

Supplementary Information

**HAVANT BOROUGH COUNCIL
HUMAN RESOURCES
WEDNESDAY, 27TH APRIL, 2022**

Please note that the attached supplementary information was unavailable when the agenda was printed.

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PART EXEMPT

HAVANT BOROUGH COUNCIL

HUMAN RESOURCES COMMITTEE

DATE 27th Apr 22

Appointment of Interim Chief Legal Officer

Report by Interim Head of Paid Service

FOR DECISION

Key Decision: No

Report number: HBC/042/2022

1.0 Purpose of Report

This report sets out the interview and process for the Interim Chief Legal Officer and also contains a recommendation on appointment.

2.0 Recommendation

That:

- a) *Committee appoints Mr Mark Watkins as Interim Chief Legal Officer until such time as a permanent appointment has been made*

3.0 Background

- 3.1 On 26th of January 2022 Havant Borough Council resolved “*To agree to withdraw from the Joint Management Team Agreement subject to a business case being reported to the next meeting of the Council exploring the risks, issues, benefits, and costs of the withdrawal...*”
- 3.2 At February Council, Members approved the outline business plan for the delivery of the preferred option as set out in the Options Appraisal and Business Case within which is contained the Havant Borough Council Business Plan. Section 2 of that Plan deals with Leadership Capacity and Organisation Design; a key aspect of that being the need for the Acting (now Interim) Chief Executive to appoint chief officers as part of the Senior Management Team as soon as possible.

4.0 Subject of Report

- 4.1** Paragraph 2.2 of SECTION F 1 of the Council's constitution (as amended) reserves the appointment of chief officers to this Committee. The term "chief officers" are defined therein as: *"The most senior Council staff..."*
- 4.2** As part of the proposed structure of the new Senior Management Team for Havant Borough Council, the Interim Chief Executive as Head of Paid Service has an immediate requirement for a Chief Legal Officer. For the avoidance of doubt, the subject of this report does not cover the statutory designation normally associated with that role pursuant to s5 of the Local Government and Housing Act 1989. Committee is therefore recommended to appoint Mr Mark Watkins as Interim Chief Legal Officer for the duration of the period it takes to recruit permanently to this post.
- 4.3** Order 89.1 of Officer Employment Standing Orders (Part Three, Section F) (the ESOs) provides that where the council proposes to appoint exclusively from amongst existing officers then this Committee shall *"make arrangements in connection with this appointment"*. This report sets out below what those arrangements should be.
- 4.4** The above arrangements will consist of the following:
1. Interview by this Committee
 2. Assessment
 3. Recommendation (as appropriate)
 4. Appointment
 5. Consultation with Cabinet Members

For the convenience of Committee a Job Description for this role is annexed at Appendix No 1. A curriculum vitae for Mr Watkins is annexed to this report at Appendix No 2.; HR Committee will undertake Stages 1, 2, 3 & Stage 4; consultation (Stage 5) will be handled by the Head of OD.

- 4.5** Order 87.2 of the ESOs provides that where the Council is proposing to appoint a chief officer then the Committee shall include at least one Cabinet member.
- 4.6** Attached at Appendix No 1 to this report is the Job Description for monitoring officer.
- 4.7** Attached at Appendix No 2 is the curriculum vitae for Mr Watkins

5.0 Implications

5.1 Resources: The interim post will be met within existing budgets

5.2 Legal: There are no legal implications to this report

4.3 Consultation

Discussed with the Leader & Deputy Leader

Appendices

Appendix No 1 - Job Description

[EXEMPT] Appendix No 2 - Curriculum Vitae

Contact Officer: Kim Sawyer
Job Title: Acting Chief Executive
E-Mail: kim.sawyer@havant.gov.uk

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Job Description

Chief Legal Officer

The role requires attendance at Committee and Council meetings and liaising with Councillors and Portfolio Holders, as appropriate.

Key Responsibilities & Activities

- Serve as the Council's most senior legal adviser, ensuring effective governance and decision-making.
- Provide legal advice and explore options to aid the transformation and improvement of Council services as and where required.
- Ensure that the Council's political and managerial leadership is effectively advised on changes to statute and case law that impact on the Council and the services it delivers, making sure data and evidence is at the heart of the Council's governance and effective decision-making.
- Provide practical legal advice and counsel on governance of council's corporate interests either where the council are shareholder as well as advice on setting up new commercial or entrepreneurial ventures related to the council's ambitions for growth, housing and development.
- Ensure high standards of ethical conduct within the organisation, keeping Members briefed on the standards expected of them in public life and advising on Member conduct.
- Anticipate risks and advise how best to protect the Council from successful legal challenge in the exercise of the Council's statutory duties and the governance of the council's commercial undertakings and or businesses.
- Updating the Council's Constitution as required and advising on its interpretation and application. To advise on matters which are likely to be, illegal or amount to maladministration; to be responsible for matters relating to the conduct of councillors and officers; and to be responsible for the operation of the council's constitution
- Provide support and robust advice to Cabinet portfolio holders enabling the delivery of council priorities.
- Ensure all relevant statutory and regulatory obligations are complied with.
- Provide a lead in risk management, emergency planning and business continuity as required
- To be an instrumental part of the Senior Management Team, attend council meetings including Cabinet and to liaise with Councillors and Portfolio Holders.

Management

- Work collaboratively with senior management colleagues and Cabinet Members to ensure the councils vision, priorities and values are actively promoted and delivered.
- Ensure effective support for all councillors in carrying out their roles.
- Through timely and proactive legal and democratic advice ensure the Council develops and implements strategies, policies, and practices to meet corporate and service objectives which are lawful and ethical.
- As part of the Senior Management Team, assist in development of the business systems and processes which underpin the successful delivery of all Council services

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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PART EXEMPT

HAVANT BOROUGH COUNCIL

HUMAN RESOURCES COMMITTEE

DATE 27th Apr 22

Appointment of Interim Chief Finance Officer

Report by Interim Head of Paid Service

FOR DECISION

Key Decision: No

Report number: HBC/043/2022

1.0 Purpose of Report

This report sets out the interview process for the Interim Chief Finance Officer and also contains a recommendation on appointment.

2.0 Recommendation

That:

- a) *Committee appoints Mr Malcolm Coe as Interim Chief Finance Officer until such time as a permanent appointment has been made.*

3.0 Background

- 3.1 On 26th of January 2022 Havant Borough Council resolved “*To agree to withdraw from the Joint Management Team Agreement subject to a business case being reported to the next meeting of the Council exploring the risks, issues, benefits, and costs of the withdrawal...*”
- 3.2 At February Council, Members approved the outline business plan for the delivery of the preferred option as set out in the Options Appraisal and Business Case within which is contained the Havant Borough Council Business Plan. Section 2 of that Plan deals with Leadership Capacity and Organisation Design; a key aspect of that being the need for the Acting (now Interim) Chief Executive to appoint chief officers as part of the Senior Management Team as soon as possible.

4.0 Subject of Report

- 4.1** Paragraph 2.2 of SECTION F 1 of the Council's constitution (as amended) reserves the appointment of chief officers to this Committee. The term "chief officers" are defined therein as: *"The most senior Council staff..."*
- 4.2** As part of the proposed structure of the new Senior Management Team for Havant Borough Council, the Interim Chief Executive as Head of Paid Service has an immediate requirement for a Chief Finance Officer. For the avoidance of doubt, the subject of this report does not cover the statutory designation of that role pursuant to Section 151 of the Local Government Act 1972. Committee is therefore recommended to appoint Mr Malcolm Coe as Interim Chief Finance Officer for the duration of the period it takes to recruit permanently to this post.
- 4.3** Order 89.1 of Officer Employment Standing Orders (Part Three, Section F) (the ESOs) provides that where the council proposes to appoint exclusively from amongst existing officers then this Committee shall *"make arrangements in connection with this appointment"*. This report sets out below what those arrangements should be.
- 4.4** The above arrangements will consist of the following:
1. Interview by this Committee
 2. Assessment
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For the convenience of Committee a Job Description for this role is annexed at Appendix No 1. A curriculum vitae for Mr Coe is annexed to this report at Appendix No 2; HR Committee will undertake Stages 1, 2, 3 & Stage 4; consultation (Stage 5) will be handled by the Head of OD.

- 4.5** Order 87.2 of the ESOs provides that where the Council is proposing to appoint a chief officer then the Committee shall include at least one Cabinet member.
- 4.6** Attached at Appendix No 1 to this report is the Job Description for Chief Finance Officer.
- 4.7** Attached at Appendix No 2 is the curriculum vitae for Mr Coe

5.0 Implications

5.1 Resources: The interim post will be met within existing budgets

5.2 Legal: There are no legal implications to this report

6.0 Consultation

Discussed with the Leader & Deputy Leader

Appendices

Appendix No 1 - Job Description

[EXEMPT] Appendix No 2 - Curriculum Vitae

Contact Officer: Kim Sawyer
Job Title: Acting Chief Executive
E-Mail: kim.sawyer@havant.gov.uk

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Job Description

Chief Financial Officer

This role is central to successful service delivery. It provides accessible and accountable management and professional leadership. Responsibilities include ensuring that targets are set, met and monitored; and team members are supported and enabled to meet these targets and achieve a high level of performance both individually, and as a member of a successful finance team.

The role requires attendance at Committee and Council meetings and liaising with Councillors and Portfolio Holders, as appropriate.

Key Responsibilities & Activities

- Champion excellent management of financial resources, promoting probity, efficiency, high performance and overall value for money.
- Undertake strategic analysis and planning, including leading on the development of the annual and medium term financial plans across the Council ensuring they reflect the Councils' priorities and strategic objectives.
- Ensure that officers and members are provided with high quality strategic advice and direction on financial strategies, policy, standards and practices, enabling services to make timely and well-informed decisions in the knowledge of the impact those decisions will have financially on the Council.
- Create a culture which empowers budget holders and staff and supports the delivery of value for money services, including reporting on benchmark information and key cost drivers.
- Provide effective leadership and operational management of the Finance Team, ensuring that staff adopt the values and expected behaviours of the organisations, to deliver a high performance culture.
- To be the lead financial officer on the commercial and investment agendas. Lead on financial input, business modelling and risk assessments for business cases/delivery model appraisals/prudential borrowing assessments/funding bids etc.)
- Ensure the timely preparation of robust business cases from a financial and performance perspective, testing the underlying assumptions and quality assuring the cost, benefits, risks and funding solutions.
- Analyse, interpret and communicate financial and performance data, and provide financial advice, including in the form of Council reports. Influence decision making where appropriate to achieve budget, targets and strategies.
- Research the wider financial context, local and national, and identify developments and changes which will have an impact, either positive or negative, on cost, service delivery or performance.
- To be an instrumental part of the Senior Management Team, attend council meetings including Cabinet and to liaise with Councillors and Portfolio Holders.

Service Management

- To lead, plan, co-ordinate and manage the work of the Finance Team, including the development of their skills & knowledge and maximising the potential of such staff

- Lead the delivery of accurate financial and performance, monitoring forecasts and plans. Ensure robust plans for the mitigation of risks identified. To produce the overall revenue and capital budgets in accordance with national legislation and Council policies.
- To close the authority's accounts, complete appropriate Government returns and produce unqualified statement of accounts in accordance with the statutory legislation, practices and timetables. Develop excellent relationships with the External Auditor
- To manage insurance, risk management and investments in accordance with relevant legislation and Council policies
- To maintain the overall integrity of the shared Financial Management System
- Promote the review of financial policy, systems and practice to deliver a programme of continual improvement, automation and self service to customers and deliver on the exploration of the systems full benefits.
- Play a key role in the integration of performance and financial information.
- To be responsible and accountable for the budgets, procurement and contracts of the Finance Team.
- Lead on the development and delivery of the Finance Team's Service Plan and review performance against that plan. Manage new initiatives and key projects as appropriate.

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