

Agenda

Chief Officers Terms and Conditions Committee

Friday, 17 March 2023 at 2.30 pm
At Committee Room 2 - Sandwell Council House, Oldbury

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1 Apologies for Absence

2 Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

3 Minutes 7 - 14

To confirm the minutes of the meetings held on 17 and 20 October and 7 November 2022.

4 Additional Items of Business

To determine whether there are any additional items of business to be considered as a matter of urgency.

5 Leadership Team Structure 15 - 20

To discuss arrangements relating to the



Leadership Team Structure.

Shokat Lal
Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution
Councillor Carmichael (Chair)
Councillors Piper, Padda, H Bhullar, Dunn, E M Giles and Rollins

Contact: democratic_services@sandwell.gov.uk

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Minutes of Chief Officers Terms and Conditions Committee

Monday 17 October 2022 at 10:00am

Present: Councillor Carmichael (Chair);
Councillors Ahmed, Hartwell, Hughes, E M Giles,
Kalari and Padda.

Also present: Alice Davey (Director of Borough Economy), Manjit Gill
(HR Business Partner), Suky Suthi- Nagra (Democratic
Services Manager and John Swann (Democratic
Services Officer).

7/22 **Apologies for Absence**

An apology for absence was received from Councillor Piper.

8/22 **Declarations of Interest**

There were no interests declared at the meeting.

9/22 **Additional Item of Business**

There were no additional items of business to consider.

10/22 **Exclusion of the Public**

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to any individual.

11/22 **Arrangements for the Appointment of Chief Operating Officer for Sandwell Leisure LATC.**

The Committee interviewed two candidates for the post of Chief Operating Officer for Sandwell Leisure LATC. The Committee was of the view that Mr Mark Braithwaite be offered the position of Chief Operating Officer for Sandwell Leisure LATC.

Resolved subject to there being no well-founded objection from the Cabinet: -

- (1) that in accordance with Part 4 of the Council's Constitution (Officer Employment Procedure Rules), Mr Mark Braithwaite be appointed to the post of Chief Operating Officer for Sandwell Leisure LATC.

Meeting ended at 2.29pm

Contact: democratic_services@sandwell.gov.uk

Minutes of Chief Officer Terms and Conditions Committee

**20 October 2022 at 10.30am
in Committee Room One at Sandwell Council House, Oldbury**

Present: Councillor Carmichael (Chair);
Councillors Ahmed, Hartwell, Hughes, Kalari and Padda.

Also present: Kim Bromley-Derry (Managing Director Commissioner),
Victoria Lee (Head of Human Resources), Matt Powis
(Senior Democratic Services Officer); John Swann
(Democratic Services Officer) and Julie Towers (Penna –
Recruitment).

12/22 **Apologies for Absence**

Apologies for absence were received from Councillors Piper and Shackleton.

13/22 **Declarations of Interest**

There were no interests declared at the meeting.

14/22 **Urgent Business**

There were no urgent items of business to consider.



15/22

Exclusion of the Public and Press

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the business of financial affairs of any particular person, including the authority holding that information.

16/22

Arrangements for the Appointment of a Chief Executive

Further to Minute No. 6/22 taken by the Committee on 28 July 2022 and following a lengthy recruitment process which included technical assessment interviews, the Committee interviewed three candidates for the post of Chief Executive and Head of Paid Service.

Having considered each candidate in turn, the Committee resolved unanimously to appoint Mr Shokat Lal as Chief Executive of the Council. Furthermore, the negotiation of the Chief Executive salary and terms of conditions was agreed to be delegated to the Managing Director Commissioner and the Head of Human Resources.

Resolved to recommend to Council that, subject to there being no well-founded objection from the Cabinet: -

In accordance with Part 4 of the Council's Constitution (Officer Employment Procedure Rules), Mr Shokat Lal be appointed as Chief Executive, fulfilling the statutory roles of Head of Paid Service, Returning Officer and Electoral Registration Officer.

Meeting ended at 3.06pm

Contact: democratic_services@sandwell.gov.uk

Minutes of Chief Officer Terms and Conditions Committee

7 November 2022 at 4.30pm
in Committee Room 1, Sandwell Council House, Oldbury

Present: Councillor Carmichael (Chair);
Councillors Piper (Vice- Chair), Ahmed, Kalari and Padda.

Also present: Surjit Tour (Director – Law and Governance & Monitoring Officer), Victoria Lee (Head of Human Resources), Suky Suthi- Nagra (Democratic Services Manager) and John Swann (Democratic Services Officer).

17/22 **Apologies for Absence**

Apologies for absence were received from Councillors Hartwell, Hughes and Shackleton.

18/22 **Declarations of Interest**

There were no declarations of interest made.

19/22 **Urgent Business**

There were no urgent items of business to consider.

20/22 **Exclusion of the Public and Press**



Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, relating to the business of financial affairs of any particular person, including the authority holding that information.

21/22

Arrangements for the Appointment of a Chief Executive/ Head of Paid Service – Pay Matters.

Further to Minute No. 16/22 where the Committee recommended the appointment of Shokat Lal to the position of Chief Executive, consideration was now given to proposals regarding the rate of pay for this position.

It was noted that, as set out in the Council's improvement plan, the recruitment of a permanent Chief Executive was a strategic priority for the Council and appointment to the role was a matter to be determined by Full Council on the recommendation of the Chief Officer Terms and Conditions Committee. The recruitment timetable aimed to enable a decision by Council at its meeting on 8 November 2022.

The Committee felt that objective criteria for the Chief Executive should be established for the first three years where the increments would be given to measure progress made. The criteria would be set by the Leader, following independent external advice and support being provided, and be approved by the Committee.

Having considered the proposals, the Committee **resolved:-**

- (1) that the salary banding for the Chief Executive/ Head of Paid Service be reaffirmed as £185,000 to £195,000 and the incremental progression in line with Council Policy be approved;
- (2) that the substantive salary for the post of Chief Executive/ Head of Paid Service includes payments of Returning Officer fees for local elections.

- (3) that the retention and performance bonus of between £20,000 and £30,000 would be payable in April 2026, subject to successful performance being evidenced by the Chief Executive via an agreed performance review/assessment established with the advice and support of a suitably qualified and experience external adviser, and agreed by the Committee each year;
- (4) that the Framework for the review of Chief Executive performance be approved, with the payment of any bonus determined by the Chief Officers Terms and Conditions Committee;

Councillor Kalari joined the meeting during consideration of this item.

Meeting ended at 4.47pm

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Report to Chief Officers Terms and Conditions Committee

17 March 2023

Subject:	Leadership Team Structure
Director:	Shokat Lal Chief Executive
Contact Officer:	Nicki Gobran Interim HR Operations Manager Nicki_Gobran@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to the establishment of a new post of Assistant Chief Executive and to the commencement of recruitment to this post.
- 1.2 That in connection with 1.1 above, approval be given to the salary range for the post of Assistant Chief Executive of £94,000 to £99,000.
- 1.3 That the Chief Executive, in liaison with the Leader of the Council, be authorised to engage with an executive search recruitment consultancy and to advertise and shortlist to the post of Assistant Chief Executive.
- 1.4 That the appointment to the post of Assistant Chief Executive shall be undertaken by the Chief Officer Terms and Conditions Committee in accordance with the Council's Employment Procedure Rules.
- 1.5 That approval be given to the deletion of the post of Director of Business Strategy and Change from the establishment.



2 Reasons for Recommendations

- 2.1 The organisation is in transition. The Improvement Plan has been developed, the Commissioners have provided two reports to the Secretary of State and the new Chief Executive commenced in post on 6th February 2023. Progress has been made in relation to matters raised through the Grant Thornton, CIPFA and LGA Corporate Peer Challenge reviews. However, the council remains in intervention and progress continues against the Improvement Plan.
- 2.2 The officer Leadership Team currently comprises of the Chief Executive and nine full time Director posts. All nine Directors report directly to the Chief Executive.
- 2.3 Two of these nine Directors have recently resigned from the Council. The Director of Public Health vacancy is currently being filled on an Acting Up basis whilst recruitment to a permanent replacement is underway.
- 2.4 The functions within the Directorate of Business Strategy and Change have been temporarily reassigned, with ICT and Transformation reporting to the Director of Finance; Customer Services reporting to the Director of Regeneration and Growth; and HR, Strategic Improvement (with Communications) reporting to the Chief Executive. This extends the current number of direct reports to the Chief Executive to ten.
- 2.5 Leadership team meetings have been realigned to facilitate more strategic discussion. Away days have been successful, in considering the culture of the organisation and discussing the development of policy issues such as community hubs and a customer service strategy.
- 2.6 Despite these positive initiatives and the huge commitment of all the Leadership Team, with such a large span of control of nine Director posts plus two Assistant Directors/Service Managers, this presents a challenge for the Chief Executive capacity to focus on strategy and strategic intent.



- 2.7 There is a need to review the span of control for the Chief Executive which is too many for effective integrated conversation relating to the whole organisation. There is also a need to develop greater senior leadership resilience other than the Chief Executive, particularly when considering an 'outward focus' for the council.
- 2.8 An immediate action for the Chief Executive is to build strategic capacity and streamline the current span of control through the realignment of functions previously held within the Directorate of Business Strategy and Change.
- 2.9 Proposals to realign, build or redirect senior officer capacity will be brought forward to this Committee in due course.

3 Proposals

3.1 Assistant Chief Executive

The council has a number of cross cutting priorities that require corporate oversight and grip. These include customer services, an improvement plan which is embedded, organisational development, a new performance management framework, developing some clear principles and a model around hybrid working, and designing a new neighbourhood working model.

- 3.1.1 The strategy and policy function is crucial to sustainable improvement and strategy development needs to mature into council wide approaches and policies, for example, to tackle poverty, to respond to decarbonisation, and to develop an inclusive Sandwell economy. This function currently sits in Business Strategy and Change, operating largely at a transactional level. The Assistant Chief Executive will be responsible for taking forward major cross-cutting projects and programmes, including Customer Journey and Thriving Neighbourhoods priorities. It is proposed that HR Services should sit with the Assistant Chief Executive, given the central role of HR and Organisation Development in driving and enabling the culture change which sits at the heart of the council's improvement plan. Similarly, it is proposed that corporate leadership of Equality, Diversity and Inclusion will move to this Directorate.



3.1.2 It is important for the Chief Executive to have a clear line of sight to these functions, and the role of these services should be a direct strategic delivery vehicle for the Chief Executive.

3.1.3 This new post will subsume functions previously held within the Directorate of Business Strategy and Change. It is proposed to delete this post and that the remaining functions should remain in their temporarily assigned places or otherwise reassigned temporarily pending a wider review of Leadership Team structure.

3.2 Salary

3.2.1 A job evaluation and salary benchmarking exercise has been undertaken with West Midlands Employers for this new post. The post will be on Joint Negotiating Committee terms and conditions for Chief Officers. The proposed salary range is set out below, subject to any future pay awards from 2024:

3.2.2 Assistant Chief Executive salary range £94,000 to £99,000

- Point 1 = £94,000
- Point 2 = £95,500
- Point 3 = £99,000

3.2.3 As a point of comparison, the current Assistant Director salary range is £79,387 to £90,482 and the Director annual salary range is £98,443 to £114,478

3.4 Budget implications

The new post of Assistant Chief Executive will be fully funded through the deletion of the post of Director of Business Strategy and Change.

3.5 Process and timescales

The new post of Assistant Chief Executive will be advertised externally, although internal applicants are welcome to apply. Expert external recruitment consultancy support will be engaged for this campaign. Appointment will be made by the Chief Officer Terms and Conditions Committee in accordance with the Council's Employment Procedure



Rules. It is anticipated that the post will be advertised around Easter time, with final interviews concluded by June.

4 Implications

Resources:	Any additional costs arising from the creation of any new posts will be met through the deletion of the posts of Director of Business Strategy and Change, and the redirection of budget set against previous post of Deputy Chief Executive.
Legal and Governance:	The Council is required to follow relevant Council policies and procedures for these appointments.
Equality:	The recommendations contained within this report have not identified any issues which would discriminate against any disadvantaged or vulnerable persons.
Health and Wellbeing:	There are no specific health and wellbeing implications arising from the contents of this report.
Social Value	There are no specific social value implications arising from the contents of this report.

5 Appendices

None

6 Background Papers

None



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