

Restructuring Implementation Committee

Date: Tuesday, 27th October, 2020

Time: 1.20 pm

Venue: Virtual

<https://www.youtube.com/bathnescouncil>

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

Chief Executive and other appropriate officers
Press and Public



NOTES:

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

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

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 Council will broadcast the images and sounds live via the internet <https://www.youtube.com/bathnescouncil> .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.

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 can be found at:

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

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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Restructuring Implementation Committee - Tuesday, 27th October, 2020

at 1.20 pm in the Virtual <https://www.youtube.com/bathnescouncil>

A G E N D A

1. APOLOGIES FOR ABSENCE
2. 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.

3. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR
4. MINUTES OF PREVIOUS MEETING - 1ST SEPTEMBER 2020 (Pages 5 - 6)
5. QUESTIONS AND STATEMENTS
6. EXCLUSION OF THE PUBLIC (Pages 7 - 8)
7. CHIEF OPERATING OFFICER - INTERVIEW & RECOMMENDATION (Pages 9 - 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, 1st September, 2020

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

Also in attendance: Will Godfrey (Chief Executive), Cherry Bennett (Director of Human Resources & Organisational Development), Maria Lucas (Director of Legal & Democratic Services and Monitoring Officer) and Jo Morrison (Democratic Services Manager)

1 DECLARATIONS OF INTEREST

There were none.

2 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

3 MINUTES OF PREVIOUS MEETING - 4TH DECEMBER 2019

On a motion from Councillor Karen Walker, seconded by Councillor Robin Moss, it was

RESOLVED that the minutes of the meeting of 4th December 2019 be confirmed as a correct record, to be signed by the Chair in due course.

4 QUESTIONS AND STATEMENTS

There were no registered items.

5 INTERIM APPOINTMENT OF DASS AND DCS

The Chief Executive introduced this item. He informed the Committee that the previous postholder, Mike Bowden, had left his post on 31st August 2020 and so the statutory positions of Director of Adult Social Services and Director of Children's Services required officers in post. The proposal set out in the report is for this to be until 31st December 2020 in the first instance. Further reports will be brought to this Committee as required.

On a motion from Councillor Dine Romero, seconded by Councillor Robin Moss, it was unanimously

RESOLVED

1. That the Chief Executive be given delegated authority on behalf of the RIC to appoint Lesley Hutchinson, Director of Adult Social Care, Complex and Specialist Commissioning as the Interim Director of Adult Social Services; and

2. That the Chief Executive be given delegated authority on behalf of the RIC to appoint Mary Kearney-Knowles, Director of Children and Young People's Services, as the Interim Director of Children's Services (including Education).

The meeting ended at 9.37 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: 1227/20

Meeting / Decision: Restructuring Implementation Committee

Date: 27th October 2020

Author: Cherry Bennett

Report Title: Chief Operating Officer appointment (interview and recommendation)

Exempt Appendix 1 - Applications

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 Appendix 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 appendix be discussed in exempt session and that any reporting on the meeting is prevented in accordance with Section 100A(5A)

Bath & North East Somerset Council		
MEETING:	Restructuring Implementation Committee	AGENDA ITEM NUMBER
DATE:	27th October 2020	
TITLE:	Chief Operating Officer appointment (interview and recommendation)	
WARD:	ALL	
REPORT OF DIRECTOR OF HR & OD		

1 THE ISSUE

1.1 To seek the Committee's recommendation to Council for the appointment to the post of Chief Operating Officer.

2 RECOMMENDATION

2.1 That the Chief Executive be given delegated authority to write the report on behalf of the RIC to recommend to Council on 12th November 2020 the name of the individual to be appointed to the post of Chief Operating Officer.

3 FINANCIAL IMPLICATIONS

3.1 The post is being advertised internally only so there are no financial implications from the recruitment process. The salary is being funded from the deletion of the two Corporate Director posts.

4 THE REPORT

4.1 The post of Chief Operating Officer is being advertised internally only with a closing date of Tuesday 20th October 2020.

4.2 Candidates will be shortlisted and invited to attend a two part interview process involving cabinet and senior colleagues on 27th October 2020.

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 the two-part process.

4.4 The RIC will make a recommendation to Council on 12 November 2020.

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 Chief Executive and Monitoring Officer have had the opportunity to input to this report and has cleared it for circulation.

Contact person	<i>Cherry Bennett, Director of 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	