

SLOUGH BOROUGH COUNCIL

REPORT TO: Appointments Sub-Committee **DATE:** 30th October 2017

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WARD(S): All

PART II **FOR DECISION**

APPOINTMENT PROCESS FOR CHIEF EXECUTIVE

1. **Purpose of Report**

To advise the Sub Committee of objections that have been received from a Member of the Cabinet to the Sub Committee's recommendation that RP be appointed as Chief Executive and Head of the Paid Service.

2. **Recommendations**

The Sub-Committee is requested to

- (a) consider the Objections set out in the report and resolve whether or not it considers the objections to be material and well founded;
- (b) Following the resolution of (a) to agree any necessary steps to complete the recruitment process.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

There are no implications for the Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan as this report is administrative in nature.

4. **Other Implications**

(a) **Financial**

There are no financial implications of the proposed action.

(b) **Human Rights Act and other Legal Implications**

The Council's recruitment procedures comply with the regulations issued by the Government, the Council's Standing Orders and the requirements of the Constitution. These procedures comply with the requirements of the Human Rights Act.

Full Council may only make or approve the appointment of the Head of the Paid Service where no well-founded objection has been made by any Member of the Cabinet.

The appointer, i.e. the Appointments sub-committee must consider any objection made to the Leader and determine whether it is material and well-founded. An offer can only be made if the appointor is satisfied that any objection is not material or is not well-founded and full Council has approved the appointment

5 **Supporting Information**

Recruitment Process and Timelines- Chief Executive

- 5.1 The recent past and remaining recruitment processes and timelines are set out below for the vacant post of Chief Executive.

Date	Activity
7 th September 2017	Appointments Sub Committee agreed a longlist of candidates to bring forward to the initial interviews. The Appointments Sub Committee were provided with the external recruitment agency's assessment of the applications to review. A Technical Advisor and the external recruitment agency attended to clarify any questions the Appointments Sub Committee had. Candidate packs and the Penna's assessment were tabled at the meeting.
18 th and 19 th September 2017	Initial interviews with the recruitment agency and technical advisor. Informal one to one meeting with the Leader.
27 th September 2017	Appointments Sub Committee met to agree a shortlist of candidates. Technical advisors provided feedback on the initial interviews.
	Shortlisted, candidates to complete psychometric assessments which will include verbal reasoning and competency based assessments.
	External recruitment agency to collate information from the assessments, take up references and brief candidates in advance of the final interview.
9 th and 10 th October 2017	Assessment centre and final interview programme over two days.

	<p>Interview programme included a range of activities including ward visits, member meetings, stakeholder panel and employees' panel.</p> <p>Appointments Sub Committee to interview and recommend to Council (Special meeting to be arranged).</p>
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Recommendation to Appoint

- 5.2 The Sub Committee carried out final interviews for the post at its meeting on 10th October and recommended that RP be appointed as Chief Executive and Head of the Paid Service subject to no well founded objection being received from any member of the Cabinet.
- 5.3 Members of the Cabinet were advised of the Sub Committee's recommendation by letter on 12th October 2017.
- 5.4 A number of objections have been received by the Leader from Councillor Hussain within the specified period. The Objections are set out below.

Objections

- 5.5 'Please see below without prejudice objections raised by other members as well as myself:-
 - 1) Competence and ability - In the appointment letter from OD/HR Business partner Surjit Nagra, it mentions that the interview process for the post consisted of an various assessment, these were conducted by external advisers to the panel. Yet this information has been withheld from the cabinet. Without evidence to the contrary, I am therefore relying on the commonly held view that Mr Parkin performed poorly in the initial testing of candidates and was not recommended for the shortlist, yet he was short listed, which should not have occurred. Therefore the shortlist was contrary to employment procedures and law.
 - Furthermore, I have picked up a view amongst members that Mr Parkin's performance at an assessment panel for shortlisted candidates, was very poor and he performed much less than other candidates. Apparently the panel merely took into account Mr Parkin's performance at interview, which was based on his local knowledge and this alone is the overriding factor for the appointment. The correct procedure is to consider all the shortlisted candidates' performance at both assessment panel and interview panel. Once again, the decision was contrary to employment procedures and law.
 - What recommendations if any were made by advisors and the recruitment consultants regarding the performance testing of candidates. Please can you and the panel provide the results of the various assessment panel and your use of this impartial information. It is clear that due to Mr Parkin's poor performance an offer of employment should not be made.

- 2) It is common knowledge that the Labour Group accepted that I as Deputy Leader be appointed to the interviewing panel due to my experience and my leadership responsibilities. However I was not put forward on diversity grounds. To my knowledge the panel has not received any formal training and all members of panel were unable to fully undertake their responsibility to appoint with sound mind and judgment?
- 3) Behaviour and conduct - Mr Parkin is not a fit and proper person to hold the role of CEX and Head of Paid Service. On numerous occasions his behaviour and conduct has fallen short of the high standards expected from the role he has applied for. His offensive phone messages have been consistently reported in local news and on more than one occasion he has been disciplined for his messages. It is documented that he was abusive and physically aggressive to the former CEX, subsequently referred for Anger management. Since becoming Interim CEX in the past 18 months he has conducted himself in a manner that falls short of expectations; watching football on his phone during cabinet and other meetings as recently as a few weeks ago. He has made inappropriate jokes in public forums and stakeholder meetings. Has placed the council at risk of prosecution at Employment Tribunal for poor handling of staff grievance. He has subject to a warning over abusive towards an elected member. I believe this evidence is pertinent for the panel to be aware off at the time of considering the appointment and can you confirm if the panel were indeed provided with information on Mr Parkin's conduct and behaviour?
- 4) I am aware that external parties intend to obtain an injunction from the High Court to prevent the appointment of Mr Parkin and the process should be halted to obtain Queens Counsel advice on employment law. This advice should be provided to the employment panel and cabinet before this matter proceeds any further.

I am of the firm opinion that the panel cannot constitutionally consider my objection and the process must be halted, however if the panel is convened, I would like the opportunity to make representations in person to the panel.'

- 5.6 Councillor Hussain has been invited to the Sub Committee meeting to speak to her objections.

Sub Committee consideration

- 5.7 It is for the Appointments Sub Committee as the 'appointer' to determine whether or not the objections are material and well founded. Having determined the position regarding the objections, to consider its recommendation regarding the appointment of the Chief Executive/Head of the Paid Service.

5.8 Full Council must approve the appointment of the Chief Executive and Head of the Paid Service before an offer of appointment can be made by the Council.

6 **Background Papers**

None.