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MEETING: EMPLOYMENT PROCEDURE COMMITTEE
DATE: Monday 25th November, 2024
TIME: 9.00 am
VENUE: Town Hall, Bootle

Members

Councillor Lappin
Councillor Howard
Councillor Pugh

COMMITTEE OFFICER: Ian Barton
Democratic Services Officer
Telephone: 0151 934 2788
E-mail: ian.barton@sefton.gov.uk

If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.

We endeavour to provide a reasonable number of full agendas, including reports at the meeting. If you wish to ensure that you have a copy to refer to at the meeting, please can you print off your own copy of the agenda pack prior to the meeting.

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AGENDA

1. **Appointment of Chair**

To appoint a Chair for this and subsequent meetings relating to recruitment to the post of Chief Legal & Democratic Services Officer (Monitoring Officer).

2. **Apologies for Absence**

3. **Declarations of Interest**

Members are requested at a meeting where a disclosable pecuniary interest or personal interest arises, which is not already included in their Register of Members' Interests, to declare any interests that relate to an item on the agenda.

Where a Member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.

Where a Member discloses a personal interest he/she must seek advice from the Monitoring Officer or staff member representing the Monitoring Officer by 12 Noon the day before the meeting to determine whether the Member should withdraw from the meeting room, during the whole consideration of any item of business in which he/she has an interest or whether the Member can remain in the meeting or remain in the meeting and vote on the relevant decision.

4. **Minutes of the Meeting held on 28 October 2024**

(Pages 5 – 6)

5. **Exclusion of Press and Public**

To consider passing the following resolution:

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the Press and Public.

6. **Recruitment to the post of Chief Legal & Democratic Services Officer (Monitoring Officer).**

(Pages 7 - 20)

Report of Executive Director of Corporate Services and Commercial.

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THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"

EMPLOYMENT PROCEDURE COMMITTEE

MEETING HELD AT THE TOWN HALL, BOOTLE ON 28 OCTOBER 2024

PRESENT: Councillor Moncur (in the Chair)
Councillors Lappin and Pugh

29. APOLOGIES FOR ABSENCE

No apologies for absence were received.

30. DECLARATIONS OF INTEREST

No declarations of interest were received.

31. MINUTES OF THE MEETING HELD ON 22 OCTOBER 2024

RESOLVED:

That the minutes of the meeting held on 22 October 2024 be confirmed as a correct record.

32. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

33. RECRUITMENT TO THE POST OF ASSISTANT DIRECTOR ADULT SOCIAL CARE - COMMISSIONING & TRANSFORMATION

Committee interviewed candidates for the post of Assistant Director Adult Social Care - Commissioning & Transformation.

RESOLVED: That

- (1) a candidate be appointed to the post of Assistant Director Adult Social Care - Commissioning & Transformation, at a salary of £96,369 per annum; (Senior Management Hay Grade 3), subject to

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OCTOBER, 2024

constitutional and pre-employment checks, along with any conditions deemed necessary by the Chief Personnel Officer; and

- (2) the offer of appointment in (1) above be subject to the Chief Personnel Officer notifying the Cabinet of the recommendation and ascertaining whether any Cabinet Member has a material or well-founded objection to the appointment.

Report Title: Recruitment of Chief Legal & Democratic Services Officer (Monitoring Officer).

| | | | |
|-----------------------------|--|---------------------------|----|
| Date of meeting: | Monday 25 th November 2024 | | |
| Report to: | EMPLOYMENT PROCEDURE COMMITTEE | | |
| Report of: | Executive Director of Corporate Services and Commercial. | | |
| Portfolio: | Corporate Services | | |
| Wards affected: | All | | |
| Is this a key decision: | No | Included in Forward Plan: | No |
| Exempt/confidential report: | No - but Annexes 3, 4 and 5 are NOT FOR PUBLICATION by virtue of Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972. The Public Interest Test has been applied and favours the information being treated as exempt. | | |

Summary:

- (1) To update Members on the recruitment process so far, and to advise Members of the intended process for the appointment of a Chief Legal & Democratic Services Officer (Monitoring Officer).
- (2) To ask that Members consider the shortlist of candidates recommended for progression in the selection process.

Recommendation(s):

It is recommended that Members consider:

- (1) The approval of the shortlist of candidates for progression to the technical interview stage.
- (2) The approval of the proposed approach for this recruitment.

Members are asked to note that:

- (1) The post is graded Hay 3, salary £96,369 per annum.
- (2) Given the potentially small field of candidates for this role, the recruitment agency Starfish carried out an executive search on behalf of the Council.
- (3) A copy of the job advertisement is at Appendix 1.

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(4) The job description and person specification are set out at Appendix 2.

Reasons for the Recommendation(s):

- (1) To secure the appointment of a new Chief Legal & Democratic Services Officer (Monitoring Officer) following the resignation of the current postholder.

The Rationale and Evidence for the Recommendations:

- (1) The postholder will be the Council's principal legal advisor and statutory Monitoring Officer.

1. Recruitment Process to Date

- 1.1 Starfish Search Ltd were commissioned to assist with the search and selection process for the Chief Legal & Democratic Services Officer (Monitoring Officer).
- 1.2 The recruitment process was initiated on 16th October 2024 and ended 17th November 2024. Starfish Search Ltd carried out an executive candidate search and job advertisements were placed in the Municipal Journal online and in print, and online in Public Law Jobs. The role was also advertised on Jobs Go Public and Sefton's website, along with appropriate social media such as the Council's 'X' feed, Facebook, and LinkedIn.

Completion of the Appointment Process

- 1.3 A longlist meeting will take place on 19th November 2024.
- 1.4 A shortlist of candidates recommended for progression to technical interview will be circulated to EPC members on 20th November 2024. Candidate information for all applicants will also be circulated.
- 1.5 It is recommended that the EPC approve the shortlist. The next stage will be technical interviews by Microsoft Teams. Discussion will then take place with the Chair of the EPC as to who should go forward to the next stage which will be assessments by an internal stakeholder group, and a staff networking group.
- 1.8 Assessments and final interviews will be held on 12th December 2024.
- 1.9 The Head of HR & Workforce will seek confirmation of no material or well-founded objections from Cabinet Members, should the EPC decide to appoint.

2. Financial Implications

- 2.1 The post is graded at Senior Management Hay 3, salary £96,369 per annum which rises to £124,605 with on-costs of 29.3%.

The core staffing budget will fund the post.

3. Legal Implications

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Officers graded Hay 5 and above are to be appointed by the Employment Procedure Committee

4. Corporate Risk Implications

Risk will be managed at service level.

5 Staffing HR Implications

The role needs to be replaced to maintain an adequate level of service.

6 Conclusion

Authorisation is sought to recruit to the post of Chief Legal & Democratic Services Officer (Monitoring Officer).

Alternative Options Considered and Rejected

None

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|--|
| Equality Implications: There are no equality implications. |
| Impact on Children and Young People: None |

The recommendations within this report will:

| | |
|---|---|
| Have a positive impact | N |
| Have a neutral impact | Y |
| Have a negative impact | N |
| The Author has undertaken the Climate Emergency training for report authors | Y |

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Services & Commercial (FD7843/24) and the Chief Legal and Democratic Officer (LD5943/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

None

Implementation Date for the Decision

Immediately following the Committee meeting, should approval be given the candidate will be called to interview.

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|-------------------------|-----------------|
| Contact Officer: | Sheila Mawdsley |
|-------------------------|-----------------|

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|-------------------|--|
| Telephone Number: | 0151 934 3152 |
| Email Address: | Sheila.mawdsley@sefton.gov.uk |

Background Papers:

There are no background papers available for inspection.

The following appendices are attached to this report:

Appendix 1: Job advertisement

Appendix 2: Job description and person specification

Appendix 3: Candidates shortlisted for technical interview - synopsis, CV, and supporting letter.

Appendix 4: Candidate synopsis, CV and supporting letter of all applicants not shortlisted.

Appendix 5: recommended shortlist of applicants

Please note: Appendices 3,4 and 5 will be circulated on 20th November 2024

Sefton Council

Chief Legal and Democratic Services Officer (Monitoring Officer)

Salary: £96,369

Sefton has the best of both worlds, from the busy and diverse city of Liverpool to the south, to miles of fantastic coastline and green spaces in the north; indeed, the borough is internationally recognised for its outstanding natural beauty and commitment to sustainability. As a local authority serving around 280,000 people, we are on a journey of aspiration and ambition as we work towards delivering our exciting Vision 2030. This journey is shared with our partners and communities as we strive to ensure Sefton is a confident and connected Borough.

We are currently seeking to appoint a new Chief Officer for Legal and Democratic Services who will manage a strong and experienced team across a wide portfolio including elections, coroners and registrars as well as legal and democratic services. The role reports to the Executive Director of Corporate Resources and Commercial, and as part of the extended leadership team you will be critical in working closely with and advising the Chief Executive, Leader and Cabinet. You will also be responsible for the governance of our three arm's length companies.

At Sefton we have very positive and 'can do' culture, and officers and Members are respectful of each other's roles, and as the council's Monitoring Officer you will need the ability to offer clear and constructive advice to Members and officers and support robust decision making and sound governance. Candidates will of course need the appropriate legal qualifications and experience, and will ideally have operated at MO or DMO level.

So, if you have got the drive and determination to make a difference and want to support our vision for Sefton, please see the role details at <https://starfishsearch.com/jobs/sefton-cldso/> or contact Luke Judd at Starfish Search on 07435 270 659 or luke.judd@starfishsearch.com.

Closing date: 17 November 2024

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SEFTON METROPOLITAN BOROUGH COUNCIL
JOB PROFILE

JOB DESCRIPTION

CHIEF LEGAL AND DEMOCRATIC SERVICES OFFICER- (MONITORING OFFICER)

SALARY – HAY 3

JOB PURPOSE

Reporting to the Executive Director, Corporate Services and Commercial, the Chief Legal and Democratic Services Officer is the council's principal legal advisor and will provide strategic and professional advice on legal, constitutional and corporate governance issues. The Chief Legal and Democratic Services Officer is also the council's statutory Monitoring Officer, ensuring that the council, its officers and elected members act lawfully, and that the council has an ethical framework to maintain high standards of conduct and good governance.

This is a strategic leadership role responsible for driving continuous improvement and culture change to deliver the priorities of the council and leading and managing a complex and strategic collection of technical functions.

The functions within the Chief Legal and Democratic Services Officers portfolio of responsibilities include:

- Legal Services
- Democratic and Member Services
- Elections
- Coroners and Registrars Service

The Chief Legal and Democratic Services Officer is part of the leadership team of the Corporate Services Directorate and the wider strategic leadership team of the council.

This role is fundamental in supporting elected members, the Chief Executive, the Executive Management Team and the Executive Director Corporate Services and Commercial in delivering the council's strategic vision and priorities.

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JOB SPECIFIC

PRINCIPAL RESPONSIBILITIES

Provide strategic, decisive, influential leadership and direction to the Legal and Democratic Service to ensure the combined efforts of internal resources and strategic partner organisations and stakeholders deliver strategic priorities.

Lead the council's legal and democratic services strategic development to ensure delivery of high quality, best practice and value for money services.

Provide advice and guidance to elected members and senior managers on the implications of new legislation and policies including any major external and internal drivers for change.

Lead on the delivery of modern, effective and transparent decision-making processes and governance arrangements that ensures elected members are supported in undertaking their roles.

Ensure the responsible operation of the council's constitution, making sure it is kept up to date and fit for purpose. Identify and progress the need for any changes required because of new legislation, case law, government and other guidance and emerging best practice including the preparation and presentation of reports to the relevant Member bodies.

Act as the Council's Senior Responsible Officer for the purposes of the Regulation of Investigatory Powers Act 2000

Lead the Provision of member training and development

Hold responsibility for the council's audit and governance committee (this includes the council's whistleblowing policy)

Lead the Provision of all mayoral services

Provide the leadership and management of the elections team and provide support to the nominated returning officer for the council in the administration of parish and town council, local and national elections in accordance with electoral commission guidance

Within the service, lead the implementation of transformation of the service and develop a business model and workforce that is responsive to new ways of working and changing priorities and needs.

As Deputy Senior Information Risk Officer and a member of the council's Information Management Group, ensure the council has a clear information governance framework in place to comply with relevant legislation and regulations.

Ensure council owned companies are properly constituted, monitored and report to members as appropriate. Ensure elected members receive appropriate advice to enable them to fulfil their respective roles as owners, shareholders and directors.

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Within the service ensure the delivery of high quality, value for money services within the budgetary parameters, ensuring the efficient management of all resources within budget.

Contribute to the effective development of the leadership of the council to ensure high calibre, motivated, effective and empowered leaders of the future.

Deputise for Executive Director Corporate Services and Commercial and other senior colleagues when required.

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PERSON SPECIFICATION

OVERARCHING ESSENTIAL CRITERIA- ALL CRITERIA ARE ESSENTIAL

Qualifications

Honours degree level qualification or equivalent experience and Admitted Solicitor or Barrister (England and Wales) with a current practicing certificate.

Relevant professional/management qualification or equivalent experience.

Experience

Extensive leadership and delivery of major operational services within a large, complex and diverse organisation.

Comprehensive experience, knowledge and understanding of the operation, activities and objectives of legal and democratic services.

Comprehensive experience of working at strategic level within and to the financial policy's, financial regulations, standing orders and procedures of a large organisation.

Leadership of strategic change and continuous improvement programmes with a track record of successful implementation.

Significant experience and understanding of partnership working and managing external relationships.

Successful development of strategic solutions and outcomes to meet statutory requirements, regulations, improved service standards and in response to existing and emerging priorities.

Essential knowledge, skills & abilities

Extensive knowledge and understanding of the legal and regulatory framework within which the council operates.

Extensive understanding of the role of Monitoring Officer for the council.

Ability to lead, manage and motivate services/teams in a challenging and changing environment.

Excellent understanding of the political context at a local, regional and national level and the ability to operate sensitively and efficiently within a political environment.

Strategic and analytical thinking skills to provide creative and fit for purpose solutions to problems within the area of responsibility.

Ability to work collaboratively, as part of the strategic leadership group, and take shared responsibility for organisational performance.

Ability to build, maintain and influence effective working relationships both internally and externally with key stakeholders and partners.

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Ability to provide strategic direction within the area of responsibility in a climate of reducing financial resources.

Skill and Attitude and Value Based Criteria

- 1 Sefton's Vision and promise sets out how we as a Council want to work with each other and with our communities and our partners, to make Sefton a great place to be.
- 2 Personal responsibility to support the delivery of the vision and consistently demonstrate the behaviours and values expressed in the Promise and Leadership requirements.
- 3 Have the necessary political knowledge, skills and abilities needed to operate effectively in a political environment.
- 4 Develop, lead, participate and collaborate in effective partnership across organisations and sectors.
- 5 Focus on outcomes, break down service/professional barriers and facilitate One Council delivery.
- 6 Demonstrate exceptional personal resilience.
- 7 Create and sustain enabling and open relationships.
- 8 Create the most effective environment for innovation, learning and performance.
- 9 Lead change and empower the whole Council to effectively manage complexity, ambiguity and risk.

LEADERSHIP

Must demonstrate the following leadership competencies:

- Provide clear vision and direction.
- Lead and manage change.
- Plan strategically.
- Lead people and performance.
- Work corporately as well as collaboratively with partners.
- Communicate effectively.
- Focus on excellence.
- Develop self and others.

BEHAVIOURS

Must demonstrate the following behaviours:

- Provide support with a view to improving quality.
- Provide appropriate and constructive challenge.
- Create a culture that looks for understanding and solutions.
- Visibly and positively respect and value staff.

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- Communicate a consistent and clear message throughout the Council and with partners.
- Respect, listen to and value others' views.
- Maintain a customer focus with a relentless pursuit of excellent outcomes.
- Have collective integrity and responsibility.
- Endeavour to improve outcomes for the communities of Sefton

STRATEGIC SERVICE

Provide strategic direction and decision making. Understand the impact of change driven by national agendas and adapt services to meet these changes as required.

MANAGING CHANGE

Develop and promote initiatives to improve the quality and efficiency of children's social care. Contribute to the delivery of the Sefton 2030 vision Framework for change.

PARTNERSHIPS

Manage relationships with partners to deliver the highest standards of service. Actively promote Regional and National networks to foster relationships.

GENERAL:

Assistant Directors will:

- Lead Council-wide officer and partner groups as required;
- Act as the Emergency Duty Co-ordinator, on a rota basis, for the Council's Emergency Planning processes and to attend training as required;
- Represent the Council on key Civic events as required including Remembrance Services;
- Represent the Council at partner events as required.

The post you are applying for is exempt from the Rehabilitation of Offenders Act 1974 and therefore you are required to declare any convictions, cautions, reprimands and final warnings that are not 'protected' (i.e. filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. For further information, please refer to [DBS filtering guidance at www.gov.uk/dba](https://www.gov.uk/dba/filtering-guidance).

In accordance with the Local Democracy, Economic Development and Construction Act 2009, this post has been politically restricted. This is due to the sensitive nature of this post (giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority is represented; speaking on behalf of the authority on a regular basis to journalists or broadcasters).

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This job description is a representative document. Other reasonably similar duties may be allocated from time to time commensurate with the general character of the post and its grading. The person appointed will be expected to work flexibly and the exact nature of the duties described above is subject to periodic review and is liable to change.

In addition to his/her principal duties the post holder will be expected to contribute more widely to the overall development of the Service and the Council and will be required to contribute to the Out of Hours Service.

All staff have a duty to take care of their own health & safety and that of others who may be affected by your actions at work. Staff must co-operate with employers and co-workers to help everyone meet their legal requirements.

The Authority has an approved equality policy in employment and copies are freely available to all employees. The post holder will be expected to comply, observe and promote the equality policies of the Council.

Since confidential information is involved with the duties of this post, the postholder will be required to exercise discretion at all times and to observe relevant codes of practice and legislation in relation to data protection and personal information.

Note: Where the post-holder is disabled, every effort will be made to support all necessary aids, adaptations or equipment to allow them to carry out all the duties of the job.

Prepared by: Stephan Van Arendsen
Designation: Executive Director Corporate Service and Commercial
Date: 4 October 2024

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