moylan, Director, Financial Management, to undertake the statutory role of Group Director Finance and Section 151 Officer. This is anticipated to be for up to twelve months.

- 2.3. Should Full Council approve the above Interim Chief Executive (Head of Paid Service) and Returning Officer, Appointment Sub-Committee recommendation for Dawn Carter-McDonald to undertake this statutory role, Full Council is also asked to approve the Appointment Sub-Committee's recommendation for Louise Humphreys, Head of Legal & Governance, to undertake the statutory role of Acting Director of Legal, Democratic and Electoral Services and Monitoring Officer, to backfill the statutory role that Dawn Carter-McDonald has been undertaking. This acting up arrangement is anticipated to be for up to six months.
- 2.4. The honorarium salaries to be paid to the Interim Chief Executive (Head of Paid Service), Interim Group Director Finance and Acting Director of Legal and Monitoring Officer are in line with the Council's Pay Policy Statement and in accordance with the Officer Employment Procedure Rules. At the conclusion of these temporary arrangements, all three members of staff will be entitled to revert to their substantive posts and in the case of Dawn Carter-McDonald, resume the role of Monitoring Officer.

3. **Background**

- 3.1. The Council's general power to appoint staff is set out in Section 112 Local Government Act 1972. The Chief Executive is designated as the Head of Paid Service under Section 4 Local Government and Housing Act 1989. This is a statutory post with the duties set out in Section 4 (3) of the 1989 Act, which includes reporting, (where they think it appropriate) on the co-ordination of the discharge of the Council's functions, the number and grades of staff required, the organisation of staff and their appointment and proper management.
- 3.2. Ian Williams, Group Director of Finance and Resources (Section 151 Officer) took up the duty of deputising for the Chief Executive and Head of Paid Service on the 31st March 2023. As the temporary arrangement was extended, he took up the position more formally, as Acting Chief Executive with effect from 24th April 2023.
- 3.3. Ian Williams will be leaving the Council to take up a new appointment at Liverpool City Council with effect from 31st July and the current Chief Executive Mark Carroll, announced his resignation from his role on the 14th July 2023. An internal recruitment process has been undertaken to fill the Statutory roles of Interim Chief Executive (Head of Paid Service) and Returning Officer, as well as the Interim Group Director Finance and Section 151 Officer with effect from 1st August 2023.
- 3.4. The procedures for the appointment of all Chief Officers are set out in Part 4, Section 8 of the Council's constitution. Part 4, Section 8 of the Council's Constitution allows for internal Acting up Chief Officer arrangements to be determined by the Chief Executive (Head of Paid Service).

- 3.5. An internal recruitment process was carried out to appoint an Interim Chief Executive and the Group Director Finance roles with effect from 1 August 2023.
- 3.6. Given that the recommended Interim Chief Executive is currently undertaking a statutory role as the Council's Monitoring Officer, the Appointment Sub-Committee has also been asked to formally recommend the Acting Director of Legal, Democratic and Electoral Services and Monitoring Officer appointment.
- 3.7. In accordance with the requirements of the Local Authorities' (Standing Orders) (England) Regulations 2001 and the Officer Employment Rules, the Elected Mayor and Cabinet have been consulted about the proposed appointments and have raised no objections.

4. Comments of the Group Director, Finance and Corporate Resources

- 4.1 There are no financial implications. All costs associated with recruitment and remuneration of the Interim Chief Executive (Head of Paid Service) and Returning Officer, Group Director Finance and Resources and Section 151 Officer and Acting Director of Legal, Democratic and Electoral Services and Monitoring Officer will be met in line with the service budgets set by Council and Cabinet.

5. Comments of the Director of Legal, Democratic and Electoral Services

- 5.1 The report outlines the Appointment Sub-Committee recommendations, in line with the requirements of Officer Employment Procedure Rules, as outlined in Part 4, Section 8 of the Constitution.

Appendices

None.

Background papers

No background papers have been relied upon for the drafting of this report.

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