

CARDIFF CAPITAL REGION JOINT CABINET

JOINT CABINET MEETING 20 NOVEMBER 2017

ADVERTISEMENT AND RECRUITMENT OF CITY DEAL PROGRAMME DIRECTOR

REPORT OF THE CARDIFF CAPITAL REGION LEAD CHIEF EXECUTIVE

AGENDA ITEM: 10

Reason for this Report

1. To seek approval for the terms and conditions and salary aligned to the City Deal Programme Director post
2. To seek approval of the process for the advertisement and recruitment of the City Deal Programme Director post.
3. To seek approval to establish an Appointments Committee as a subcommittee of the Joint Cabinet on the terms of reference set out in Appendix B
4. To request that members select and confirm those members who will comprise the Appointments Committee.

Background

5. Between 25th January 2017 and 9th February 2017 Council approval was received from the ten partnering local authorities within the Cardiff Capital Region for the establishment of the Cardiff Capital Region Joint Cabinet to deliver the commitments set out in the City Deal Joint Working Agreement.
6. In order to progress the development of the City Deal, a Programme Management office was put in place that has been staffed through temporary arrangements. This includes the role of Programme Director in which the current incumbent is employed on a temporary contract up to 31st March 2018.

Issues

7. As there has been significant progress with the City Deal process and we are at a time of moving into the formal programme stages, there is a requirement to formalise the role of Programme Director and put more long-term employment arrangements in place. This will provide sustainability for the programme going forward.

Proposal for the Role of Programme Director

8. A job description and person specification has been drafted and is attached at Appendix A. These documents have been based on similar roles in other parts of the UK and discussions between the Chief Executives of the 10 Local Authorities regarding what contribution they would expect from the Programme Director.
9. The role has been independently evaluated using HAY Evaluation methodology by Korn Ferry. They have benchmarked the salary levels against Public and Not-for-Profit organisations excluding London and the Median is £111,447 per annum. The upper quartile figure is £131,240 per annum and the lower quartile £100,302 per annum. It is usual practice to set the salary around the median figure for a spot point salary as this would be sufficient to draw in interest, and credible from the public purse perspective. However, it is recognised that Joint Cabinet may have a view on this matter and therefore information has been provided later in the report of the financial implications of all three levels of salary.
10. It is envisaged that Cardiff Council as the Accountable Body will oversee the recruitment process for this role; however, the host of the post will be Monmouthshire Council. If the successful candidate comes from within the 10 local Authorities, they will be seconded from their current employer to Monmouthshire Council for a period of 3 years. If the successful candidate comes from outside of the 10 City Deal Local Authorities, then they will be employed on a fixed term contract for 3 years with Monmouthshire Council.
11. The Local Authorities Standing Orders (Wales) Regulations 2006, as amended in 2014, require the level of remuneration for this post to be determined by the appropriate Council. Furthermore, Welsh Government statutory guidance suggests that salary packages over £100,000 per annum should be voted upon by full council. Due to the secondment / fixed term contract arrangements identified above, the employer of the successful candidate will not be known until after the recruitment/selection process has been completed. Therefore the post will need to be approved by the whichever Council is the employer, and until this takes place only a conditional offer will be able to be made.

Proposed Recruitment Process

Advertising

12. It is proposed that all 10 Local Authorities will advertise the post across their websites for both internal and external candidates, directing applicants to the Cardiff Council website in order to complete an application form. In addition to this, an advert will be placed on People Exchange Cymru, which is a website of roles within the public sector in Wales. There is no cost to this. As there is a need to attract as wider prospective candidates as possible it will also be advertised in The MJ (The management journal for local authority business), where a half page advert will be approximately £7,000.00. In addition, it will be advertised in

The Guardian national newspaper, which will be an approximate cost of £6,000.00 for a quarter page advert. Due to arrangements already in place between the Guardian and Cardiff Council it will also be advertised on the Guardian website at no additional costs.

13. It is envisaged that to attract as many quality candidates as possible the adverts will be placed during January 2018 as this is deemed the best time for advertising and when potential candidates seriously consider changes in their careers.

Appointment Process

14. The post will be a member appointment so it is recommended that an Appointments Committee made up of five of the 10 Local Authorities sit on this committee. This would be a sub-committee of the Regional Cabinet and therefore be made up of the Leader or their deputy and cross party representation is suggested to reflect the make up of the Regional Cabinet. The terms of reference for this Appointments will require cross party representation. The terms of reference for this Appointments Committee is identified in Appendix B. Once this committee is formed, there will be a requirement for the same individuals to sit on the Committee, except in exceptional circumstances, at every stage of the process.
15. The Committee member, if not already trained, will be provided with equality training concerning recruitment and selection.
16. Stage 1 of the process will commence with long listing exercise based on the essential requirements of the post against the details provided on the application form. Nominated officers will provide recommendations to the Appointments Committee based on the information in the application forms, but the Committee will decide exactly whom they take forward to the next stage of the process and the reasons why unsuccessful candidates are not taken forward.
17. Stage 2 of the process will be an Assessment Centre managed by an external company of HR Professionals and Occupational Psychologists. This will involve psychometric and leadership tests, a role play, a written exercise and a technical interview. The assessment centre will have involvement from members, a number of the Chief Executives and a senior member of HR from Cardiff Council. Following the exercises there will be a review against all the exercises and the external company will provide an overall report on each candidate against the essential requirements of the role.
18. Stage 3 of the process will involve a member of the external company attending a shortlisting session with the Appointments Committee, a representative of the Chief Executives and the HR representative to provide feedback to the panel. The committee will then, based on this feedback, identify those candidates that they wish to take through to the final interview stage.

19. The final stage will be an interview with the member appointments interview panel, which will include a presentation on a topic set by the members and a number of competency based questions agreed by the members.
20. The successful candidate will then be appointed based on the requirements set out on paragraph 10 and 11 of this report.

Reasons for Recommendations

21. To seek approval for the terms and conditions and salary aligned to the City Deal Programme Director post
22. To seek approval of the process for the advertisement and recruitment of the City Deal Programme Director post.
23. To seek approval to establish an Appointments Committee as a subcommittee of the Joint Cabinet on the terms of reference set out in Appendix B
24. To request that members select and confirm those members who will comprise the Appointments Committee.

Financial Implications

25. At its meeting of the 17th March 2017, Regional Cabinet approved its budget for the current financial year, along with indicative budgets for the next four financial years to 2020/21. Regional Cabinet's budget covers the role and activities of the Programme Management Office (PMO) as well as those of the Accountable Body. The PMO's budget is largely based on a structure developed by the Interim Programme Director and reflects the roles, activities and responsibilities identified at that time. However, the report acknowledged the need to 'update and refine' the budget as the City Deal project develops and moves forward over time.
26. In the current year the PMO element of the budget amounts to £755,000 and includes £405,500 in respect of 'Employee Related Expenditure'. The employee budget includes £134,214 in respect of the full year cost of the Interim Programme Director post. These amounts are budgeted at the 2017/18 pay and employer on-costs (employer's national insurance and pension contributions) levels.
27. The attached report seeks to formalise the role of the Programme Director and put in place more long-term employment arrangements. As set-out in the report, the role has been independently evaluated and a salary range identified. The salary range is detailed in Table 1 below, along with the total cost at each level, once employer on-costs are factored-in. The final column shows the 'full year' change that would be required to the existing budget at each of the salary levels identified. The post will attract a relocation package where the eligibility criteria is met and this will represent a further cost of the post.

Table 1. Programme Director Salary Range (incl. employer's on-costs)

	Salary Level £s	Total £s	2017/18 Level £s	Change £s
Current Base Budget	-	-	134,214	-
Lower Quartile	100,302	134,181	-	-33
Median	111,447	149,215	-	15,001
Upper Quartile	131,240	175,916	-	41,702

28. In addition, there may be a part-year impact in the current financial year resulting from the salary level approved by Regional Cabinet. However, this will be dependent on the overall timescale for the recruitment process and the start date agreed with the successful candidate. Whilst it is difficult to quantify the exact value of any increase at this time, given that the advert will not go live until January, any increase in 2017/18 is likely to be minimal and can be accommodated within the overall PMO budget.
29. As part of the 2018/19 budget setting process, the indicative PMO budget will need to be updated to reflect the revised salary level for the Programme Director post, as well as any impact arising from the 2018/19 pay settlement and any associated increases to employer's on-costs. An appropriate allowance will also need to be included (by way of a contingency) in respect of potential relocation expenses. These increases will need to be managed in-line with the overall budget setting process and within the constraints outlined by the Joint Working Agreement (see below).
30. The budget approved for the Accountable Body includes an amount for the recruitment of the Programme Director post. The sum made an appropriate allowance to meet the costs associated with the appointment process as outlined in the attached report. However, advertising the role in the Management Journal and Guardian newspaper wasn't envisaged at that time and therefore, the £13,000 cost associated with this level of advertising will need to be met from the Accountable Body's contingency budget.
31. The report outlines the formation of an Appointments Committee to oversee the recruitment of this post. It is understood that the cost of setting-up the sub-committee is likely to be minimal, whilst any costs arising from its participation in this appointment are included within the Programme Director recruitment budget, referred to above.
32. The Joint Working Agreement allows Regional Cabinet to increase its budget by up to 5% each year. Should Regional Cabinet wish to increase its budget by more than this amount then any increase will either need to be met from the Wider Investment Fund or be a matter referred back to each Council for consideration and approval.

Legal Implications

33. The Joint Working Agreement concluded by the ten councils on the 11 March 2017 ('the JWA'), provides for the role of Regional Programme Director and allocates certain decision making powers to that person. The JWA defines the Regional Programme Director as the person so appointed from time to time by the Regional Cabinet to represent the interests of all the Councils in respect of their operational requirements for the City Deal, working under the direction of the Regional Cabinet and within the scope of delegations set out in the JWA
34. In this case it is proposed that an Appointments Committee is established, comprising five members, with delegated authority to deal with the appointment. The Regional Cabinet has the power to establish sub committees and groups. The Joint Working Agreement provides that the Regional Cabinet may delegate any powers which are conferred on them under the JWA to such person, subcommittee or group, to such extent, in relation to such matters and on such conditions as they think fit. It is a matter for the Regional Cabinet to establish the membership, and terms of reference of the Appointments Committee (subcommittee) and in such terms to clarify the role and scope of delegation. The proposed terms of reference of the Appointments Committee are set out in Appendix B.
35. Regional Cabinet are requested to consider if these proposals meet their requirements.
36. The subcommittee should take appropriate legal and other advice in respect of any proposed decisions it wishes to take as regards the matters delegated to it.
37. In considering this matter regard should be had, amongst other matters, to:
 - (i) The Councils' duties under the Well –being of Future Generations (Wales) Act 2015 and;
 - (ii) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief
38. The Local Authorities (Standing Orders) Regulations 2006, as amended 2014, set out a number of requirements related to the recruitment of posts at this level. These requirements will be replicated in the Standing Orders of each of the participating local authorities. Further guidance is to be

found in the statutory guidance Pay Accountability in Local Government in Wales issued by the Welsh Government under section 40 of the Localism Act 2011. The recruitment process proposed in this Report is compliant with those requirements and guidance.

RECOMMENDATIONS

It is recommended that the Cardiff Capital Region Joint Cabinet:

- a) Consider and determine the level of salary to attach to the proposed City Deal Programme Director Post, based on the information provided in the report.
- b) Subject to the ultimate approval of the employer Council, approve the role and the terms and conditions including the salary (determined pursuant to recommendation a) aligned to the City Deal Programme Director post.
- c) Approve the process for the advertisement and recruitment of the City Deal Programme Director post.
- d) Approve the establishment of an Appointments Committee as a subcommittee of the Joint Cabinet on the terms of reference set out in Appendix B.
- e) Determine the five members of the Regional Cabinet who, for the time being, will be appointed to the Appointments Committee.

Darren Mepham
Cardiff Capital Regional Lead Chief Executive
14th November 2017

The following Appendices are attached:

- Appendix A - Job Description and Person specification
- Appendix B - Terms of Reference for Appointments Committee

Background Papers – Hay Evaluation Report by Korn Ferry

'This background paper contains commercially sensitive information. It is exempt from publication as it contains exempt information as defined in Schedule 12 A part 4 of the Local Government Act 1972 paragraph 14 (financial or business affairs) and paragraph 21 (public interest). It has been assessed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.'

Job Title: Programme Director	Directorate: City Deal
Section: City Deal Programme Office	Reporting to: <ul style="list-style-type: none"> • TBC (pay & rations) • Joint Committee (Work Schedule & performance)
Grade:	Hours per Week: 37 hours Mon to Friday – however actual hours will be as and when required to carry out the duties satisfactorily
Post Number:	Number of Employees Reporting to Post: XXX
Special Conditions: Temporary appointment for 3 years.	Location of Post: Ty Dsygu but flexible within the City Deal Region
Job Purpose: <ul style="list-style-type: none"> • Reporting to the Joint Committee, to provide programme direction for the development of the Cardiff Capital Region City Deal maximising it's potential to deliver sustainable economic growth in the region and across each Local Authority area. • To ensure successful delivery of the agreed City Deal programme, achieving economic growth and unlocking further government funding • To develop and maintain effective relationships with a wide range of stakeholders both within the Cardiff Capital Region, in Wales, the UK and internationally. 	
Duties and Responsibilities Job Specific Role Requirements <ol style="list-style-type: none"> 1. Lead on the development of the City Deal Programme, providing advice to the Joint Committee and working with them to develop and plan the Joint Committee's objectives, priorities and forward plan in order to maximise the potential of the City Deal 2. Ensure successful delivery of the agreed Cardiff City Region City Deal programme through the co-ordination of a number of complex work streams across a range of partner agencies, ensuring that the programme is joined-up and coherent. 3. Identify opportunities to promote the needs and potential of the Cardiff Capital Region in order to influence policy and further external funding. 4. Work with City Deal partners to develop creative solutions to address the challenges and obstacles to economic growth facing the City Deal area. 5. Work with partners to ensure that work streams are adequately resourced, and hold them to account in delivering to agreed timescales, budgets and outcomes, referring to Joint Committee as appropriate. 6. In conjunction with Accountable Body, develop budget proposals for consideration and agreement by the Joint Committee and ensure there is effective financial management and reporting to maximise the use of 	

the resources available and to ensure that there is effective resourcing of agreed priorities.

7. Provide comprehensive performance monitoring data to the Joint Committee and any other identified stakeholders
8. Ensure there is comprehensive and pro-active stakeholder engagement across partner agencies, local councils, businesses and other sectors.
9. Develop and deliver an effective communications strategy so local residents and businesses and other stakeholders understand the City Deal's Joint Committee's priorities and the rationale for them.
10. Adhere to the rules of the Accountable Body and manage and co-ordinate the effective decision making arrangements for the Joint Committee that meet the needs of the City Deal's constitution and local authority legislation and to enable effective, open and transparent decision making.
11. Co-ordinate the process of decision-making through the partner councils and other partner agencies where decisions are not fully within the Joint Committee's remit.
12. Represent the City Deal at appropriate groups, meetings and events.
13. Provide a point of contact for those external bodies seeking to engage with the Cardiff City Region City Deal programme, including Welsh Government, UK Government, other Welsh and UK councils or similar, overseas Governments.
14. Provide leadership to the City Deal Programme team and co-ordinate with to the wider team of people contributing to the City Deal work programme.

Generic Requirements

1. To participate actively in supporting the principles and practice of equality of opportunity as stated in the Employer's Equal Opportunities Policy.
2. To take reasonable care for the health and safety of yourself and other persons who may be affected by your acts or omissions and to comply with all health and safety legislation as appropriate.
3. As a term of your employment you may be required to undertake such other duties and/or times of work as may reasonably be required of you, commensurate with your grade or general level of responsibility within the organisation.
4. Although you will be provided with a base, you will be required to work from various locations around the City Deal region in accordance with the needs of the role.

DATE COMPLETED: _____ **AGREED BY:**
_____ (Recruiting Manager)

Date Received by Post holder: _____

Signature of Post holder: _____

Person Specification

Job Title: Programme Director – City Deal

Post Number:

THE PERSON APPOINTED MUST MEET THE FOLLOWING REQUIREMENTS

Area to be Demonstrated	Essential Requirements	Desirable Requirements	How Assessed Application Form or Interview or Both
	YOU MUST DEMONSTRATE THAT YOU MEET THESE REQUIREMENTS	YOU DO NOT HAVE TO MEET THESE REQUIREMENTS BUT IF YOU DO, PLEASE TELL US	
Competencies (as per Behavioural Competency Framework)	<ul style="list-style-type: none"> • Putting Our Customers First - Level 5 • Getting Things Done – Level 5 • Taking Personal Responsibility – Level 5 • Leading Change – Level 5 • Initiating Change and Improvement – Level 5 • Partnering and Corporate Working – Level – 5 • Optimising Resources – Level 5 		Application form & Interview
Education & Training	[Feedback from CEXs require]		Application Form & certification
Experience / Knowledge	<p>1. Experience of leading large and complex programmes to deliver successful outcomes.</p> <p>2. Experience of planning and implementing large programmes by marshalling resources across organisational boundaries.</p> <p>3. Wide knowledge of local and national government and</p>	<p>1. Experience in leading special initiatives in support of economic and social objectives.</p> <p>2. Experience of reporting to joint Committees / Boards</p>	Application Form and Interview

	<p>agencies, the business community and other relevant external organisations.</p> <p>4. Good understanding of local authority decision-making processes and local government finance.</p>		
Skills and Abilities	<p>5. Excellent interpersonal skills and the ability to build successful relationships and trust with a wide range of partners.</p> <p>6. Track record of operating at a senior level, managing complex and varied stakeholder relationships effectively.</p> <p>7. Robust track record of delivering complex programmes to deadline.</p> <p>8. Proven ability to lead multi-disciplinary, cross-organisational teams.</p>		Application Form and interview

	<p>9. Proven ability to find creative and innovative solutions to complex problems and to work with a range of partners to implement them.</p> <p>10. Excellent communication, influencing and negotiating skills</p> <p>11. Excellent leadership, inspirational and motivational skills</p> <p>12. Excellent political sensitivity and judgement, and the ability to work with both governments and councils</p>		
Personal Attributes	<p>13. Strategic approach and vision to deliver service improvements</p> <p>14. Takes a collaborative approach to partnership working</p> <p>15. Makes informed decisions based on information and experience</p> <p>16. Self-motivated with a flexible and adaptable approach to work.</p>		Interview

	<p>17. Ability to work under pressure and to tight time scales.</p> <p>18. Commitment to the Council's Equal Opportunities Policy</p>		
Special Circumstances	19. Will need to be able to work from any designated facility.		Application form and Interview

Terms of Reference – Appointments Committee

Purpose (functions delegated)

The Cardiff Capital Region Joint Cabinet has established, as a sub committee, an Appointments Committee for the sole purpose of discharging the functions of the Cabinet in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006),

Composition

The Appointments Committee will comprise five members of the Regional Cabinet, nominated from time to time by the Regional Cabinet. If applicable, cross party representation is suggested to reflect the make up of the Regional Cabinet.

Deputies

Each member appointed to the Appointments Panel shall be entitled from time to time to appoint a deputy but such deputy shall only be entitled to attend, speak and vote at meetings of the Appointments Committee in the absence of his or her corresponding principal

Term of appointment

A member so appointed shall hold office until :_

- (a) such meeting of the Regional Cabinet where allocation of seats of the Appointments Committee are re considered ,
- (b) the member ceases to be a member of the Regional Cabinet
- (c) the member dies,
- (d) the member resigns,
- (e) the member becomes disqualified
- (f) the member ceases to be a member of the Council he or she represents or
- (g) the Council, which the member represents, has decided that another member should act in his place, whichever may first happen.

Procedures

The Appointments Committee shall follow the Committee Meeting Procedure Rules and other applicable rules, standing orders and policies of the Accountable Body save that:

1 Chair and Deputy Chair

The chair and the deputy chair will be elected, from time to time, by the members of the Appointments Committee .

2 Quorum

The quorum of a meeting will be four members. If fewer than the quorum attend the meeting or if during any meeting the chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting

3 Voting

Each Member of the Appointments Committee will have one vote.

Unless the law provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

In respect of employee appointments the Chair will only have a casting vote in the following circumstance. In the event of there being more than two candidates for an appointment and no candidate receives the required majority on the first vote, the candidate with the least number of votes will be eliminated and a further vote will be taken. This procedure will be repeated until a candidate receives the required majority. If more than one candidate has the same number of votes and that is the lowest number of votes cast, a vote will be taken to decide the candidate to be eliminated from future votes. In the event of an equal number of votes being cast at this stage, the chair will have a casting vote.