



DERBY CITY COUNCIL

**COUNCIL**  
**20 MAY 2009**

Report of the Leader of the Council

## **Office of Chief Executive and Head of the Council's Paid Service**

### **RECOMMENDATION**

- 1.1 To appoint Adam Wilkinson as the Council's Chief Executive and Head of the Paid Service with effect from 27 July 2009, subject to satisfaction of the usual formalities; namely, Criminal Records Bureau checks, evidence of qualifications and entitlement to work in the UK and medical clearance, on the following terms:
  - a salary of £160,000 per annum.
  - the national conditions of service for local authority Chief Executives, including pay awards determined from time to time by the Local Authority Chief Executives Joint Negotiating Committee - subject to the agreement of a balanced Member appraisal panel - supplemented by the provisions of the local Derby City Council personnel handbook where appropriate.
  - the appointment to be for an initial fixed term of five years - with provision for termination on three months' notice before the expiry of the fixed term - and with provision for renewal by mutual agreement on expiry.
- 1.2 To appoint Michael Foote, Director of Corporate and Adult Services and Deputy Chief Executive, as Acting Chief Executive and Acting Head of the Paid Service from 6 June to 26 July 2009 on a salary of £140,508 pa for the duration of that period.
- 1.3 To appoint Stuart Leslie, Assistant Director – Legal, as Acting Monitoring Officer from 6 June to 26 July 2009, and to authorise the payment of an honorarium of £500 per month to Stuart in respect of these duties for the duration of that period.

### **SUPPORTING INFORMATION**

- 2.1 The current Chief Executive, Ray Cowlshaw, is retiring from the service of the Council and will be taking leave from 5 June, which will be his last day in the office.

- 2.2 An appointment panel including leading Members of the three political parties represented on the Council has undertaken a selection process to find Ray's successor as Chief Executive. However, the formal appointment needs to be made by full Council.
- 2.3 The appointment panel is recommending that the appointment of the incoming Chief Executive should be on the basis of a salary of £160,000 per year, and based on the nationally agreed conditions for local authority Chief Executives, including pay awards made from time to time by the Joint Negotiating Committee for Local Authority Chief Executives.
- 2.4 The panel took the view that the appointment should be made in the first instance for a fixed period of five years, which could then be extended with the agreement of both parties. This will be reflected in the contract of employment.
- 2.5 There will be a gap between Ray's departure and the earliest possible date for the arrival of his successor in post and so it is proposed to ask the current Deputy Chief Executive, Michael Foote, to become Acting Chief Executive and Head of the Council's paid service with effect from 6 June until the arrival of Mr Wilkinson to take up the post on 27 July.
- 2.6 Michael Foote currently also holds the position of Monitoring Officer which is a statutory position that cannot lawfully be held by the Chief Executive and Head of the Council's Paid Service. And so it is proposed that, while Michael Foote is acting as Chief Executive and Monitoring Officer, Stuart Leslie, Assistant Director – Legal, should act as the Council's Monitoring Officer.

<b>For more information contact:</b>	Rod Wood Telephone number 255484 e-mail <a href="mailto:rod.wood@derby.gov.uk">rod.wood@derby.gov.uk</a>
<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial**

1. None directly arising from this report.

**Legal**

2. The Local Government and Housing Act 1989, as amended, provides that the Council must designate a Head of the Paid Service and a Monitoring Officer and that they must not be the same person. Regulations provide that the appointment of the Head of the Paid Service must be approved by the full Council; this requirement is also incorporated in the Council's Officer Employment Procedure Rules.

**Personnel**

3. None directly arising from this report.

**Equalities impact**

4. None directly arising from this report..

**Corporate objectives and priorities for change**

5. None directly arising from this report.