

WYRE FOREST DISTRICT COUNCIL

COUNCIL
24TH FEBRUARY 2010

Role and Appraisal Arrangements of Chief Executive

OPEN (note that Appendix 2 is confidential)	
SUSTAINABLE COMMUNITY STRATEGY THEME:	-
CORPORATE PLAN AIM:	A Well Run and Responsive Council
CABINET MEMBER:	Cllr. John Campion, Leader of the Council
DIRECTOR:	Ian Miller, Chief Executive
CONTACT OFFICER:	Ian Miller Ext. 2700 ian.miller@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 Proposed appraisal arrangements for Chief Executive Appendix 2 (Part II) Current and proposed revised arrangements for payments in respect of District Council elections.

1. PURPOSE OF REPORT

- 1.1 To approve the appraisal arrangements for the Chief Executive and to consider appointing the Chief Executive as the Returning Officer.

2. RECOMMENDATIONS

- 2.1 **The Council is recommended to APPROVE the appraisal arrangements set out in Appendix 1; to APPOINT the Chief Executive as the returning officer; and to AGREE the revised arrangements for payments in respect of district council elections set out in Appendix 2.**

3. BACKGROUND

- 3.1 Under the Council's Employment Development Review scheme, all staff are expected to have an annual and a mid-year review. Under the JNC conditions of service for chief executives, there is a requirement to have appraisal arrangements in place.
- 3.2 In designing the proposals, advice has been taken from the Director of Local Government Services, West Midlands Leaders' Board. He has confirmed that the proposals are consistent with the JNC conditions of service.

- 3.3 At its meeting on 29th July 2009, the Council resolved “to confirm the appointment of the Deputy Returning Officer as the Returning Officer for the Council”. This was a necessary step in the context of the retirement of the then Chief Executive and the interim arrangements to fill the post. Now that the Chief Executive has taken up post, it is appropriate for the Council to consider future arrangements.

4. KEY ISSUES

- 4.1 The Chief Executive serves the whole council, not just the Leader of the Council and Cabinet. It is important that the **appraisal process** should reflect that – hence the proposal for the leader of the second largest group on the council to be a member of the appraisal panel
- 4.2 The proposed arrangements include a requirement for a written annual report from the Chief Executive to Council each September (see paragraph 7 of appendix 1). This would comment on progress with transformation of the council, organisational and workforce development etc. and give the opportunity for all councillors to reflect on progress.
- 4.3 The appraisal panel will set objectives and targets and appraise performance against them. Consideration will be given to how performance and influence in key areas can be measured through 360 degree feedback from directors, surveys of all staff and public perception of the organisation.
- 4.4 It is recommended that the Chief Executive also acts as the **returning officer**. In order to reduce the financial impact for the Council, the Chief Executive has proposed revised arrangements for payments in respect of district council elections which are set out in Appendix 2. This appendix is confidential because it relates to the financial affairs of an individual. The Council is asked to consider these arrangements and, if approved, to apply them with effect from 1st April 2010.
- 4.5 These proposals do not affect fees in respect of other elections such as county, town and parish councils, the UK and European Parliament etc. The cost of such fees is met by other bodies, not by the district council.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct financial implications arising from the proposed appraisal arrangements. The support from the West Midlands Leaders’ Board in providing a facilitator is a service available at no charge under the subscription that the council pays to the Board. The Director of Resources has reviewed the proposals in this report and appendix 2 independently and his comments as section 151 officer are as follows:

“The proposal as identified at Appendix 2 provides a better value for money option than the current method for the payment of fees in

respect of the returning officer. The proposal leads to a reduction in cost to the Council and I therefore support the proposals.”

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The proposed appraisal arrangements comply with the council’s policy on employment development reviews. The Council is required to appoint the returning officer under section 41 of the Local Government Act 1972. There are no legal or policy implications arising from the recommendations.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An assessment has already been undertaken on the employment development review policy and found that there was no impact on the six equality strands. The proposed arrangements for the Chief Executive are consistent with the policy. An assessment has not been undertaken in respect of the other recommendations because they relate to a statutory appointment.

8. RISK MANAGEMENT

- 8.1 There are no significant risks associated with the proposals in this report: indeed they mitigate any risks that might arise if there were not proper arrangements in place for appraising the Chief Executive’s performance.

9. CONCLUSIONS

- 9.1 The proposed appraisal arrangements comply with the council’s policy and JNC conditions of service, and are recommended for approval. The proposed arrangements in respect of the returning officer role reduce the financial impact of district council elections on the Council.

10. CONSULTEES

- Leader of the Council
- Leader of the Independent Community and Health Concern group
- Directors of Resources and of Legal and Corporate Services

11. BACKGROUND PAPERS

- 11.1 Report to Council, 29 July 2009 on Chief Executive – Recruitment and Retirement and minutes of that meeting.

Proposed Appraisal Arrangements for Chief Executive

PROCEDURE FOR APPRAISAL OF CHIEF EXECUTIVE

Introduction

1. An annual appraisal meeting will be held in April to:
 1. Review the performance of the Chief Executive over the previous year
 2. Set relevant and challenging objectives for the year ahead, and
 3. Consider the personal development needs of the Chief Executive

This will be a two way process aimed at building mutual trust and respect. It will be carried out openly and thus ensuring the principle of “no surprises” is at the heart of the process.

2. The review will acknowledge that the Chief Executive is responsible to the whole Council and not just the current administration or Cabinet. Hence the Appraisal Panel will consist of the following Members:-
 - The Leader of the Council
 - The Leader of the second largest group in the council.
 - External Advisor (Facilitator)

Process

3. The Chief Executive will prepare and circulate to the Advisor and to the Panel a brief report at least 5 working days in advance of the appraisal meeting taking place. The report will cover the Chief Executive’s view of his
 - (1) Performance during the review period against the objectives set at the previous appraisal or otherwise agreed with the Chief Executive.
 - (2) Key challenges and objectives during the next twelve months, and
 - (3) Personal development requirements
4. The Chief Executive and the Appraisal Panel will separately meet the external Advisor to set the parameters of the appraisal.
5. The appraisal meeting shall have the following agenda:-
 1. A presentation by the Chief Executive of the achievements, or otherwise, of the major objectives for the period under review

2. An opportunity for the Panel Members to provide feedback on the presentation and on any outstanding issues requiring further action.
 3. A presentation by the Chief Executive of his understanding of the objectives needed to be achieved in the next performance period.
 4. Agreement/amendment/addition of objectives and personal targets by the Appraisal Panel.
 5. A presentation by the Chief Executive of his personal development requirements including a draft personal development plan.
 6. Agreement/amendment/addition to the personal development plan by the Appraisal Panel.
6. Promptly following the meeting:-
1. A report of the meeting will be written by the external Advisor for signature by the Chief Executive and the Leader of the Council on behalf of the Appraisal Panel. A copy of this report will be placed on the Chief Executive's personnel file and the agreed objectives will be used as the basis for the assessment of the Chief Executive's performance over the following twelve months.
 2. The Chief Executive will prepare an action plan outlining how each objective will be achieved. This will be discussed and agreed with the Leader of the Council.
 3. A meeting will be held in October to undertake a formal mid-year review of the Chief Executive's performance in achieving the agreed objectives and his personal development plan.

Annual report to Council

7. In addition, the Chief Executive will provide a written annual report to council at its meeting each September. This would comment on such matters as progress with transformation of the council, organisational and workforce development, performance of the directorates and the council's leadership role in partnerships. The report would give the opportunity for all councillors to reflect on progress (without undertaking the role of the Appraisal Panel) and would also be taken into account by the appraisal panel in its meetings.

Performance-related pay

8. There is no scheme of performance-related pay in operation and there are no plans at present to introduce performance pay. However, if such a scheme were to be introduced in the future, the Panel would take

decisions on any awards in accordance with an agreed matrix for assessing the Chief Executive's performance.

External advisor (facilitator)

9. This role will be performed by the Head of Consultancy Services, West Midlands Leaders' Board (or, if not available, the Director of Local Government Services). In addition to producing a record of meetings, the facilitator will support the Appraisal Panel in respect of any training needs of panel members and conduct of meetings.