

WESTMORLAND AND FURNESS JOINT COMMITTEE

Meeting date: 10 May 2022

Report of: Nicola Houwayek - LGR Technical Lead, OD&HR Workstream

Subject: Interim Statutory Officer Appointments

1.0 SUMMARY:

1.1 The Cumbria (Structural Changes) Order 2022 requires that at its first meeting, the Westmorland and Furness Shadow Authority must designate on an interim basis an officer to be responsible for performing the duties of the following statutory roles:

- Head of Paid Service
- Monitoring Officer
- Chief Finance Officer

1.2 At its meeting on 29th March 2022 the Westmorland and Furness Joint Committee agreed the process and principles for the appointments process to the designation of these roles, in order for recommendations to be made to the Shadow Authority. This report outlines the process that has been undertaken and the recommendations from the Joint Committee panel members of the Westmorland and Furness Joint Committee for those interim statutory roles.

2.0 RECOMMENDATIONS:

2.1 That the Joint Committee agree the officers named below, to be recommended to the Westmorland and Furness Shadow Authority, for appointment:-

- **Interim Head of Paid Service – Sam Plum, Chief Executive Barrow Borough Council**
- **Interim Monitoring Officer – Linda Fisher, South Lakeland District Council**
- **Interim Chief Finance Officer - Helen Smith, South Lakeland District Council**

2.2 That the Joint Committee agree that an honorarium payment will be recommended to the Shadow Authority as payable to those holding the designations of Interim Monitoring Officer and Interim Chief Finance Officer.

2.3 That the Joint Committee delegate the decision to the Chief Executive, Barrow Borough Council on the amount payable for the honorarium payment, which is to be put to the Shadow Authority for determination.

3.0 BACKGROUND, INTRODUCTION AND CONSIDERATIONS:

3.1 On 29th March the Westmorland and Furness Joint Committee received a report from the LGR Technical Lead of the OD&HR Workstream on the Interim Statutory Officer Recruitment. The agreed recommendations were:-

- i) the selection process, as outlined in paragraphs 3.5 – 3.8 to the report be agreed;
- ii) the options in relation to the field of selection for candidates for the Interim Statutory roles as outlined in Appendix 1 to the report having been considered, it be agreed that Option 2 is the Joint Committee's preferred option, namely:-

“To widen the field of selection, so that the opportunities are open to all officers of the Council who have the required experience, skills and qualification.”;

- iii) the nominations from members of the Joint Committee, namely Councillors Jonathan Brook, Virginia Taylor, Ann Thomson and Peter Thornton to act as interview panel members be agreed, with the other two Members of each member Council being named substitutes in the event that the main nominee is unable to attend;
- iv) the principles for the appointments outlined in paragraphs 3.14 – 3.17 to the report be agreed; and
- v) the draft job descriptions for the roles of Interim Head of Paid Service (revised version attached to the document circulated prior to the meeting), Interim Monitoring Officer (Appendix 4 to the report) and Interim Chief Finance Officer (Appendix 3 to the report) be agreed.

3.2 Following the meeting, the Interim Statutory roles were advertised, with expressions of interest invited from the agreed field of selection. Three applications were received for the Head of Paid Service role, two for the Monitoring Officer role and one for the Chief Finance Officer role. Interviews took place between the 6th – 8th April.

3.3 The panel agreed a chair and were supported by Sharon Senior from NW Employers and Nicola Houwayek, LGR Technical Lead for the OD&HR Workstream. Candidates were asked to present an agreed presentation and a set of standard interview questions were agreed and asked by the panel members. A scoring system was used to support the decision-making process.

3.4 Following the interviews, the panel agreed that the following candidates should be recommended to the Joint Committee:-

- Interim Head of Paid Service – Sam Plum, Chief Executive Barrow Borough Council
- Interim Monitoring Officer – Linda Fisher, South Lakeland District Council
- Interim Chief Finance Officer - Helen Smith, South Lakeland District Council

3.5 The roles of Interim Monitoring Officer and Interim Chief Finance Officer for the Cumberland Shadow Authority remain unfilled at the time of writing this report. The interview panel of the Cumberland Joint Committee have made a recommendation to the Cumberland Joint Committee to offer an honorarium when re-advertising these roles. To ensure parity with the roles of the Cumberland Shadow Authority the same recommendation has been made by the Westmorland and Furness interview panel. This necessary change to the principles for appointment agreed at the Joint Committee meeting of 29 March, where members determined that no additional allowance be paid for undertaking these roles, has arisen due to a failure to appoint to these roles.

4.0 OPTIONS, INCLUDING ALTERNATIVES (IF ANY)

4.1 The Joint Committee could decide not to recommend the nominated candidates to the Shadow Authority. This is not advised as an agreed selection process has been followed.

4.2 The Joint Committee could recommend an alternative candidate for selection to the Shadow Authority. This is not advised as there would be human resources implications and it would not be in line with the process adopted for selection.

4.3 The Joint Committee could decide that the honorarium payment should not be recommended to the Shadow Authority as payable for the posts of Interim Monitoring Officer and Interim Chief Finance Officer. This is not advised due to the human resources implications of doing so.

5.0 IMPLICATIONS:

5.1 Financial:

5.1.1 The financial implications for the interim roles have been assumed as zero on the basis that there was to be no allowance payable for the interim roles and any backfilling required to enable the interim officers to take on the role will be covered by the sovereign councils as part of the duty to cooperate included in the SCO. Subsequently there has been a request that backfilling costs and, if agreed, an honorarium payment for the interim officers be funded from the LGR Implementation reserve. This would require a virement from the LGR reserve contingency allocation to the Shadow authority costs allocation and this would be a decision of the LGR Programme Board.

5.2 Staffing:

5.2.1 As the designated responsibilities of these roles are in addition to those of the nominated candidates' substantive positions, arrangements will be made to ensure that the responsibilities of both roles can be fulfilled through delegation and backfill as required within the relevant sovereign council.

5.3 Legal:

5.3.1 The Westmorland and Furness Shadow Authority is required to designate the statutory responsibilities of the roles against these interim statutory roles in order to meet the requirements outlined in the Structural Change Order.

- 5.3.2** The Cumbria (Structural Changes) Order 2022 requires that at its first meeting, the Shadow Authority for Westmorland and Furness must designate on an interim basis an officer to be responsible for performing the duties of each of the statutory roles listed in this report.
- 5.3.3** The officer designated to perform the duties must be an officer of the Councils that form the Westmorland and Furness Shadow Authority.
- 5.3.4** A fair process has been followed to ensure selection of the nominated candidates for appointment in accordance with legal requirements.
- 5.3.5** The legal obligation on the Shadow Authority to designate the officer responsible to perform the statutory roles may not be met if the current nominated individuals for Westmorland and Furness withdraw their consent to undertake these roles which the report envisages may be the case if the honorarium payment is not recommended for Westmorland and Furness but is for Cumberland.

5.4 Information Governance:

- 5.4.1** There are no information governance issues.

6.0 HEALTH AND SUSTAINABILITY IMPACT:

- 6.1** There are no direct health and sustainability implications from this report.

6.2 EQUALITY AND DIVERSITY IMPACT:

- 6.3** There are no direct equality and diversity impacts from this report.

7.0 RISKS:

- 7.1** If a candidate is not recommended to the Shadow Authority for appointment, then there is a risk that the requirements of the Structural Change Order are not met.
- 7.2** As the LGR Programme is being run jointly for both Shadow Authorities having pay disparity between Interim Statutory Officers in respect of the payment of an honorarium may lead to nominees withdrawing their consent and/or have other human resources implications.

8.0 CONCLUSION:

- 8.1** That members agree the recommendation outlined in paragraph 2.1.

Report Authors - Nicola Houwayek – LGR Technical Lead, OD&HR Workstream

[Link to related papers:](#)

[Westmorland & Furness Area Joint Committee papers 29th March 2022](#)

- Interim Statutory Appointments
- Minutes