

Restructuring Implementation Committee

Date: Monday, 22nd February, 2021

Time: 2.00 pm

**Venue: Virtual Meeting - Zoom - Public Access via
YouTube**

<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



Jo Morrison

Democratic Services

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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>

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 day of the meeting. This means that for meetings held on Monday, notice must be received in Democratic Services by 5.00pm the previous Wednesday.

Further details of the scheme can be found at:

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

5. **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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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 - 15TH DECEMBER 2020 (Pages 7 - 8)
5. QUESTIONS AND STATEMENTS
6. EXCLUSION OF THE PUBLIC

The Committee is asked 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 Schedule 12A of the Act as amended.

7. DIRECTOR APPOINTMENTS (Pages 9 - 12)

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

BATH AND NORTH EAST SOMERSET

RESTRUCTURING IMPLEMENTATION COMMITTEE

Tuesday, 15th December, 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), Michael Hewitt (Head of Legal & Monitoring Officer), Jo Morrison (Democratic Services Manager)

13 DECLARATIONS OF INTEREST

There were no declarations of interest made.

14 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

15 MINUTES OF PREVIOUS MEETING - 27TH OCTOBER 2020

On a motion from Councillor Paul Myers, seconded by Councillor Robin Moss, it was

RESOLVED that the minutes of 27th October 2020 be confirmed as a correct record and signed by the Chair in due course.

16 QUESTIONS AND STATEMENTS

There were no items.

17 INTERIM APPOINTMENT OF DASS AND DCS

The Chief Executive introduced the report which was seeking an extension of the interim appointments of the Director of Adult Social Services and Director of Children's Services until the end of March 2021 to cover the period while the senior management structure was still being finalised.

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

RESOLVED

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

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

Bath & North East Somerset Council		
MEETING:	Restructuring Implementation Committee	AGENDA ITEM NUMBER
DATE:	22nd February 2021	
TITLE:	2x Director appointments	
WARD:	ALL	
REPORT OF CHIEF EXECUTIVE		

1 THE ISSUE

1.1 To seek the Committee's approval of the appointment to two Director posts that both report directly to the Chief Executive.

2 RECOMMENDATION

2.1 That the RIC be convened on 22 February 2021 to consider the appointments in consultation with the Chief Executive to the new posts of Director of Sustainable Communities and the Director of People & Policy.

3 FINANCIAL IMPLICATIONS

3.1 The posts have been ringfenced due to the senior management restructure and have been costed as part of that new structure.

4 THE REPORT

4.1 The Chief Executive launched consultation on a new senior management structure on 12 January 2021, in accordance with the B&NES Organisational Change Policy. This consultation ended on 1 February. The new structure includes 9 Director level posts. Of these, 5 have been filled by a slotting process. There are 4 remaining posts to be filled.

4.2 Two current Directors were placed "at risk" of redundancy on 12 January and were invited to express an interest in roles they had been ringfenced to.

4.3 The expressions of interest are included in Appendix 1 which is exempt.

4.4 The RIC forms the interview panel, chaired by Councillor Dine Romero, Leader of the Council, to interview each candidate as part of the restructuring process.

4 EQUALITIES AND RISK MANAGEMENT

The Organisational Change Policy was the subject of full Risk Assessment at the time it was adopted by the Council.

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

5 ADVICE SOUGHT

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

Contact person	<i>Will Godfrey (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: 194/21

Meeting / Decision: Restructuring Implementation Committee

Date: 22nd February 2021

Author: Will Godfrey

Report Title: Two Director appointments

Exempt appendix 1 – Expressions of Interest

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)