

Restructuring Implementation Committee

Date: Wednesday, 4th December, 2019

Time: 1.00 pm

Venue: Leader's office - Guildhall, Bath

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

Chief Executive and other appropriate officers
Press and Public



Jo Morrison

Democratic Services

Lewis House, Manvers Street, Bath, BA1 1JG

Telephone: 01225 394358

Web-site - <http://www.bathnes.gov.uk>

E-mail: Democratic_Services@bathnes.gov.uk

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. 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>

Restructuring Implementation Committee - Wednesday, 4th December, 2019

at 1.00 pm in the Leader's office - Guildhall, Bath

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 6.

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 - 16TH JULY 2019 (Pages 5 - 6)

6. 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 for the Act as amended.

7. DIRECTOR OF FINANCE AND SECTION 151 OFFICER (INTERVIEW AND RECOMMENDATION) (Pages 7 - 10)

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

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BATH AND NORTH EAST SOMERSET

RESTRUCTURING IMPLEMENTATION COMMITTEE

Tuesday, 16th July, 2019

Present:- Councillors Dine Romero, Robin Moss, Karen Walker and Paul Myers

Also in attendance: Cherry Bennett - Head of Human Resources & Organisational Development, Maggie Hennessy – Director Penna Recruitment partner

33 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure as set out on the agenda.

34 DECLARATIONS OF INTEREST

There were no declarations of interest made.

35 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

36 MINUTES OF PREVIOUS MEETING

It was unanimously

RESOLVED that the minutes of the meeting of 9th July 2019 be confirmed as a correct record and signed by the Chair.

37 QUESTIONS AND STATEMENTS

There were no items.

38 EXCLUSION OF THE PUBLIC

On a motion from the Committee, it was

RESOLVED 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 Schedule 12A of the Act as amended.

39 CHIEF EXECUTIVE APPOINTMENT - INTERVIEW & RECOMMENDATION

On a motion from the Committee, it was

RESOLVED

That the Head of Human Resources & Organisation Development be given delegated authority to write the report on behalf of the Restructuring Implementation Committee to recommend to Council on 5th September 2019 the name of the individual to be appointed to the post of Chief Executive and Head of Paid Service.

The meeting ended at 6.00 pm*

*[*The Committee adjourned its meeting on 16th July and reconvened at 8am on 18th July for final deliberations and decision.]*

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING:	Restructuring Implementation Committee	AGENDA ITEM NUMBER
DATE:	4 December 2019	
TITLE:	Director of Finance and Section 151 Officer (interview and recommendation)	
WARD:	ALL	
REPORT OF INTERIM DIRECTOR HR & OD		

1 THE ISSUE

1.1 To seek the Committee's recommendation to Council for the appointment to the post of Director of Finance and Section 151 Officer.

2 RECOMMENDATION

2.1 That the Interim Director HR & OD be given delegated authority to write the report on behalf of the RIC to recommend to Council on 16 December 2019 the name of the individual to be appointed to the post of Director of Finance and Section 151 Officer.

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 Director of Finance was advertised during November 2019 with a closing date of Thursday 21 November 2019.

4.1 Penna were appointed to conduct an executive search for this senior officer recruitment process.

4.2 Candidates were shortlisted and invited to attend an interview process involving a range of key members, partners and colleagues on 4 December 2019.

4.3 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.

4.4 The RIC will make a recommendation to Council on 16 December 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.

Contact person	<i>Amanda George, Interim Director HR & OD (Tel: 01225 477203)</i>
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: 1780/19

Meeting / Decision: Restructuring Implementation Committee

Date: 4th December 2019

Author: Amanda George

Report Title: Director of Finance and Section 151 Officer (interview and recommendation)

Exempt appendix 1 – application forms of shortlisted candidates

Exempt appendix 2 – shortlisting criteria

Exempt appendix 3 – assessment results

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 2018 (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)