

TRAFFORD COUNCIL

Report to: Council
Date: 19th February 2014
Report for: Decision
Report of: Director of Legal and Democratic Services

Report Title

STaR – Appointment of Director

Summary

The Executive at its meeting on the 23rd September 2013 agreed to set up a joint procurement arrangement with Stockport and Rochdale Councils. This involved setting up a joint executive committee to oversee the carrying out the function which is to be based at Trafford Council. The council will employ the staff involved including the director of the unit.

Under local government legislation the appointment of staff is a function that cannot be carried out by the executive. The council's constitution sets out how senior officer appointments are to be made. This would not allow for the other two councils to be involved therefore an alternative arrangement is being proposed.

Recommendation(s)

That the Director of Finance in consultation with the Director of Human Resources be authorised to set up a process for the appointment of the Director of the STaR which allows members from Rochdale and Stockport to participate effectively in the process.

Contact person for access to background papers and further information:

Name: Mark Jones, Interim Head of Legal Services
Extension: 4879

Background Papers: None

Background Information

Implications:

Relationship to Corporate Priorities	
Financial	<i>None specific to this report.</i>
Legal Implications	<i>The appointment of the director cannot be an executive function. As such it cannot be made by the joint committee. However, it is anticipated that members of the joint committee will be involved in the appointment process.</i>
Equality/Diversity Implications	<i>None specific to this report. The council's equality and diversity policies will be applied in selecting a suitable candidate for the post.</i>
Sustainability Implications	<i>None specific to this report.</i>
Staffing/E-Government/Asset Management Implications	<i>The appointment of an individual will be made to the post of Director. This post will be funded by all 3 councils equally and will occupy office accommodation at Trafford.</i>
Risk Management Implications	<i>None specific to this report.</i>
Health and Safety Implications	<i>None specific to this report.</i>

1.0 Background

1.1. The Executive at its meeting on the 23rd September 2013 agreed to set up a joint procurement arrangement with Stockport and Rochdale Councils. This involved setting up a joint executive committee to oversee the carrying out of the function which is to be hosted by Trafford Council. The council will employ the staff involved including the director of the unit.

1.2. Under local government legislation the appointment of staff is a function that cannot be carried out by the executive. The council's constitution sets out how senior officer appointments are normally to be made. Understandably the constitution does not provide for members and officers from other authorities to be involved in the selection process. Because this procurement unit is a joint project with Stockport and Rochdale it is important that they are properly represented in the appointment process for the director of the unit. Therefore an alternative arrangement for the appointment of that post needs to be used to the one which is set out in the council's constitution.

1.3. Under the council's constitution the appointment of a Deputy Chief Officer must be made by a panel of council members. A Deputy Chief Officer is defined as a person who, as respects all or most of their duties (excluding secretarial/clerical duties), is required to report directly to or is directly accountable to one or more of the chief officers. In this context the phrase chief officer includes the officer with responsibility for the administration of the Council's financial affairs. It is anticipated that the director of the STaR will report to the Director of Finance who is a chief officer.

1.4. In order to enable Stockport and Rochdale to be properly represented in the selection process for the director of the STaR it is proposed that the council should delegate to the Director of Finance, in consultation with the Director of Human Resources, the task of making arrangements for the appointment.

1.5. Therefore, it is recommended that the Director of Finance in consultation with the Director of Human Resources be authorised to set up a process for the appointment of the Director of the STaR which allows members from Rochdale and Stockport to participate effectively in the process.