

<b>COUNCIL</b>		
<b>Report Title</b>	<b>Appointment of a new Chief Executive</b>	
<b>Key Decision</b>		
<b>Ward</b>	<b>All</b>	
<b>Contributors</b>	<b>Director of Organisational Development and Human Resources</b>	
<b>Class</b>	<b>Part 1</b>	<b>Date 24 July 2019</b>

## **1. Summary**

The appointment of a Chief Executive requires a formal Council decision, and on the 3<sup>rd</sup> April 2019 full Council agreed to the formation of an Appointments Panel to assist with this recruitment process. This report, provides background information on the rigorous activity carried out by the Panel to recruit a new Chief Executive. The Council is asked to note that the Appointments Panel has completed a thorough recruitment process and are requesting that Council appoint their recommended candidate.

## **2. Purpose**

This report asks the Council to appoint Kim Wright as Chief Executive.

## **3. Recommendations**

- 3.1 To note the Appointments Panel has completed a rigorous selection process to recruit a new Chief Executive.
- 3.2 To agree the unanimous recommendation of the Appointments Panel, that Kim Wright is appointed as Lewisham Council's new Chief Executive.
- 3.3 To authorise the Director of Organisational Development and Human Resources to agree a start date with the new Chief Executive (likely to be towards the end of October 2019)
- 3.4 To note that the salary agreed is within the range approved by Council.
- 3.5 To note that the Interim Chief Executive arrangements, agreed by Council on 28<sup>th</sup> November 2018, will cease on the date the new permanent Chief Executive commences.

## **4.0 Background**

### *Interim arrangements*

- 4.1 Following the previous Chief Executive leaving on the 31<sup>st</sup> December 2018, Council put in place interim Chief Executive arrangements. Since January 2019 Janet Senior has been the Council's Interim Chief Executive and this will cease on the day the new Chief Executive starts.

### *Setting up of the Appointments Panel*

- 4.2 By law the decision to appoint a new Chief Executive is reserved to full Council. This legal requirement is reflected in the Council's Constitution.
- 4.3 Given the significance of the Chief Executive appointment, Council on 3<sup>rd</sup> April 2019, agreed that it would be appropriate for an advisory panel to be established to facilitate participation of a large, though not unwieldy, number of members in the recruitment process.
- 4.4 Council agreed that the Appointments Panel would consist of 7 members, namely the Mayor, Chair of Council (who should chair the Panel), the Chair of Overview and Scrutiny Committee, plus four additional members, two of whom would be executive members and two non executive members.
- 4.5 The Appointment Panel members chosen were:-

Cllr Jacqueline Paschoud, (Chair)  
Damien Egan, Mayor  
Cllr Octavia Holland  
Cllr Tauseef Anwar  
Cllr Bill Brown  
Cllr Amanda De Ryk  
Cllr Brenda Dacres

- 4.6 The proposed terms of reference for the Appointments Panel would be to shortlist and interview candidates for the post of Chief Executive and, with professional support from the external advisors and the Director of Organisational Development & Human Resources, to report to full Council with a recommendation concerning the appointment of a new Chief Executive.

## **5.0 The Recruitment Process**

### *Advertising and Search*

- 5.1 The Director of Organisational Development & Human Resources commissioned Gatenby Sanderson, a leading external recruitment agency to assist with the recruitment process.
- 5.2 Given the importance of the position to the Council, alongside the appointed recruitment agency, the services were commissioned of a former London Chief Executive (Lesley Seary) to assist in carrying out technical interviews with the recruitment consultant.

- 5.3 Adverts were placed to run from the 9<sup>th</sup> May 2019 and 3<sup>rd</sup> June 2019 in the MJ and Guardian and on the Lewisham website. During this period Gatenby Sanderson also conducted search activity, directly contacting perspective candidates. Meetings were arranged to enable candidates to get a better understanding of the Council.
- 5.4 The existing Chief Executive job description and person specification were reviewed and new versions were produced to support the recruitment process.

#### *Longlisting*

- 5.5 Fifteen applications were received by the closing date. A longlisting meeting was convened on the Monday 10<sup>th</sup> June to review the applications. Five candidates were longlisted.
- 5.6 The five longlisted candidates received thorough technical interviews by Gatenby Sanderson and Lesley Seary.
- 5.7 The five longlisted candidates were also subject to the following tests administered by Peter Rhodes (Occupational Testing Ltd)
- a. Critical Reasoning Test
  - b. Personality Test

#### *Shortlisting*

- 5.8 The Appointments Panel met on Monday 1<sup>st</sup> July to discuss the outcome of the technical interviews and testing and put forward a final shortlist of three candidates.

#### *Assessment processes conducted with shortlisted candidates*

- 5.9 After the shortlisting meeting of the Appointments Panel the following additional stage of assessment took place, to establish a broad picture of the candidates' suitability for the Chief Executive role.
- 5.10 Previous employment references were taken up.
- 5.11 A stakeholder event was organised for Friday 5<sup>th</sup> July to enable them to engage with a range of Lewisham's key partners to enable candidates to have a clearer picture of the Lewisham partner landscape, but also more importantly to get feedback from our key partners on candidates. The stakeholders were grouped into three themed panels; Public Services; Community; Councillors (majority of Scrutiny Chairs and selection of Cabinet members). The feedback on candidates from the panels was reported to the final Appointment Panel meeting.

#### *Appointments Panel Interview and Recommendation Meeting*

- 5.12 The final Appointment Panel took place on Tuesday 9<sup>th</sup> July to receive a presentation from and to interview the three shortlisted candidates. Each candidate was required to give a presentation, without the use of visual aids, on the following:

‘You spent Friday meeting a diverse cross-section of our Partners, Stakeholders and Councilors. Having heard their views and priorities; how will you, as our Chief Executive, deliver on those aspirations for Lewisham’s residents?’

An in depth interview then followed.

- 5.13 On conclusion of all the interviews the Appointment Panel discussed and considered all the assessment information gathered on the candidates, including the stakeholder panel feedback and the references.
- 5.14 The Panel’s unanimous recommendation was that Kim Wright should be appointed as Chief Executive.
- 5.15 Kim is currently Hackney Council’s Group Director, Neighbourhoods and Housing. Kim has extensive experience in local government and has played a central role in Hackney’s transformation to one of the best performing councils in London.
- 5.16 Kim’s portfolio of experience at Hackney has spanned three Director level roles. She was Director of Adult Social Care for 11 years as well as leading the delivery of an innovative programme that will build over 2,000 council homes in Hackney, the majority of which will be social rent and shared ownership. She also has significant experience of transforming services for residents and involving communities in change including in housing services, public health and all the services that make for liveable neighbourhoods such as planning, parks, libraries, community safety, regeneration, transport and environmental operations.
- 5.17 Kim was instrumental in ensuring the London 2012 Olympic and Paralympic Games brought real and lasting economic and social benefits to Hackney and east London with jobs, skills, training, new parks and open spaces accessible for all.

## **6.0 Legal Implications**

- 6.1 The Council’s general power to appoint staff is set out in Section 112 Local Government Act 1972. In Lewisham, the Chief Executive is designated as the Head of Paid Service under Section 4 Local Government and Housing Act 1989. This is a statutory post with the duties set out in Section 4 (3) of the 1989 Act which include reporting, (where they think it appropriate) on the co-ordination of the discharge of the Council’s functions, the number and grades of staff required, the organisation of staff and their appointment and proper management. The post is also designated as the Council’s Returning Officer and Electoral Registration Officer for the purposes of legislation pertaining to electoral law.
- 6.2 By virtue of the Local Authorities (Standing Orders) (England) Regulations 2001, as amended, Councils must include in their procedural rules that an offer of appointment as the Head of Paid Service is subject to the approval of full Council. Before an offer of appointment may be made, the Regulations require that the Authority must ensure that the proper officer notify each

member of the Executive of the proposed appointment giving them an opportunity to object to the proposed appointment. An offer of appointment may only be made if either the Mayor has confirmed that there is no objection, no objection has been raised or any objection made is not deemed material. The Council's Constitution reflects these legal requirements which have been followed in this recruitment process. Notice has been given to all the members of the Executive, with the option to object. If any objections are received it will be brought to the attention of Council at the meeting.

- 6.3 Article 9(1) of the Council's Constitution states that the appointment of the Head of Paid Service is a matter for full Council.
- 6.4 The Council's Pay Policy Statement which is agreed annually under the provisions of Section 38 Localism Act 2011 et seq. provides that if the salary for a post which did not previously exist is proposed to exceed £100,000 then that salary must be approved by full Council. It is a statutory requirement that the Council must abide by its Pay Policy Statement once agreed. The Council agreed the salary parameters that the new Chief Executive would be appointed to on the 24<sup>th</sup> November 2017, having received a recommendation from the Appointments Committee. The proposed appointment is at a salary within that range.
- 6.5 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.6 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
  - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 6.7 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed in the paragraph above.
- 6.8 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

6.9 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

6.10 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

- [The essential guide to the public sector equality duty](#)
- [Meeting the equality duty in policy and decision-making](#)
- [Engagement and the equality duty: A guide for public authorities](#)
- [Objectives and the equality duty. A guide for public authorities](#)
- [Equality Information and the Equality Duty: A Guide for Public Authorities](#)

6.11 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

## **7.0 Financial implications**

The salary cost of the new Chief Executive will be met from existing budgets and is within the agreed range recommended by the Appointments Committee and agreed by Council.

## **8.0 Conclusion**

Following a rigorous recruitment process, the Council is recommended to appoint Kim Wright as the new Chief Executive of Lewisham Council in accordance with the recommendation of the Appointment Panel.