

# Restructuring Implementation Committee

**Date: Monday 2nd December 2024**

**Time: 2.00pm**

**Venue: Kaposvar Room - Guildhall, Bath**

Councillor Kevin Guy  
Councillor Robin Moss  
Councillor Shaun Hughes  
Councillor Joanna Wright  
Councillor Tim Warren CBE

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 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.

**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>

### 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>

**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](mailto:Democratic_Services@bathnes.gov.uk)

**Restructuring Implementation Committee - Monday, 2nd December, 2024**

**at 2.00 pm in the Kaposvar Room - 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 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.

(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 4.4 Appendix 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 - 9TH JULY 2024 (Pages 7 - 8)

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 for the Act as amended.

8. EXECUTIVE DIRECTOR RESOURCES APPOINTMENT (SHORTLISTING) (Pages 9 - 14)

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

This page is intentionally left blank

**BATH AND NORTH EAST SOMERSET**

**RESTRUCTURING IMPLEMENTATION COMMITTEE**

Tuesday 9th July 2024

**Present:-** Councillors Kevin Guy, Robin Moss, Shaun Hughes, Joanna Wright and Tim Warren CBE

**1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2 EMERGENCY EVACUATION PROCEDURE**

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

**3 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**4 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There were no items of urgent business.

**5 MINUTES OF PREVIOUS MEETING**

It was unanimously agreed that the open and exempt minutes of the meeting of 24<sup>th</sup> April 2024 be approved as a correct record and were signed by the Chair.

**6 QUESTIONS AND STATEMENTS**

There were no items from the public.

**7 EXCLUSION OF THE PUBLIC**

It was moved, seconded and unanimously

**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 Scheduled 12A for the Act as amended.

**8 FLEXIBLE RETIREMENT REQUEST**

The Committee considered a report seeking their agreement to the proposed flexible retirement request as part of the overall Head of Service restructure and to put in

place a temporary Financial Systems & Governance resource to support a 2 year programme to overhaul and upgrade financial systems including Agresso (Finance system) and iTrent (HR & Payroll system).

On a motion from Councillor Kevin Guy, seconded by Councillor Robin Moss, it was unanimously

**RESOLVED** that the proposal presented is approved and the Chief Executive be given delegated authority to take all steps necessary to implement it.

The meeting ended at 9.40 am

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

<b>Bath &amp; North East Somerset Council</b>	
MEETING:	<b>Restructuring Implementation Committee</b>
MEETING DATE:	<b>2 December 2024</b>
TITLE:	<b>Executive Director Resources appointment (shortlisting)</b>
WARD:	All
<b>AN OPEN ITEM – APPENDICES LIKELY TO BE TAKEN IN EXEMPT SESSION</b>	
<p><b>List of attachments to this report:</b></p> <p>Public Interest test document</p> <p>Candidate CVs (restricted access)</p> <p>Role profile and portfolio (restricted access)</p> <p>Shortlisting form (restricted access)</p>	

## **1 THE ISSUE**

- 1.1 To seek the Committee’s agreement of the shortlist of candidates for the post of Executive Director Resources (with or without Section 151 Officer designation).

## **2 RECOMMENDATION**

### **The Committee is asked;**

- 2.1 That the Director of People & Change be given delegated authority to invite shortlisted candidates to interview and arrange the face to face interview process scheduled for 10<sup>th</sup> December 2024.

## **3 THE REPORT**

- 3.1 The post of Executive Director Resources was advertised during late October and November 2024 with a closing date of Sunday 17<sup>th</sup> November 2024. A good number of strong applications were received.
- 3.2 Tile Hill have been appointed to provide specialist advice and guidance on this senior officer recruitment process.
- 3.3 The applications will be considered by the RIC, Chaired by Councillor Kevin Guy, Leader of the Council, against the role profile and portfolio for the post, alongside the summary report from Tile Hill.

- 3.4 A small number of shortlisted applicants will be invited to attend a face-to-face interview process involving a range of key members, partners and colleagues on 10<sup>th</sup> December 2024.

#### **4 STATUTORY CONSIDERATIONS**

- 4.1 The Council's Recruitment and Selection policy will be followed ensuring that we meet our obligations under the Equality Act 2010.
- 4.2 Section 151 of the Local Government Act 1972 requires all local authorities to appoint a Section 151 Officer to manage their financial affairs.

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 5.1 The costs of the recruitment process will be met from the HR & OD service budget.
- 5.2 The salary for the post is included in the Council's budget.

#### **6 RISK MANAGEMENT**

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

#### **7 EQUALITIES**

- 7.1 An impact assessment has not been carried out. The recruitment and selection process will be conducted fairly in accordance with the Council's recruitment and selection procedures.
- 7.2 The RIC will ensure, as far as possible, that a diverse range of applicants is considered for the post.

#### **8 CLIMATE CHANGE**

- 8.1 The Executive Director Resources will have delegated responsibility for ensuring that the Council delivers against its Corporate Strategy with regards to tackling the climate and ecological emergencies. This will include ensuring that the Council leads by example in all its activities, making the radical changes needed, as well as taking a lead role in influencing and working with partners across all sectors locally, regionally and nationally and ensuring wide and deep citizen engagement.

#### **9 OTHER OPTIONS CONSIDERED**

- 9.1 None

#### **10 CONSULTATION**

- 10.1 This report has been cleared by the Chief Executive, S151 Officer and Monitoring Officer for circulation.



<b>Contact person</b>	Cherry Bennett, Director of People & Change <a href="mailto:cherry_bennett@bathnes.gov.uk">cherry_bennett@bathnes.gov.uk</a>
<b>Background papers</b>	Candidate CVs, role profile, portfolio, Shortlisting form
<b>Please contact the report author if you need to access this report in an alternative format</b>	

This page is intentionally left blank

## **Access to Information Arrangements**

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

Information Compliance Ref: LGA- 2146794
Meeting / Decision: Restructuring Implementation Committee
Date: Monday 2 <sup>nd</sup> December 2024
Author: Cherry Bennett
<b>Exempt Report Title:</b> Executive Director Resources appointment (shortlisting)  <b>Exempt Appendices:</b> <b>Exempt Appendix 1:</b> Candidate CVs <b>Exempt Appendix 2:</b> Role profile and portfolio <b>Exempt Appendix 3:</b> Shortlisting form

The report and exempt appendices contain 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 report and 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 exemption under paragraphs 1&2 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 report and the exempt appendices 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. It is considered that there is a public interest in decisions relating to employee dismissals.

Other 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 the individual/s identified within the report and exempt appendices 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, and that the report and exempt appendices be discussed in exempt session and that any reporting on the meeting is prevented in accordance with Section 100A(5A)