

SENIOR STAFFING PANEL

16 NOVEMBER 2015

Commenced: 11.05pm

Terminated: 11.30pm

Present: Councillors K. Quinn (Chair), J. Fitzpatrick and Taylor

Apologies for Councillors Bell and Kitchen

Absence:

1. EXCLUSION OF PUBLIC AND PRESS

AGREED:

That under Section 100A of the Local Government Act 1972 (as amended) the press and public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-10 of Part 1 of Schedule 12A of the Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, because disclosure of the personal information contained in the report would be in breach of Data Protection principles.

2. APPOINTMENT OF AN INTERIM DIRECTOR OF FINANCE AND S151 OFFICER

Consideration was given to a report of the Chief Executive, as Head of Paid Service which reminded Members that at a meeting of Council on the 6 November 2014, approval had been given to a new corporate structure including the re-designation of the two statutory posts of Section 151 officer (Chief Financial Officer) and Monitoring Officer. It was agreed within the new structure to move the designation of Section 151 Officer (Chief Financial Officer) to the Assistant Executive Director of Finance (following the retirement of the previous post holder) and it was agreed that this post would sit under the Executive Director of Governance (Monitoring Officer) who was from the 1 April 2015 to be known as the Executive Director of Governance & Resources with the Assistant Executive Director (Finance) becoming a member of the Executive Team to advise on financial and budgetary matters.

Members were informed that the Council's constitution, Part 4, under Officer Employment Procedure Rules required that the Senior Staffing Panel appoint chief officers known as Executive Directors and/or statutory officers such as the S151 Officer. At a meeting of the Senior Staffing panel on 6 November 2014, the Panel agreed inter alia that: "*That the appointment of Ben Jay, Assistant Executive Director of Finance as the section 151 Officer be made by Council from the 1 April 2015.*"

The Panel was informed that the existing Assistant Executive Director for Finance and Section 151 Officer had tendered his resignation on the 15 October 2015 with an intended date of departure of 23 November 2015. It was clear that the ongoing financial challenges faced by the Council would require a continual review of the number and nature of senior leadership roles in place. The creation of the Integrated Care Organisation (ICO) would provide further opportunity to review and change the leadership and responsibility of finances across both the Council and health partners. Approximately two thirds of the Councils budget was being invested into the new ICO construct. Accordingly, the change in leadership provided the Council with an opportunity to work more closely with health partners and enable others within the service to take on a broader and more strategic role to support this transition.

It was explained that the role of the Section 151 Officer (Chief Financial Officer) was set out in legislation and by the Chartered Institute of Public Finance and Accountancy (CIPFA). In summary, this role:

- Is the officer of the Council with statutory responsibility for the proper administration of the financial affairs of the Council;
- Is a key member of the Leadership Team, helping to develop and implement strategy and to resource and deliver the organisation's strategic objectives sustainably and in the public interest;
- Must be actively involved in, and be able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks were fully considered and aligned with the organisation's financial strategy;
- Must lead the promotion and delivery by the whole organisation of good financial management so that public money was safeguarded at all times and was used appropriately, economically, efficiently and effectively.

In order to achieve this, the Section 151 Officer was required to:

- Attend (or be represented at) meetings of the Executive and Senior Management Teams, Council, Committees, Panels and Working Groups;
- Have direct access to the Chief Executive and Members;
- Provide financial implications on all decision making reports;
- Lead and direct a finance function that was fit for purpose, including the Internal Audit function;
- Exercise the statutory requirements of the role.

Accordingly, regardless of the impact of the Integrated Care Organisation and who would be the lead finance officer for the sector, the Council was obliged to have a S151 Officer in the short term. There was no-one suitably qualified or experienced in-house particularly given the retirement of the former S151 Officer and the very recent appointment of the current incumbent since April 2015. Therefore, to mitigate any risk to the Council pending the appointment of a permanent replacement Section 151 Officer, the Council needed to recruit an interim Assistant Director of Finance.

The proposed INTERIM appointment would have a number of advantages such as:

- Providing immediate leadership and management arrangements whilst the Council dealt with significant financial challenge
- Bringing some significant capacity and experience of change in other organisations
- Strengthen the Council's ability to respond to financial challenges during the period 2015-17.
- Support the clear direction for more integrated and collaborative working with health without having any conflicts.
- Provide some leadership for adopting a succession planning approach wherever possible which supports the medium-term financial strategy and associated human resources workforce plans.
- The changes are achieved with minimum disruption.

The Key tasks that the interim would carry out whilst with the Council would be:

- a) To set a balanced budget;
- b) To support creating an Integrated Care Organisation with clear controls and accountability for the pooling of Council and health budgets so that the Council met its statutory duties efficiently and effectively.
- c) To undertake a service review of the finance function to reduce costs in line with the size and shape of Council and reducing budget, which was fit for purpose and ensured that managers had access to clear financial advice and were effectively supported to control and financially manage their services. This included having a fully implemented and fit for purpose agresso

system which managers were able to use and finance staff support without the need for continual consultancy support.

- d) To put in place and implement a clear procurement strategy which resulted in a significant reduction in spend to 3rd party providers.
- e) To lead on the implementation of an alternative solution within the coming 12 months that meant that the Council would no longer bear the risk of hosting traded services to schools.
- f) To lead on the review of fees and charges across the Council with a view to implementing at Council budget setting an increase such the Council is in the top quartile for charges and to introduce charges where they can be implemented but are not currently.

Members were informed that an executive recruitment exercise had identified Peter Timmins as the most qualified and suitable candidate to be proposed to Council. Members were informed that Peter Timmins was an experienced Interim who had held roles at Director level within local government environments, was CIPFA qualified and had a successful track record in Section 151 roles in a number of different Councils including other metropolitan authorities, London boroughs and County councils.

It was proposed that the Senior Staffing Panel should agree the appointment of Peter Timmins as Assistant Executive Director (Finance) and recommend to Council that he be appointed as the Council's Section 151 Officer

It was explained that in relation to the appointment of Peter Timmins as interim Section 151 Officer, the options were:

- (a) The Council approve the appointment of Peter Timmins as interim Section 151 Officer and Assistant Executive Director of Finance as set out in this report.
- (b) The Council do not approve the appointment of Peter Timmins as interim Section 151 Officer. In the event that this option is pursued Section 151 responsibility would remain by default with the Chief Executive until such time as another appointment is made as there is a requirement to appoint one of the officers of the Council to this role. It should be noted that this would not be a sustainable position as the Chief Executive does not hold the necessary qualification of being a qualified accountant. Meanwhile, Peter Timmins will be appointed to provide interim support in the absence of the necessary finance skills and experience in the Council

RESOLVED:

- (1) That Peter Timmins be appointed as Interim Assistant Executive Director (Finance);**
- (2) That Council be recommended to agree the appointment of Peter Timmins as the Council's Section 151 Officer.**