

LONDON BOROUGH OF CROYDON

REPORT:	APPOINTMENTS AND DISCIPLINARY COMMITTEE	
DATE OF DECISION	Monday 21 August 2023	
REPORT TITLE:	Appointment to the post of Director of Culture & Community Safety	
CORPORATE DIRECTOR / DIRECTOR:	KATHERINE KERSWELL CHIEF EXECUTIVE AND HEAD OF PAID SERVICE	
LEAD OFFICER:	Katherine Kerswell Chief Executive and Head of Paid Service	
LEAD MEMBER:	All	
AUTHORITY TO TAKE DECISION:	Appointments of staff are a non-executive function of the Council and the Council's established practice is to report all director appointments to Members for decision.	
KEY DECISION?	No	REASON: N/A
CONTAINS EXEMPT INFORMATION?	Yes	Details of the candidate(s) set out in the exempt/Part B appendices under paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual) and, in all the circumstances, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information for the reasons set out in this report.
WARDS AFFECTED:	N/A	

1 SUMMARY OF REPORT

- 1.1 This report seeks the Committee's approval to agree the salary package and undertake the selection and appointment to the post of Director of Culture & Community Safety.

2 RECOMMENDATIONS

For the reasons set out in the report Appointments and Disciplinary Committee is recommended to:

- 2.1 Agree the salary package for the post of Director of Culture & Community Safety £112,195-£116,648 per annum.
- 2.2 Undertake the selection for and agree an appointment to the post of Director of Culture & Community Safety from the candidate(s) detailed in the Exempt/Part B appendices attached to this report.
- 2.3 Note that any appointment will be subject to the appointment notification process set out in section 3.3 of part 4J of the Council's Constitution (Staff Employment Procedure Rules).

3. BACKGROUND AND DETAILS

- 3.1 As a member of the council's senior management reporting directly to the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery the **Director of Culture & Community Safety** will work collaboratively with other directors in the sustainable communities, regeneration and economic recovery directorate, with corporate directors and directors in other directorates, and with the chief executive to deliver the Mayor's Business Plan 2022-2026, the Croydon Renewal Improvement Plan, the council's priorities and ways of working and a financially sustainable budget.

The **Director of Culture & Community Safety** leads and advises on violence reduction and community safety on behalf of the council and the Safer Croydon Partnership, manages the borough's library and leisure services and the museum of Croydon, and develops a cultural offer which engages communities and supports a healthy lifestyle and promotes the council's corporate competencies and values through day-to-day managerial behaviours. The Director of Culture & Community Safety also leads on the Coroner's service and the council's resilience and emergency planning arrangements.

The **Director of Culture & Community Safety** will provide high quality professional advice to the corporate director of sustainable communities, regeneration & economic recovery, the chief executive, Leader and Cabinet, the Scrutiny and Overview Committee, the Health and Well-Being Board and any other external bodies on all public health and community services matters related to the functions of the council.

The **Director of Culture & Community Safety** post holder will be responsible for leading the resilience team and coordinating all emergency planning and business continuity for the Council and with our resilience partners, preparing policy and corporate civil emergency and incident plans, to ensure that the local authority complies to its legal obligations under the Civil Contingencies Act 2004, associated legislation, guidance and obligations as part of the London Resilience Partnership and Local Authorities' Panel. The postholder will lead the process for ensuring that the Council has business continuity plans and arrangements in place.

The **Director of Culture & Community Safety** will lead the delivery of the Coroner's Support service, ensuring the provision of professional expertise in a complex and statutory area to ensure effective outcomes.

The **Director of Culture & Community Safety** will be **responsible for**: leisure services, library services, music and arts service, the Croydon Museum, archives, the coroner's support service, the resilience and emergency planning service, the family justice unit, CCTV services, community safety, the data hub, anti social behaviour unit and the PREVENT service.

Localism Act 2011 and Pay Policy

- 3.2** The Appointments & Disciplinary Committee established at the Annual Council Meeting in May 2022 has delegated responsibility for approving appointments beyond the threshold specified in statutory guidance issued by the Secretary of State under section 40 of the Localism Act 2011. The statutory guidance provides that elected Members should be given an opportunity to vote before salary packages upon appointment at or above a specified threshold are offered. For these purposes, the specified threshold is currently £100,000 as set by Government.
- 3.3** As set out in the Council's Pay Policy Statement agreed by the Council on 1 March 2023 Director roles are placed on a grade and salary within the Croydon Chief Officer Grades 1 and 3 following evaluation of their post using the Hay job evaluation scheme with provision for incremental progression to the top spinal point of the grade. The Policy also provides that the salaries will be reviewed in line with national awards as determined by the JNC for Local Authority Chief Executives. The salary scale for the Director of Culture & Community Safety Grade 2 £112,195-£116,648 per annum.
- 3.4** Under these arrangements the Director of Culture & Community Safety, receive a salary package which would engage the Committee's discretion in accordance with the delegation set out above and therefore a decision is required by the Committee to appoint at this pay level.
- 3.5** The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provide for a notification process to ensure that the Mayor and any other Cabinet Members have no objections to the offer of appointment occurs before an offer of appointment is made to him/her and these requirements will be complied with should members approve the above recommendations

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1** The current post holder is employed on a fixed term contract basis as the substantive post holder went on an outward secondment. The substantive post holder has now resigned from LB Croydon and so the post is now available to recruit to on a permanent basis. To continue only on a fixed term contract or to not fill the role is not considered a sustainable or viable option as there is a need to maintain a stable management team.

5. CONSULTATION

- 5.1 The recruitment campaign and assessment and selection process included advertising on both Croydon's internal and external job sites, Local Government Jobs, and LinkedIn. We also had exposure on 'Indeed' as they list and promote our roles free of charge. Applicants will undertake first stage conversations with Assistant Chief Executive and Corporate Director and meet with a panel made up from members of the Council Management Team and relevant external stakeholders, prior to the final interview.

6. IMPLICATIONS

6.1 FINANCIAL IMPLICATIONS

There are no specific direct financial implications arising from this recruitment as salary costs and the associated on-costs will be met from existing budget within the Sustainable Communities, Regeneration & Economic Recovery directorate.

6.2 Risks

The failure to recruit the right candidate is always a risk and may result in further costs to recruit should this happen. There are broader operational and delivery implications, particularly with savings targets and other directorate responsibilities.

- 6.3 Comments approved by Allister Bannin, Director of Finance (Deputy s151 Officer), 31/07/2023.

7. LEGAL IMPLICATIONS

- 7.1 Under section 112 of the Local Government Act 1972, the Council may generally appoint such staff as it considers necessary for the proper discharge of its functions on such reasonable terms and conditions, including remuneration, as the Council thinks fit.
- 7.2 The function of appointment of a member of staff below deputy chief officer level must be discharged by the Head of Paid Service or by an officer nominated by the Head of Paid Service. Appointment decisions concerning more senior officers can be made by officers or Members subject to statutory requirements, Council rules and established practices.
- 7.3 However, under section 40 of the Localism Act 2011, the Council must have regard to guidance issued by the Secretary of State when preparing and approving its pay policy statement. The Guidance entitled "Openness and accountability in local pay; guidance under section 40 of the Localism Act" provides "full council, or a meeting of members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set".
- 7.4 Under section 41 of the Localism Act 2011, the Council must comply with its pay policy statement when making certain determinations relating to remuneration. The Council

must also comply with its obligations under regulation 10 of the Accounts and Audit Regulations 2015 and the Local Government Transparency Code.

- 7.4** The Council's pay policy statement provides that "The Appointments and Disciplinary Committee has delegated responsibility for approving appointments and decisions about remuneration packages for new appointments of £100,000 or more per year in accordance with the Localism Act 2011."
- 7.5** It provides that "Corporate Directors and Directors are paid salaries aligned to the Croydon Chief Officer grades, as set out in Appendix 1a, with provision for annual incremental progression to the top of the grade. Salaries are reviewed in line with the national awards, as determined by the JNC for Local Authority Chief Executives and Chief Officers.
- 7.6** Staff Employment Procedure Rules at Part 4.J of the Constitution provides for a notification process to ensure that the Mayor and any other Cabinet Members have no material or well-founded objections to the offer of appointment and this process must take place before an offer of appointment can be made.
- 7.7** *Approved by:* Head of Litigation and Corporate Law for and on behalf of Stephen Lawrence-Orumwense the Director Legal Services and Monitoring Officer Date: 28/7/2023

8. EQUALITIES IMPLICATIONS

- 8.1** The posts are senior posts within the Council, therefore post holders will have due regard to the Public Sector Equality Duties (PSED) as detailed:
- (i) Eliminate unlawful discrimination, harassment and victimisation
 - (ii) advance equality of opportunity between people who share a protected characteristic and those who don't.
 - (iii) foster or encourage good relations between people who share a protected characteristic and those who don't.
- 8.2** Senior members of staff are also responsible for the deliverables of the Equality Strategy 2020 -2024 within their service area. This includes: ensuring that every strategy, delivery plan and staff appraisal has an equality objective linked to it.
- 8.3** As a member of the management team, the post holder will also have responsibility for the implementation of the Equality Strategy 2020- 2026 which includes the standards of the Chief Executive for London Council's Tackling Racial Injustice programme. This includes ensuring that both equality and race have measurable actions on personal development plans for the post holder.
- 8.4** The post holder will be requested to share equality monitoring data when in post.
- 8.5** Comments approved by: Denise McCausland, Equalities Programme Manager Date: 02/08/2023

9. HUMAN RESOURCES IMPLICATIONS

- 9.1** The Appointments and Disciplinary Committee at the meeting of 12th July 2023 agreed to re-grade this role from Director Grade 1 to Director grade 2, reflecting additional responsibilities for (i) emergency and resilience services, and (ii) the coroner's service. There are no additional human resources impacts beyond noting the grade change and those described in the main body of the report.
- 9.2** Comments approved by Dean Shoesmith, Chief People Officer Date: 2 August 2023.

CONTACT OFFICER: Katie Wallace, Head of Recruitment

10. APPENDICES TO THIS REPORT

Appendix 1: Candidate Application Pack including Role Profile

Exempt/Part B Appendices

BACKGROUND DOCUMENTS: none