

## **REPORT OF THE LEADER OF THE COUNTY COUNCIL**

### **CONFIRMATION OF APPOINTMENT TO THE POSITION OF CHIEF EXECUTIVE**

#### **Purpose of the Report**

1. To seek formal approval of Full Council to the appointment to the post of Chief Executive, the Council's Head of Paid Service, as agreed by the Council's Senior Staffing Committee.

#### **Information**

2. The Council's previous Chief Executive, Anthony May, has been appointed as Chief Executive of the Nottingham University Hospitals NHS Trust. Anthony has therefore resigned from his post with the County Council and took up his new role on 1 September 2022. The Council's Deputy Chief Executive has been acting up to cover the vacant role pending confirmation of the appointment to the permanent Chief Executive post.
3. Under its current Constitution Nottinghamshire County Council has designated the Chief Executive as Head of Paid Service and Proper Officer.
4. The Head of Paid Service has specific responsibility set out in legislation for ensuring effective management of the Council and reporting to Full Council on the way in which discharge of the Council's different functions is co-ordinated, number and grade of staff required to discharge the Council's functions and appointment, management, and organisation of the authority's staff.
5. The Proper Officer role has specific responsibility for carrying out duties set out in the Local Government Act in relation to the Council's governance arrangements.
6. The County Council's Chief Executive is also nominated as Returning Officer in charge of running Local, Parliamentary Elections and National Referenda.
7. Full Council at its meeting on 31<sup>st</sup> March 2022 approved the salary for the role as £188,167. Therefore, the vacant post was advertised at this level.
8. In order to ensure that the right person was appointed to this key role, a robust national recruitment process was undertaken. Following external advertisement, a cross party group of Members sitting as the Senior Staffing Committee shortlisted two candidates from a range of applications to go forward for formal interview. These two candidates took part in an

assessment centre on Monday, 10 July 2022. This process included a formal interview with the Senior Staffing Committee and separate stakeholder panels with external partners, staff, and trades union colleagues. The Council's Senior Staffing Committee considered feedback from all aspects of the process in reaching its decision.

## **Outcome**

9. The decision of the Senior Staffing Committee was to appoint Adrian Smith, the Council's current Deputy Chief Executive and Corporate Director of Place, to the post of Chief Executive, subject to final approval by Full Council.

## **Other Options Considered**

10. It is important for the Council to clearly identify and appoint to the roles of Head of Paid Service, Proper Officer and Returning Officer as defined by statute. Full Council determined the salary for the post in March when it approved the Council's Pay Policy, and the post was advertised at the approved salary.

## **Reason for Recommendation**

11. The recommendations set out in this report will fulfil the County Council's constitutional requirement for Full Council to make a final decision about the appointment to the post of Chief Executive as Head of Paid Service and all associated statutory duties associated with the position including that of Proper Person and the Returning Officer.

## **Statutory and Policy Implications**

12. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability, and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Human Resources Implications**

13. Appointment to the most senior posts with the Council, including that of Chief Executive, are made in compliance with the principles set out in Council's agreed Recruitment and Selection policy by Elected Members through the revised governance arrangements for Senior Staffing Committee.

## **Public Sector Equality Duty implications**

14. The Council's policies on pay and terms and conditions apply equally to employees at all levels of seniority across the authority.

## **RECOMMENDATION**

- 1) It is recommended that Full Council approves the appointment of Adrian Smith to the post of County Council's Chief Executive and Head of Paid Service with the immediate effect.

### **Councillor Ben Bradley MP Leader of the County Council**

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### **Constitutional Comments (HD 09/09/2022)**

15. Pursuant to the County Council's constitution the Full Council has the authority to confirm the appointment of the County Council's Chief Executive.

### **Financial Comments (SES 07/09/2022)**

16. The salary of the new Chief Executive will be £188,167 per annum and will be funded from existing budgetary provision.

**HR Comments (GE 31/08/2022)** The recruitment to the post of Chief Executive has taken place in line with the provisions set out in the Council's Constitution and the Council's Recruitment and Selection policy and procedures.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act – DCLG 17th February 2012 (published)
- Localism Act 2011 – Chapter 8 "Pay Accountability" – 15th November 2011 (published)  
Electoral Division(s) and Member(s) Affected

### **Electoral Division(s) and Member(s) Affected**

- All