

To: All Members of the Council

Dear Councillor,

COUNCIL - TUESDAY, 30TH JULY, 2024 , Council Chamber - Epsom Town Hall

Please find attached the following document(s) for the meeting of the Council to be held on Tuesday, 30th July, 2024.

9. **EXTENDING TERM OF INTERIM DIRECTOR AND RECRUITMENT OF NEW S151 OFFICER** (Pages 3 - 6)

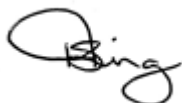
In accordance with section 100B(4)(b) of the Local Government Act 1972, by reason of special circumstances, the Mayor is of the opinion that the item should be considered at the meeting as a matter of urgency.

Following the recent resignation of the current Section 151 Officer and the current interim nature of the Director of Corporate Resources this report is to ask Council to support the decision to have the current post holder continue in their role until such time as a new combined Director of Corporate Services/Section 151 Officer is explored and the permanent post/s taken up by the successful candidate(s).

The recruitment process for the new Section 151 Officer will take continue past the leaving date of the current postholder and, as the Council cannot legally operate without this statutory officer post, Council are also asked to approve the engagement of an Interim Section 151 Officer until the new role is filled and the successful candidate arrives.

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

Yours sincerely



Chief Executive

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EXTENDING TERM OF INTERIM DIRECTOR AND RECRUITMENT OF NEW S151 OFFICER

Head of Service:	Jackie King, Chief Executive
Report Author:	Jackie King
Wards affected:	(All Wards);
Appendices (attached):	N/A

Summary

In accordance with section 100B(4)(b) of the Local Government Act 1972, by reason of special circumstances, the Mayor is of the opinion that the item should be considered at the meeting as a matter of urgency.

Following the recent resignation of the current Section 151 Officer and the current interim nature of the Director of Corporate Resources this report is to ask Council to support the decision to have the current post holder continue in their role until such time as a new combined Director of Corporate Services/Section 151 Officer is explored and the permanent post/s taken up by the successful candidate(s).

The recruitment process for the new Section 151 Officer will take us past the leaving date of the current postholder and, as we cannot legally operate without this statutory officer post, Council are also asked to approve the engagement of an Interim Section 151 Officer until the new role is filled and the successful candidate arrives.

Recommendation (s)

The Council is asked to:

- (1) Agree to extend the appointment of the current Interim Director of Corporate Services in post, until such time as a new permanent Director of Corporate Services/Section 151 Officer is appointed and commences in post.**
- (2) Agree to appoint an Interim Section 151 Officer from one month prior to the leaving date of the current postholder and for them to remain in post until such time as a new permanent Director of Corporate Services/Section 151 Officer is appointed and commences in post.**

1 Reason for Recommendations

- 1.1 To ensure that the existing Interim Director of Corporate Services continues in their role until such time as a permanent candidate is recruited and arrives in post.
- 1.2 To ensure that the statutory Section 151 Officer role is filled until such time as a permanent candidate is recruited and arrives in post.
- 1.3 To design and commence the process of recruitment to this hard to fill role in the most timely manner.

2 Background

- 2.1 On 6 December 2022, Council resolved to:

Agree to extend the appointment of the two Interim Directors, in post, in each case for periods of up to 9 months as from end of September 23 in order to provide management cover, pending the appointment and commencement of permanent staff in these positions.

- 2.2 Since then, the Director of Environment, Housing and Regeneration post has been filled permanently.
- 2.3 The current Council approval to extend the Interim Director of Corporate Services in post expired at the end of June 2024 so requires a further extension.
- 2.4 A recruitment process was underway for the permanent Director of Corporate Services role but this has been paused to allow for exploration of a combined Director of Corporate Services/Section 151 Officer role instead.

3 Risk Assessment

Legal or other duties

- 3.1 Equality Impact Assessment
 - 3.1.1 None arise from this report.
- 3.2 Crime & Disorder
 - 3.2.1 None arise from this report.
- 3.3 Safeguarding
 - 3.3.1 None arise from this report.
- 3.4 Dependencies
 - 3.4.1 None arise from this report.
- 3.5 Other

3.5.1 None arise from this report.

4 Financial Implications

- 4.1 Existing staffing budgets will meet the cost of the proposed recommendations.
- 4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

5.1 Annex 3-2 set out the Officer Employment Procedure Rules that apply in this scenario.

5.2 As the role consists of the appointment of a new statutory officer, paragraph 3.1 applies, which for ease of reference states:

3.1 Where the council proposes to appoint a statutory officer or Director, the Chief Executive, in consultation with the Panel referred to in 3.2 below, will draw up a statement specifying:

i. The duties of the officer concerned.

ii. Any qualifications or qualities to be sought in the person to be appointed.

iii. Arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

iv. Arrangements for a copy of the statement mentioned in paragraph 2.1 to be sent to any person on request.

3.2. The Chief Executive and Head of People and Organisational Development will, after consultation with the Panel, interview and select candidates for final interview by that Panel. The Panel will consist of the Chair of Strategy and Resources Committee, three other councillors trained in interview techniques (to include appropriate minority group representation).

3.3. The panel referred to in 3.2, will have the power to recommend appointments of statutory officers to Full Council, and appoint Directors directly

5.3 If Council approve recommendation 1, Human Resources will then confirm the invitation to extend the interim term of office and ensure that the basis upon which this extension is offered (as set out in this report) are set out clearly.

5.4 **Legal Officer's comments:** None arising from this report.

6 Background papers

6.1 The documents referred to in compiling this report are as follows:

Previous reports:

[Restricted report and public Minutes of meeting of Full Council, 25 July 2023](#)