

AGENDA

APPOINTMENTS SUB-COMMITTEE MEETING

Date: Wednesday, 30 October 2019

Time: 4.30pm

Venue: Committee Room, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Mike Baldock, Mike Dendor, Angela Harrison, Alan Horton, Denise Knights, Roger Truelove and Mike Whiting.

Quorum = 3

	Pages
1. Election of Chairman and Vice-Chairman	
2. Emergency Evacuation Procedure	

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

3. Apologies for Absence and Confirmation of Substitutes

4. Minutes

To approve the Minutes of the Meeting held on 25 July 2018 (Minute Nos. 154 - 157) as a correct record.

5. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

Part A - for recommendation to Council

6. Appointment of Chief Financial S151 Officer

5 - 8

Issued on Monday, 21 October 2019

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Cabinet, please visit www.swale.gov.uk

Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT

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Appointments Sub-Committee Meeting	
Meeting Date	30 October 2019
Report Title	Appointment of Chief Financial s151 Officer
Cabinet Member	Cllr Roger Truelove
SMT Lead	Emma Wiggins, Director Regeneration
Head of Service	Not applicable
Lead Officer	Bal Sandher, Head of MKS Human Resources
Key Decision	No - the Sub Committee will make a recommendation to Council for consideration at the meeting on 13 November 2019
Classification	Open
Recommendations	1. The Council approve the fixed term appointment of Mr Nick Vickers as Chief Financial s151 Officer.

1 Purpose of Report and Executive Summary

- 1.1 This report seeks to approve the appointment of the Chief Financial s151 Officer on a fixed term contract up to July 2021.
- 1.2 This recommendation is made in the light of the new priorities that will be adopted as part of the Corporate Plan and the current requirements for local government employers.

2 Background

- 2.1 The Council is required under Section 151 of the Government Act 1972 to make arrangements for the proper administration of its financials affairs and must secure that one of its officers has responsibility for the administration of these affairs. This officer is generally known as the s151 Officer.
- 2.2 Currently the position of Chief Financial s151 Officer has been undertaken by Nick Vickers on a secondment arrangement with Kent County Council (KCC), working 26 hours a week between the council and KCC. The appointment was agreed by Council on 23 June 2010 and has been annually reviewed by Swale Borough Council and KCC.
- 2.3 The changes in priorities mean that the Council needs to continue to be responsive and flexible, and have in place a structure designed to support

members in achieving their corporate plan objectives, building on the progress that has been made in recent years.

- 2.4 In light of the recent absence of the Chief Executive Officer it has been agreed to share the duties of the Head of Paid Services between three Officers; Emma Wiggins, David Clifford and Nick Vickers.
- 2.5 The additional responsibilities undertaken by Mr Vickers has meant that he has been unable to fulfil the requirements of his role at KCC within the current agreed hours for both organisations. A decision was therefore made to recruit to the Chief Financial s151 Officer on a fixed term contract for the full 26 hours per week.

3 Background to recruitment process

- 3.1 The Council's Constitution outlines the process that needs to be undertaken for Senior Officer appointments including Statutory Officers. This requires advertising positions and following a recruitment and selection process to appoint officers to positions of Head of Service and above.
- 3.2 The Chief Financial s151 Officer was advertised internally and externally on the 23 September 2019. There were 2 applications received; one internal and one external and based on the skills and experience required for this post only one was shortlisted and interviewed. Through this process Nick Vickers has been offered the position of Chief Financial s151 Officer on a fixed term basis.

4 Proposals

- 4.1 That the decision be noted as outlined in 3.2 of this report.
- 4.2 The Chief Financial s151 Officer is a statutory role that requires the Appointments Sub-Committee to make a recommendation to full Council to appoint the Officer to this post. A formal offer of employment can only be made once Members of the Cabinet have agreed.

5 Alternative Options

- 5.1 The background of this report explains the reasons for ending the secondment arrangement with KCC and to appoint to the Chief Financial s151 Officer on Swale Council contract. The council is focusing on the key priorities that need to be delivered, with some currently being worked on. It is therefore essential that we appoint an experienced and qualified candidate to take forward these areas of work.

6 Consultation Undertaken or Proposed

- 6.1 Discussions have taken place between the Leader, Head of HR and the Chief Financial Officer.

7 Implications

Issue	Implications
Corporate Plan	A council to be proud of.
Financial, Resource and Property	The appointment will on the council's pay scale of Grade 12. There is an expectation for this post holder to continue with the shared responsibility of the Head of Paid Service duties. In recognition of the additional responsibilities it is intended that the Officer will be appointed to the top of Grade 12 on a salary of £82,500 to cover the absence of the Chief Executive Officer. The pay will be amended to a lower pay point on Grade 12 once the Chief Executive Officer has returned back to work.
Legal, Statutory and Procurement	<p>Section 151 of the Local Government Act 1972 requires every local authority to "make arrangements for the proper administration of their financial affairs and secure that one of their officers has responsibility of those affairs". The Section 151 Officer role is a key statutory role in any Council and as such there has to be complete clarity over how it can be fulfilled.</p> <p>Notwithstanding the provisions contained in section 113(2) of the Local Government, section 113 Local Government Finance Act 1988 provides that the Chief Finance Officer must be a member of one of the specified accountancy bodies (for example, the Institute of Chartered Accountants in England and Wales, CIPFA, the Institute of Chartered Accountants in Scotland, the Chartered Association of Certified Accountants. An exception exists for persons appointed prior to the coming into force (29 September 1988) of section 113 of the Local Government Finance Act 1988.</p> <p>Mr Vickers is CIPFA qualified and the proposal is that he is appointed on a Swale Borough Council contract on a fixed term contract.</p>
Crime and Disorder	None identified at this stage.
Environment and Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	The Council has to appoint a qualified person to the position of Section 151 Officer, the chief finance officer role within the Council. Not filling this gap with an able, strategic experienced qualified accountant would be a high risk to the Council and its improvement programme. This is because of the need to maintain a high

	strategic input in a very difficult financial climate as well as provide essential support to the council on key issues.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

8 Appendices

8.1 None