



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL**

**1 DECEMBER 2021**

**Report of the Director of Legal & Democratic Services and Monitoring  
Officer**

**and**

**Director of Organisation Development and Policy**

**Appointment of the Managing Director**

## **1. Purpose**

- 1.1 To seek approval from Council to appoint Emma Alexander to the role of Managing Director.

## **2. Information and Analysis**

- 2.1 On 15 September 2021, Council approved a new role of Managing Director to its structure. Council also agreed that the role should be advertised internally and externally and appointed to through an open and competitive process, supported by an external recruitment partner.
- 2.2 As permitted within the Council's constitution, an Appointment Panel consisting of Cllr Lewis, Cllr Spencer and Cllr Dixon was formed to participate in the recruitment process and make recommendations to Council in respect of the appointment. The panel were supported in the recruitment and selection process by the Director of Organisation Development and Policy with Penna PLC awarded the contract as the external recruitment partner.
- 2.3 The search and advertisement campaign closed on 17 October 2021 yielding a strong field of 20 applicants. 10 candidates were recommended to progress to the preliminary technical assessment stage supported by the Director of Organisation Development and

Policy, Penna PLC and a Technical Advisor from the Local Government Association (LGA). 1 candidate was unable to partake in this stage and 1 candidate later withdrew. Of the 8 remaining candidates, 4 candidates were recommended to progress to the officer and stakeholder panels held on 16 November 2021. This stage consisted of psychometric testing and several stakeholder panels designed to test the suitability of the candidates for the role. Following the interviews held on 16 November 2021, 3 candidates progressed to the final stage of the process. This was a formal interview undertaken by the Appointment Panel referred to above held on 17 November 2021.

- 2.4 Following the above robust and thorough recruitment and selection process, the Panel agreed to recommend that Emma Alexander should be appointed as Managing Director with effect from 6 December 2021. Council agreed on 15 September 2021 that the Managing Director will fulfil the statutory role of Head of Paid Service upon taking up post.
- 2.5 In accordance with the Officer Employment Procedure Rules, the Director of Organisation Development and Policy has notified all members of Cabinet and has received no objections.
- 2.6 Emma Alexander is currently the Managing Executive Director at Derbyshire County Council responsible for Commissioning, Communities and Policy and is the Head of Paid Service and Chair of Corporate Management Team. Emma has a significant range of local government and private sector experience to support the successful delivery of this role, being an effective ambassador and strategic leader for the organisation.
- 2.7 Given the appointment of an internal candidate to the role of Managing Director, the role of Executive Director Corporate Services and Transformation will as a result become vacant. It is proposed that this role is appointed to on a temporary basis to enable the Managing Director role to be implemented as soon as possible.
- 2.8 The Officer Employment Procedure Rules require Member involvement in the recruitment process to appoint chief officers. However, approvals are in place to enable the appointment to certain chief officer roles on a temporary basis of no more than 6 months where the annual salary does not exceed £100,000. The Executive Director Corporate Services and Transformation role does not fall within the current approvals contained within the Constitution as it is a non-statutory chief officer role and the pay rate for acting up into the role is £117,869 (bottom salary point of Grade 20). It is therefore proposed that the Managing

Director be authorised to appoint to the role of Executive Director Corporate Services and Transformation on a temporary basis of no more than 6 months and Council are asked to approve the salary for the role in advance of acting up arrangements being made. The appointment will be made in consultation with the Chair and Vice Chair of the Appointments and Conditions of Service Committee (ACOS). Expressions of interest will be sought internally from current Directors across all departments to act up into the role.

- 2.9 In relation to the temporary acting up arrangements for the Executive Director Corporate Services and Transformation role, there is provision in the Council's Constitution to allow an Executive Director to appoint to a subsequent Director vacancy on a temporary basis of no more than 6 months where the annual salary does not exceed £100,000.
- 2.10 The introduction of the Managing Director role into the Council's structure, the recent transfer of Communities to the Place department, and the re-titling of the Executive Director, Commissioning Communities and Policy role to Corporate Services and Transformation, Council is asked to note the renaming of the former Communities, Commissioning and Policy (CCP) department to Corporate Services and Transformation (TCP) .

### **3. Alternative Options Considered**

- 3.1 Not to agree that the Head of Paid Service can appoint to the role of Executive Director Corporate Services and Transformation. However, this is not recommended as should temporary backfill arrangements for the role not be made, the successful internal candidate will not be fully enabled to successfully transition into the new role of Managing Director with effect from the defined start date.

### **4. Implications**

- 4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

### **5. Appendices**

- 5.1 Appendix 1 – Implications.

### **6. Recommendation(s)**

That Council:

- a) approves the appointment of Emma Alexander to the role of Managing Director, with the role formally designated as Head of Paid Service, with effect from 6 December 2021.
- b) authorises the Head of Paid Service to appoint to the role of Executive Director Corporate Services and Transformation on a temporary basis of no more than 6 months in consultation with the Chair and Vice-Chair of the Appointments and Conditions of Service Committee and approves the salary for the role at the bottom salary point of Grade 20, currently £117,869 per annum.
- c) notes the renaming of the former CCP department to the Corporate Services and Transformation department.

## **7. Reasons for Recommendation(s)**

- 7.1 The appointment to the role of Managing Director has been made in line with the recommendations approved by Council on 15 September 2021.
- 7.2 To enable interim operating arrangements to be put in place to ensure the role is successfully implemented.
- 7.3 To comply with the necessary legislative, statutory guidance and Constitutional requirements.

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### Implications

#### **Financial**

- 1.1 As approved in the report to Council on 15 September 2021, the pay scale for this role is £161,000 to £175,929 per annum (excluding oncosts). The successful candidate is to be appointed on Grade 21 pay at £161,000 per annum plus oncosts. The funding for this role will form part of a pressure bid on the 2022-23 budget and any in year costs will be met by the General Reserve.
- 1.2 The grading and salary for the role of Executive Director Corporate Services and Transformation is determined by the Council's job evaluation scheme and has been determined as Grade 20. The pay scale for this role is £117,869 to £129,655 per annum (excluding oncosts). The funding for this role will continue to be met from within the departmental budget.

#### **Legal**

- 2.1 The Local Authorities (Standing Orders) (England) Regulations 2001 and the Officer Employment Procedure Rules in the Council's Constitution set out the procedure for the appointment of chief officers and officers reporting directly to chief officers. The recruitment process has observed the requirements of the Regulations and Council's Constitution. The Regulations require that the appointment of an officer designated as the Head of Paid Service is approved by Council before an offer of appointment is made.
- 2.2 Under the Officer Employment Procedure Rules, prior to the appointment of a chief officer, the Director of Organisation Development and Policy must give all executive members the opportunity to object to the proposed recommendation before an offer of appointment can be made. All Members of Cabinet have been duly notified and no objections were received.
- 2.3 Under Section 4(1) of the Local Government and Housing Act 1989, the Council is under a duty to designate one of its officers as Head of Paid Service.
- 2.4 The Openness and accountability in local pay: Guidance under section 40 of the Localism Act provides that full council, or a meeting of members should be offered the opportunity to vote before large salary

packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set. For this purpose, salary packages should include salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment.

## **Human Resources**

3.1 As set out in the report.

## **Equalities Impact**

4.1 It should be noted that the Council has put in place a number of measures in its recruitment process in order to promote equality. Diversity statistics have been monitored throughout the recruitment process.