


Report of: Chief Executive



To: Council/Executive Board


Date: 3 September 2007

Item No:

Title of Report : MEMBER APPOINTMENT OF HEADS OF SERVICE

 **Summary and Recommendations**


 **Purpose of report:** To set out proposals to enable Members to appoint Heads of Service 


 **Key decision:** No


Portfolio Holder: Cllr John Goddard


Scrutiny Responsibility: Finance


Ward(s) affected: None


 **Report Approved by**


 **Portfolio Holder:** Cllr John Goddard, Leader of the Council


 **Legal:** Lindsay Cane, Deputy Monitoring Officer


 **Finance:** Penny Gardner, Business Manager Financial and Asset Management




 **Strategic Director:** Mark Luntley, Strategic Director Finance and Corporate Services

 **Policy Framework:** HR Policy Framework

 **Recommendation(s):**

 Executive Board is asked to recommend that Council agrees the following and

 Council is asked to agree the following:-

-  1. That a politically balanced panel of Council should be responsible for appointing Heads of Service and Directors under the terms set out in this report.
-  2. Appropriate Member training should be organised.
-  3. Consequential changes resulting from this decision should be made to the Constitution

Background

On 13 June 2007, the Interim Chief Executive issued an informal consultation paper to all staff and trade unions as the first stage in developing a new management structure for the Council.

The paper invited comments on eight discussion points highlighted in the report. One of those discussion points involved replacing the term 'Business Manager' with the term 'Head of Service'. This proposal had previously been agreed by the Cross Party Working Group, was overwhelmingly endorsed by the staff consultation, and the term Head of Service is used in this paper.

Another discussion point proposed that Members should appoint Heads of Service. Representative responses are set out in Annex 1.

Current position

Currently, members appoint Directors. Directors appoint Business Managers. This arrangement is relatively unusual and has the effect of excluding members from the appointment of most of their senior managers.

Proposed position

I am requesting Council to amend the Constitution to enable a politically balanced panel of Council to be responsible for appointing Heads of Service and Directors.

This panel will have regard to the advice of the Chief Executive, the Head of Human Resources, and the relevant Director. The Chief Executive, having regard to the advice of the Head of Human Resources, may at his discretion recruit external advice.

Decisions must be made on merit in accordance with the Council's recruitment and organisational change procedures, and be based on an approved competency framework.

Directors would continue to be responsible for the performance appraisal and disciplinary processes relating to Heads of Service.

Consequences of change

Consequential changes to the Constitution required by the change in appointments of Heads of Service are incorporated within the "Constitution" paper that is being considered at this meeting of Council.

Associated member training would be provided if this is taken forward.

Recommendations

Executive Board is asked to recommend that Council agrees the following and Council is asked to agree the following:-

1. That a politically balanced panel of Council should be responsible for appointing Heads of Service and Directors under the terms set out in this report
2. Appropriate Member training should be organised.
3. Consequential changes resulting from this decision should be made to the Constitution

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Background papers:

Development of New Management Structure – Informal Consultation with All Staff and Trades Unions, issued 14 June 2007.



MEMBER APPOINTMENT OF HEADS OF SERVICE

Annex 1 - Summary of Consultation Responses

Sixteen members of staff shared their views on this matter.

Comments in favour included:

- This seems to be consistent with other authorities and makes perfect sense.
- I have such a close, almost daily, involvement with leading members, this is almost essential.
- The change to a member appointment panel has potential to strengthen the links between members and the service areas. This could be useful, as links between members and officers have lessened considerably since the transition from service committees to the current structure.

Comments in favour but with qualifications included:

- I'd be happy to see enhanced member involvement in recruitment, provided that thorough training is provided.
- It is reasonable to have member representation on appointment panels for Heads of Service, but it would be quite wrong for such panels to comprise only or mainly elected members; these should not be political appointments, nor should Executive Directors be excluded from the appointment of their own staff.
- The downside is the potential for political appointments leading to tensions following changes in political control.
- This would considerably increase members' workload.

Comments from those opposed to the proposal included:

- Members should contribute to the setting of job descriptions and person specifications, with the involvement of HR, but the subsequent appointment process should be carried out professionally and on merit. To have members appoint business managers, would seem to blur the distinction between professional officers and members, and generate problems for officer/member relations in subsequent contacts.
- The management of the organisation is the responsibility of Directors and Chief Executive and anything that blurs this would be counter-productive. I don't have any confidence that member training would be effective to allow them to have a broader recruitment role, our challenge is to establish a more fundamental understanding of member and officer roles so that the Council can operate more effectively and be accountable to the residents of Oxford.
- This development could give an impression that business managers are politically appointed which, could adversely affect them when trying to operate in a impartial, non-partisan manner.