

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

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