

# Restructuring Implementation Committee

**Date: Tuesday, 16th July, 2019**

**Time: 12.00 pm**

**Venue: Keynsham Civic Centre, room W1.3**

Councillor Dine Romero  
Councillor Robin Moss  
Councillor Karen Walker  
Councillor Paul Myers

Chief Executive and other appropriate officers  
Press and Public



**Jo Morrison**

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## NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

## 3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet [www.bathnes.gov.uk/webcast](http://www.bathnes.gov.uk/webcast). The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

## 4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

## 5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

## 6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

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at 12.00 pm in the Keynsham Civic Centre, room W1.3

### A G E N D A

1. APOLOGIES FOR ABSENCE

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5.

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** *or* **an other interest**,  
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

5. MINUTES OF PREVIOUS MEETING

6. QUESTIONS AND STATEMENTS

7. EXCLUSION OF THE PUBLIC

The Committee is invited to pass the following resolution;

That, having been satisfied that the public interest test would be better served by not disclosing relevant information, and in accordance with the provisions of Section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information as

defined in paragraphs 1 and 2 of Part 1 of scheduled 12A of the Act as amended.

8. CHIEF EXECUTIVE APPOINTMENT - INTERVIEW & RECOMMENDATION (Pages 7 - 10)

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

<b>Bath &amp; North East Somerset Council</b>		
MEETING:	<b>Restructuring Implementation Committee</b>	AGENDA ITEM NUMBER
DATE:	<b>16<sup>th</sup> July 2019</b>	
TITLE:	<b>Chief Executive appointment (interview and recommendation)</b>	
WARD:	ALL	
<b>REPORT OF HEAD OF HR &amp; OD</b>		

## **1 THE ISSUE**

1.1 To seek the Committee's recommendation to Council for the appointment to the post of Chief Executive and Head of Paid Service.

## **2 RECOMMENDATION**

2.1 That the Head of HR & OD be given delegated authority to write the report on behalf of the RIC to recommend to Council on 5<sup>th</sup> September 2019 the name of the individual to be appointed to the post of Chief Executive and Head of Paid Service.

## **3 FINANCIAL IMPLICATIONS**

3.1 The costs of the recruitment process will be met from the HR & OD service budget.

## **4 THE REPORT**

4.1 The post of Chief Executive was advertised during late May/early June 2019 with a closing date of Friday 14 June 2019. A good number of strong applications were received.

4.2 Penna were appointed to provide specialist advice and guidance on this senior officer recruitment process.

4.3 Candidates were shortlisted and invited to attend a two day face-to-face interview process involving a range of key members, partners and colleagues on 15th and 16th July.

4.4 The RIC forms the final interview panel, Chaired by Councillor Dine Romero, Leader of the Council, to interview each candidate and consider feedback from partners, members and colleagues from the two day process.

4.5 The RIC will make a recommendation to Council on 5 September 2019.

## **5 EQUALITIES AND RISK MANAGEMENT**

5.1 The Recruitment and Selection Policy, was the subject of full Risk Assessment at the time it was adopted by the Council.

5.2 The RIC will ensure, as far as possible, that a diverse range of applicants is

considered for the post.

5.3 All applicants will be treated fairly and in accordance with the Council's policy.

## **6 ADVICE SOUGHT**

6.1 The Council's Monitoring Officer has had the opportunity to input to this report and has cleared it for circulation.

<b>Contact person</b>	<i>Cherry Bennett, Head of HR &amp; OD (Tel: 01225 477203)</i>
<b>Background papers</b>	<b>None</b>
<b>Please contact the report author if you need to access this report in an alternative format</b>	

**Access to Information Arrangements**

**Exclusion of access by the public to Council meetings**

Information Compliance Ref: 1021/19

Meeting / Decision: Restructuring Implementation Committee

Date: 16<sup>th</sup> July 2019

Author: Cherry Bennett

**Report Title: Chief Executive appointment decision**

**Exempt appendix 1 - application forms**

**Exempt appendix 2 – shortlisting criteria**

**Exempt appendix 3 – assessment centre feedback**

**Exempt appendix 4 – selection process feedback**

The Report contains exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemption is set out below.

Stating the exemption:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual

The public interest test has been applied, and it is concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time. It is therefore recommended that the Exempt Appendices be withheld from publication on the Council website. The paragraphs below set out the relevant public interest issues in this case.

**PUBLIC INTEREST TEST**

If the Committee wishes to consider a matter with press and public excluded, it must be satisfied on two matters.

Firstly, it must be satisfied that the information likely to be disclosed falls within one of the accepted categories of exempt information under the Local Government Act 1972.

The officer responsible for this item believes that this information falls within the following exemptions and this has been confirmed by the Council's Information Compliance Manager.

The following exemptions are engaged in respect to this report:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual

Exemptions 1 and 2 above must be considered in conjunction with the Principles of the Data Protection Act 1998 (DPA). It is considered that disclosure of the information in this appendix would breach the first principle of the DPA, which requires personal data to be fairly and lawfully processed.

Secondly, it is necessary to weigh up the arguments for and against disclosure on public interest grounds.

Factors in favour of disclosure include:

- furthering public understanding of the issues involved;
- furthering public participation in the public debate of issues, in that disclosure would allow a more informed debate;
- promoting accountability and transparency by the Council for the decisions it takes;
- allowing individuals and companies to understand decisions made by the Council affecting their lives and assist individuals to challenge those decisions.

However there is a real risk that the first Principle of the DPA will be breached by this disclosure, and that any individual/s identified could bring a successful action against the Council if the disclosure occurred. Therefore it is recommended that exemptions 1 and 2 in Schedule 12A stand, that the report be discussed in exempt session and that any reporting on the meeting is prevented in accordance with Section 100A(5A)