

Appointment of the Chief Officers Appointments Panel

Timetable	
Meeting	Date
Employment Committee	1 February 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Employment Committee
Lead Director	Angela Woodhouse, Director of Strategy, Insight and Governance
Lead Officer and Report Author	Oliviya Parfitt, Principal Democratic Services Officer
Classification	Public
Wards affected	All

Executive Summary

This report sets out the process for appointing the Chief Officers Appointments Panel to carry out the annual appraisal for the Chief Executive and Directors.

Purpose of Report

Decision

This report makes the following recommendations to the Committee:

1. That the Chief Officers Appointment Panel be appointed to carry out the Annual Appraisal process for the Chief Executive and Directors; and
2. That the panel's membership be politically balanced, with membership in accordance with the wishes of Group Leaders.

Appointment of the Chief Officers Appointments Panel

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>We do not expect the recommendations will by themselves materially affect achievement of corporate priorities.</p>	Democratic and Electoral Services Manager
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendations do not materially affect the achievement of cross-cutting objectives.</p>	Democratic and Electoral Services Manager
Risk Management	No impacts identified.	Democratic and Electoral Services Manager
Financial	No impacts identified.	Director of Finance, Resources and Business Improvement
Staffing	We will deliver the recommendations with our current staffing.	Democratic and Electoral Services Manager
Legal	Accepting the recommendations will allow the Council to fulfil the constitutional requirement that the Chief Executive and Directors be appraised via a Member panel.	Democratic and Electoral Services Manager
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data	Democratic and Electoral

	Protection Act 2018) the Council processes.	Services Manager
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Equalities & Communities Officer
Public Health	No impacts identified.	Senior Public Health Officer
Crime and Disorder	No impacts identified.	Democratic and Electoral Services Manager
Procurement	No impacts identified.	Democratic and Electoral Services Manager
Biodiversity and Climate Change	No impacts identified.	Biodiversity and Climate Change Manager

1. INTRODUCTION AND BACKGROUND

- 1.1 The Maidstone Borough Council Constitution sets out that the Chief Officers Appointment Panel carries out the following function:

To review annually the performance of the Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial year.

- 1.2 This is to be discharged through a panel of five members of the Employment Committee.

- 1.3 The panel will carry out appraisals for the following roles:

Chief Executive
 Director of Finance, Resources and Business Improvement
 Director of Regeneration and Place
 Director of Strategy, Insight and Governance

- 1.4 The appraisals will take place during the day and will be Part II meetings.

- 1.5 For political balance to be achieved, the panel would consist of two Conservative Group Members, one Liberal Democrat Member, one Independent Group Member and one Green Independent Alliance Member.
-

2. AVAILABLE OPTIONS

- 2.1 Option 1: Appoint a politically balanced panel to carry out the annual appraisals for the Chief Executive and Directors. This is the preferred option as it would align with the Constitutional requirement for annual appraisals to be carried out, while maintaining good practice of being politically balanced.
 - 2.2 Option 2: Appoint a panel which is not politically balanced but represents all groups to carry out the annual appraisals for the Chief Executive and Directors. The Committee could agree that a Sub-Committee that isn't politically balanced is preferable. However, one Member voting against that proposal would see it fall, in line with Section 17 of the Local Government and Housing Act 1989.
 - 2.3 Option 3: Do not appoint a panel. This would result in the Committee not fulfilling its responsibility set out in the Constitution, and appraisals not being carried out.
-

3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 Option 1 is the preferred option as it fulfils the requirement of the constitution and follows the standard practice of achieving political balance.

4. RISK

- 4.1 The risks associated with this proposal, including the risks if the Committee does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy. Risks include those arising from an ineffective appraisal process for the Chief Executive and Directors.
-

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 Group Leaders will be consulted ahead of the Committee meeting, and will be asked to make the appointments to fill the places set out in 1.5 of the report.
 - 5.2 The list of Committee Members nominated by their Group Leaders to sit on the panel will be circulated at the Committee.
-

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 The next step will be to agree the dates and times for the Sub-Committee to meet.
-

7. REPORT APPENDICES

None

8. BACKGROUND PAPERS

Maidstone Borough Council Constitution, Part B2.