



Purpose: For Decision

Full Council Report

Date **23 FEBRUARY 2022**

Title **INTERIM ARRANGEMENTS FOLLOWING THE IMPENDING DEPARTURE OF THE CHIEF EXECUTIVE**

Report of **MONITORING OFFICER**

EXECUTIVE SUMMARY

1. Following the announcement that the current Chief Executive will be leaving the Council to take up another role elsewhere, there is a need to put in place interim arrangements to take effect when the Chief Executive departs.
2. Councillors are therefore asked to consider and agree those interim arrangements.

RECOMMENDATIONS

3. That Wendy Perera, Assistant Chief Executive and Director of Strategy be designated and appointed to undertake the statutory role of Head of Paid Service on a temporary basis, such appointment taking effect immediately upon the Chief Executive's departure.
4. That Wendy Perera, Assistant Chief Executive and Director of Strategy be appointed to act as the interim Chief Executive with all roles and powers of the post of Chief Executive, such appointment taking effect immediately upon the Chief Executive's departure.
5. That these interim arrangements be reviewed no more than 12 months following their commencement.

BACKGROUND

6. The Chief Executive is leaving the council in order to take up an appointment with another local authority.
7. The council is required to have a statutory officer, the Head of Paid Service. It is the practice for the role to be undertaken by the Chief Executive.

8. Under the council's present constitution, the council has designated the role of Head of Paid Service to the post of Chief Executive (see page 95 of the constitution).
9. As there will be a vacancy for the post of Chief Executive upon the departure of the Chief Executive, and discussions still need to take place regarding permanent arrangements, councillors are being invited to consider making interim arrangements regarding the mandatory role of Head of Paid Service and the post of Chief Executive.
10. It is a function of Full Council to agree to the appointment of the head of paid service, in the case of a permanent appointment this would follow a recommendation from the Appointments and Employment Committee.
11. The Leader of the Council has recommended that Wendy Perera, Assistant Chief Executive and the Director of Strategy be appointed as the interim Head of Paid Service and Chief Executive.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

12. The [Corporate Plan 2021 – 2025](#) sets out key areas of activity that will be our main areas of focus for the lifetime of this plan which will need to be central to everything we do as a council. The appointment of the Head of Paid Service supports the delivery of this plan.

Corporate Aims

13. As above.

CONSULTATION

14. None at the time of writing this report.

FINANCIAL / BUDGET IMPLICATIONS

15. The recommended approach can be met from within existing budgets

LEGAL IMPLICATIONS

16. Under section 4 (1) of the Local Government and Housing Act 1989, it is the duty of every relevant local authority (a) to designate one of their officers as the head of paid service; and (b) to provide that officer with such staff, accommodation and other resources as are, in that officer's opinion, sufficient to allow the officer's duties under section 4 of that Act to be performed.
17. Designation has to be of an officer of the council (but cannot be the officer holding the designation of the Monitoring Officer – see section 5(1A) of that Act.

18. Appointments have to be in accordance with section 7 ('All staff to be appointed on merit') of that Act.

EQUALITY AND DIVERSITY

19. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
20. The recommendations will be in accordance with these obligations.

OPTIONS

21. The council is required to designate one of their officers as the head of their paid service. The role could be undertaken by any senior officer of the local authority (with the exception of the Monitoring Officer).

RISK MANAGEMENT

22. There is a statutory duty to so designate and not to do so would invite legal challenge.

EVALUATION

23. The risk of legal challenge is removed by designation.

BACKGROUND PAPERS

24. None.

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