

Report sponsor: Director of Legal, Procurement
and Democratic Services
Report author: Acting Head of Democracy

Appointment of the Chief Executive

Purpose

- 1.1 Council approval is required for the permanent appointment of the Chief Executive, under the requirements of the Officer Employment Procedure Rules contained within Part 7 of the Council Constitution. Following the departure of the previous Chief Executive, Carole Mills, in January 2020, this role has been fulfilled by the Acting Chief Executive, Paul Simpson.
- 1.2 A recruitment exercise was undertaken during January and February 2020 resulting in a cross-party panel of councillors unanimously selecting Paul Simpson to become Derby City Council's permanent Chief Executive. This report seeks the required Council approval to make that appointment.
- 1.3 Subject to the approval of Paul Simpson as Chief Executive, this report also seeks to make arrangements for an Appointments Panel to select a candidate to fulfil the role of Strategic Director of Corporate Resources.

It has yet to be determined whether the post will be back filled; Council approval is required under the Pay Policy to appoint to positions attracting salaries in excess of £100,000.

Recommendation

- 2.1 To note the supporting information supplied in relation to Paul Simpson and the previous designation of statutory roles made by Council.
- 2.2 To approve the appointment of Paul Simpson as Chief Executive, following the recommendation of the cross-party Appointments Panel.
- 2.3 To approve the principle of a recruitment process to the post of Strategic Director of Corporate Resources, as required under the council's Pay Policy, and for the Appointments Panel to confirm an appointment.

Reasons

- 3.1 To ensure compliance with relevant legislation and the Council Constitution.

Supporting information

- 4.1 Officer Employment Rule OE9 requires that Council will approve the appointment of the Chief Executive following the recommendation of such an appointment by a committee of the Council.

- 4.2 The recommendation of the cross-party appointments panel follows a national recruitment exercise; a shortlisting process co-ordinated by the Director of Human Resources and Organisational Development; and a technical interview process.

A final interview before an Appointments Panel comprising of Councillors Barker, Evans, Peatfield and Skelton took place on 20 March 2020. The panel unanimously agreed to offer the post to Paul Simpson.

- 4.3 The necessary consultation with Council Cabinet members, in accordance with Officer Employment Procedure Rules, took place immediately following the Appointments Panel reaching its decision. No objections to the recommendation were received.
- 4.4 Paul Simpson joined Derby City Council as the Strategic Director of Corporate Resources and Deputy Chief Executive in August 2019, before being appointed as the Acting Chief Executive in January 2020 following the retirement of Carole Mills.

A qualified CIPFA accountant for more than 20 years, Paul has a strong local government background, having been a Chief Finance Officer for over 10 years, including as Section 151 Officer at three upper tier authorities.

- 4.5 No decision has been made in relation to back filling the post of Strategic Director of Corporate Resources, should the recommendation of the Appointments Panel to appoint Paul Simpson as Chief Executive be accepted.

While the Council Constitution permits the panel to make an appointment to the post of Strategic Director, the Council's Pay Policy requires that any position attracting a salary in excess of £100,000 is subject to a vote of Council prior to being advertised.

In order for the matter to proceed expediently should a decision be reached, in-principle approval is sought at recommendation 2.3 to conduct a recruitment exercise, to allow an Appointments Panel to select a suitable candidate.

- 4.6 Section 4 of the Local Government and Housing Act 1989 requires the designation of the statutory role of Head of Paid Service. Paul Simpson has held this designation since the Council meeting of 22 January 2020, in his capacity as Acting Chief Executive. This designation remains in place and no further decision of Council is required.
- 4.7 The designation of Chief Finance Officer, as required by Section 151 of the Local Government Act 1972, was previously assigned to Paul Simpson in his capacity as Strategic Director of Corporate Resources. At the Council meeting of 22 January, this designation was made to Simon Riley, Director of Finance. This designation remains in place and no further decision of Council is required.

Public/stakeholder engagement

- 5.1 As required under the Officer Employment Procedure Rules, permanent appointment to the post of Chief Executive is subject to the recommendations of a cross-party appointments panel; a seven day period of consultation with members of the Council Cabinet; and, subsequent approval by Council.

Other options

- 6.1 The referral of the Appointments Panel's recommendation of Paul Simpson as Chief Executive is in accordance with the Officer Employment Procedure Rules. No other options are considered.

Financial and value for money issues

- 7.1 Funding for the posts of Chief Executive and Strategic Director of Corporate Resources is already established. The Chief Executive will receive a starting salary of up to £169,810 per annum and if appointed the Strategic Director of Corporate Resources would receive a starting salary of up to £126,180.

Legal implications

- 8.1 This report does not alter existing statutory designations made under Section 4 of the Local Government and Housing Act 1989 and Section 151 of the Local Government Act 1972.

Other significant implications

- 9.1 Following the agreement of interim arrangements in January 2020, the Strategic Director of People Services and the Strategic Director of Communities and Place will continue to jointly fulfil the role of Deputy Chief Executive.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)	Nicola Sykes, Director of HR and Organisational Development	15 June 2020
Report sponsor	Emily Feenan, Director of Legal, Procurement and Democratic Services	15 June 2020
Other(s)	Andrea Cauldwell, Recruitment Manager	15 June 2020
Background papers:	None	
List of appendices:	None	