

Post of Chief Executive

Report by John Blair, Director, Resources

1 Purpose of Report

The purpose of this report is to advise the Council of:

- a) The resignation of the Chief Executive; and
- b) To consider the necessary actions to fill the resultant vacancy to the post of Chief Executive, Midlothian Council

2 Background

2.1 Resignation of Chief Executive

Mr Kenneth Lawrie, Chief Executive has formally notified the Leader of the Council of his resignation following his appointment to the post of Chief Executive, Falkirk Council with effect from 1 August 2018.

2.2 Procedure to fill the post of Chief Executive

Set out below is the relevant extract from the Council's Standing Orders in relation to this matter.

2.2.1 Midlothian Council Standing Orders

Standing Order 17, updated by Midlothian Council on 29 August 2017, is as follows:

"17 APPOINTMENT OF OFFICERS

17.1 A reference to the post of Chief Official means any of the following posts:

*Chief Executive
Director, Education, Communities and Economy
Director, Resources
Joint Director, Health and Social Care*

The appointment of Chief Officials will be made by the Council, on a recommendation by the Cabinet, which will also recommend conditions to apply to the posts.

17.2 The appointment of Heads of Service shall be by Cabinet, which shall agree conditions to be attached to the posts.

17.3 The authorised establishments of the Directorate of the Council will be determined by the Cabinet.

17.4 Any reference to a specified officer of the Council in these Standing Orders shall include any member of staff under the direction of that officer."

2.2.2 **Midlothian Scheme of Administration – Relative to Standing Order 7**

The following extract relates to matters which are reserved for Council and were updated by Midlothian Council at its meeting on 29 August 2017:

“q. appointment and dismissal of the Chief Executive and appointment of a Chief Official”

- 2.2.3 Members should note that any alternative approach to the appointment of the Chief Executive will require a suspension of Standing Orders of the Council.

3.0 **Recruitment Process**

3.1 **HR Advice and Support**

To provide further advice to Members alongside the internal HR team it is proposed that the Council engage the services of an appropriate HR consultancy with specialist knowledge in recruiting executive personnel.

3.2 **Recruitment Arrangements**

It is proposed that the internal HR Team and HR Consultants agree the recruitment strategy and interview process in consultation with relevant members.

Furthermore, it is recommended that the recruitment strategy be based on recognised good practice for the recruitment of executive personnel to large scale complex organisations.

4.0 **Report Implications**

4.1 **Resources**

It is proposed that the cost of recruitment to the position of Chief Executive be met from the Council's existing staffing budgets which provides for advertising and other associated recruitment costs.

4.2 **Risk**

The Council requires to operate with a Head of Paid Service Chief Executive to allow it to fully discharge its statutory responsibilities. It is therefore necessary for the Council to fill the position of Chief Executive as soon as possible.

4.3 **Single Midlothian Plan and Business Transformation**

The Chief Executive has a pivotal role in driving the Council forward and ensuring the delivery of the Single Midlothian Plan and working with senior officers to implement the Council's Transformation and Change Programme. In the process of making this appointment the Council will take into consideration any identified budgetary savings and consider if removal of these benefits would be a positive decision at this time.

4.4 **Key Priorities with Single Midlothian Plan**

The Chief Executive, supported by senior officers, is charged with ensuring that the outcomes and priorities as set out in the Single Midlothian Plan are implemented.

4.5 Input on Performance and Outcomes

The Chief Executive is the most Senior Officer within the Council and is responsible for the effective management of the Council providing advice and guidance on strategic policy matters and working closely with Elected Members.

4.6 Adopting a Preventative Approach

No consideration of this is required.

4.7 Involving Communities and Other Stakeholders

No consultation has taken place in respect of the appointment to the post of Chief Executive.

4.8 Ensuring Equalities

The arrangements to fill the position of Chief Executive will be undertaken in accordance with the Council's Equality and Diversity in Employment Framework.

The framework ensures that all employment matters are determined solely on the basis of capability, qualifications, experience, skills and performance. The recruitment process should take due account of equalities issues.

4.9 Supporting Sustainable Development

No consideration of this is required.

4.10 IT Issues

There are no IT implications rising from the proposals set out in this report.

5.0 Summary

The proposals set out in this report are designed to provide leadership and stability, and to ensure that the Council has a Chief Executive to ensure the future success, leadership and operational management of the Council functions and the provision of services.

6.0 Report Implications

It is recommended that the Council:

- (a) Note the resignation of the Chief Executive and the Council's Standing Orders in respect of the appointment of Chief Officials;
- (b) Determine the Council's wishes in relation to the appointment and to proceed with the recruitment of a new Chief Executive on that basis; and
- (c) Remit to the Chief Executive to progress the procedures for the filling of the post as soon as possible as set out in section 3.0.

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Background Papers:

Midlothian Council Standing Orders
 Midlothian Council Scheme of Administration