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**To: All Members of the Borough Council**

You are requested to attend the meeting of the Charnwood Borough Council to be held in the The Preston Room, Woodgate Chambers, Woodgate, Loughborough on Monday, 29th July 2019 at 6.30 pm for the following business.

Chief Executive

Southfields  
Loughborough

19th July 2019

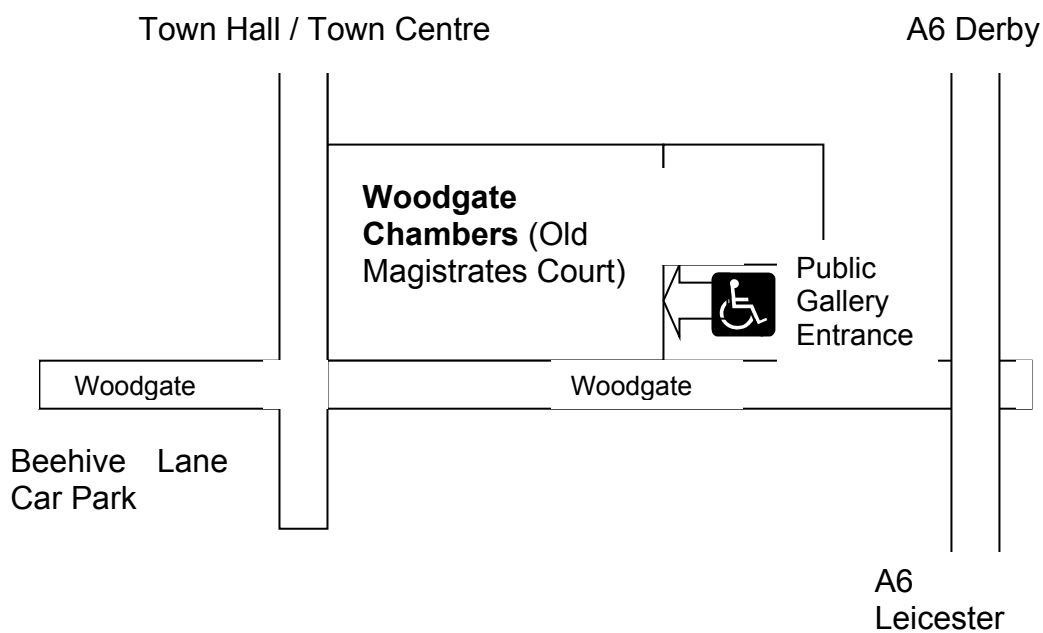
### **AGENDA**

1. APOLOGIES
2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS
3. BUSINESS RESERVED TO COUNCIL
  - 3.1. AMENDED PAY POLICY STATEMENT 4 - 34  
A report of the Monitoring Officer seeking approval for an in-year amendment to the Pay Policy Statement for 2019/20 in light of recommendations from the Personnel Committee to make changes to the salary arrangements for the Chief Executive post.
  - 3.2. APPOINTMENT OF THE HEAD OF PAID SERVICE (CHIEF EXECUTIVE) 35 - 37  
A report of the Monitoring Officer seeking approval to formally

offer the position of Head of Paid Service (Chief Executive) to the successful candidate as recommended by the Member Appointment Panel, following a recruitment process.

## WHERE TO FIND WOODGATE CHAMBERS AND PUBLIC ACCESS

Woodgate Chambers  
70 Woodgate  
Loughborough  
Leics  
LE11 2TZ



## INFORMATION FOR ATTENDING THE MEETING



Please turn your mobile phone on to silent during the meeting.



Toilet facilities are available for members of the public at the back of the Public Gallery. Toilet facilities are available for members attending the meeting on the opposite side of the Foyer.



Please note that smoking is not permitted by law within the building and is also not permitted outside the building anywhere on the site. Please observe notices which request no smoking around the entrances.

## FORTHCOMING SCHEDULED MEETINGS OF COUNCIL

<b>Council Meeting Date</b>	<b>Deadline Date and Time for Councillors to submit Questions on Notice (under Full Council Procedure 9.9(a)), Requests for Position Statements (under Full Council Procedure 9.10) and Motions on Notice (under Full Council Procedure 9.11(a))</b>
Monday, 2nd September 2019	Wednesday, 21st August 2019 at noon
Monday, 4th November 2019	Friday, 25th October 2019 at noon
Monday, 20th January 2020	Friday, 10th January 2020 at noon
Monday, 24th February 2020	Friday, 14th February 2020 at noon
Monday, 27th April 2020	Friday, 17th April 2020 at noon
Monday, 18th May 2020	Annual Council – No Questions on Notice, Position Statements and Motions on Notice

Councillors, please send your question, request for position statement or motion on notice to:

Karen Widdowson, Democratic Services Manager  
Council Offices, Southfield Road, Loughborough, LE11 2TX  
Email: [democracy@charnwood.gov.uk](mailto:democracy@charnwood.gov.uk)

## COUNCIL – 29TH JULY 2019

### Report of the Monitoring Officer

#### ITEM 3.1 AMENDED PAY POLICY STATEMENT 2019/20

##### Purpose of Report

To seek approval for an in-year amendment to the Pay Policy Statement for 2019/20 in light of recommendations from the Personnel Committee to make changes to the salary arrangements for the Chief Executive post.

##### Recommendations

1. That the amended Pay Policy Statement for 2019/20, attached at Annex B to this report and incorporating the recommendations of the Personnel Committee regarding changes to the salary arrangements for the Chief Executive post, be approved to come into effect from 1st August 2019.
2. That the current postholder's salary be approved at the highest point of the new salary grade for the Chief Executive post (CEX4: £140,000 per annum) with effect from 1st August 2019 until his employment with the Council comes to an end.

##### Reasons

1. To adopt the recommendations of the Personnel Committee regarding changes to the salary arrangements for the Chief Executive post in accordance with the requirements of section 39 of the Localism Act 2011 regarding in-year amendments to the Pay Policy Statement.
2. To make suitable arrangements for the current postholder within the amended salary grade for the Chief Executive post, based on his experience and length of service.

##### Policy Justification and Previous Decisions

The recommendations within the Personnel Committee report which is attached at Annex A were approved at its meeting on 8th July 2019, and consequently Council needs to approve an amended Pay Policy Statement for 2019/20 to bring the changes recommended by the Personnel Committee into effect. An extract from the minutes of the Personnel Committee meeting is set out below:

##### **RESOLVED**

1. *that the current spot salary of £121,338 for any new appointment to the Chief Executive post be replaced with a graded salary range as follows, with annual progression being subject to satisfactory performance until the maximum grade point is reached:*

*Point 1: £125,000*

*Point 2: £130,000*

*Point 3: £135,000*

*Point 4: £140,000*

2. *that it be recommended to full Council for approval by way of an amendment to the Pay Policy Statement for 2019/20.*

#### Reasons

1. *To consider the recommendations arising from a salary benchmarking review undertaken by East Midlands Councils in light of the ongoing recruitment process for a new Chief Executive to ensure the salary on offer is competitive and attractive to potential candidates.*
2. *To comply with the requirements of section 39 of the Localism Act 2011.*

#### Implementation Timetable including Future Decisions and Scrutiny

It is proposed that, if approved, the amended Pay Policy Statement will come into effect on 1st August 2019. The amended Pay Policy Statement will also be published in accordance with the relevant requirements.

#### Report Implications

As set out in the Personnel Committee report (Annex A).

Background Papers:

None

Appendices:

Annex A – Report of the Personnel Committee 8th July 2019  
Annex B – Amended Pay Policy Statement for 2019/20

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Monitoring Officer  
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**PERSONNEL COMMITTEE – 8TH JULY 2019****Report of the Head of Strategic Support****Part A****ITEM 3     CHIEF EXECUTIVE (HEAD OF PAID SERVICE) – SALARY REVIEW**Purpose of Report

To consider the findings and recommendations of an independent review of the salary for the Chief Executive (Head of Paid Service) undertaken by East Midlands Councils (EMC) HR Service.

Recommendations

1. That the Committee consider the recommendation made by East Midlands Councils that the current spot salary of £121,338 for any new appointment to the Chief Executive post be replaced with a graded salary range as follows, with annual progression being subject to satisfactory performance until the maximum grade point is reached:

Point 1: £125,000

Point 2: £130,000

Point 3: £135,000

Point 4: £140,000

2. That any changes the Committee considers should be made to the salary arrangements for the Chief Executive be recommended to full Council for approval by way of an amendment to the Pay Policy Statement for 2019/20.

Reasons

1. To consider the recommendations arising from a salary benchmarking review undertaken by East Midlands Councils in light of the ongoing recruitment process for a new Chief Executive to ensure the salary on offer is competitive and attractive to potential candidates.
2. To comply with the requirements of section 39 of the Localism Act 2011.

Policy Justification and Previous Decisions

The Pay Policy Statement for 2019/20 was approved by full Council at the meeting on 25<sup>th</sup> February 2019 included a spot salary for the Chief Executive post of £118,958, subject to the 2% agreed national pay award on 1<sup>st</sup> April 2019, taking it to £121,338.

The Pay Policy Statement can be amended with the approval of full Council during the year under the provisions of section 39 of the Localism Act 2011.

## Implementation Timetable including Future Decisions

If the Personnel Committee wish to recommend any changes to the salary arrangements for a new Chief Executive, these would require amendments to be made to the Pay Policy Statement for 2019/20, which would require full Council approval.

This approval could be sought at the same special full Council meeting that will be required to approve any offer of appointment to the position of Chief Executive, and a meeting has been provisionally scheduled for 29<sup>th</sup> July 2019.

## Report Implications

The following implications have been identified for this report:

### *Financial Implications*

The additional costs associated with implementing the EMC recommendations, including on-costs for pensions and employer's NI, would range from £5,280 per annum at the lowest recommended pay grade up to £26,911 at the highest grade.

These costs would need to be met from savings across other budget headings during the current financial year, and addressed on an ongoing basis during the budget setting process for 2020/21.

### *Risk Management*

The risks associated with the decision the Committee is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failure to attract and retain suitable candidates due to not offering an attractive and competitive salary	Likely (3)	Significant (2)	Moderate (6)	As set out in this report
Negative reputational impact due to increasing the salary package for the role	Likely (3)	Minor (1)	Low (3)	This risk has to be weighed against the risk set out above in terms of failing to attract suitable candidates for such a highly significant and important role
'Trickle down' effects through job evaluation potentially raising other salaries in the Council and leading to further budget pressures	Likely (3)	Significant (2)	Moderate (6)	Any incoming Chief Executive is likely to wish to review the senior management structure, and any issues relating to job evaluation and salary differentials can be addressed at that time

Background Papers: None

Appendix: East Midlands Councils - Report for Charnwood Borough  
Council Regarding Chief Executive Salary Review

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(01509) 634573  
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## Part B

### Background

1. As part of their support for the ongoing recruitment process for a new Chief Executive, EMC have undertaken a pay benchmarking review and have produced a report setting out their findings and recommendations, which is attached as an Appendix. Officers from EMC will attend the meeting to introduce their report and to answer questions.
2. As part of their review, EMC have compared the salaries for other Chief Executive positions amongst other district councils nationally, locally, and for those with similar population sizes to Charnwood.
3. Having undertaken the review, EMC have recommended that the Council should consider reviewing the current Chief Executive salary, and that the current spot salary of £121,338 should be replaced with a graded salary range as follows:  
  
Point 1: £125,000  
Point 2: £130,000  
Point 3: £135,000  
Point 4: £140,000
4. The current other additional elements of the salary package for the Chief Executive, including an essential car user allowance and Retiring Officer fees (subject to confirmation of appointment to that role by full Council), would remain unchanged.
5. Any changes to the salary for the position that the Committee may wish to support will be subject to approval by full Council as part of an amendment to the Pay Policy Statement for 2019/20.
6. The Council's job evaluation scheme is used to assess salary grades against posts with comparable responsibilities and skill requirements within the organisation. The Chief Executive post sits at the highest level within the officer salary grade, and as such it is for the Council to determine the salary arrangements for the post without needing to go through a specific job evaluation process. However, as set out in the risk management section of this report, an increase in the salary for the Chief Executive could result in a 'trickle down' effect on other salaries in the organisation and any incoming new Chief Executive may be required to address this, potentially as part of a review of the senior management structure.
7. For information, the relative population sizes of the other nearby local councils referred in the EMC report are as follows:

<b>Council</b>	<b>Chief Executive Salary (per EMC report)</b>	<b>Population</b>	<b>Population Variance to Charnwood</b>
Charnwood	£121,338 (current)	180,387	
Rushcliffe	£120,360	115,996	-36%
Hinckley & Bosworth	£115,588	111,370	-38%
Chesterfield	£113,123	104,400	-42%
North West Leics	£119,956 - £122,355	100,109	-44%
Blaby	£95,147 - £108,254	98,977	-45%
Melton	£98,838 - £109,242	50,873	-72%



## **Report for Charnwood Borough Council Regarding Chief Executive Salary Review**

### **Introduction**

East Midlands Councils is the body representing the interests of all local authorities in the region, and is also the Regional Employers' Organisation. As a member of East Midlands Councils, Charnwood Borough Council is able to access independent advice on employment issues.

We have been commissioned to help the Council recruit a new Chief Executive and, as part of this project, we have been asked to offer information and recommendations regarding the salary for the post.

The purpose of this report is to set out the findings of a pay benchmarking exercise that we conducted, along with our advice in relation to the salary of the chief executive role, within the context of recruiting a new chief executive.

### **Background**

The salary paid by a chief executive is determined by the local authority and, for the purposes of good governance, decisions on pay and reward packages for chief executives should be made in an open and accountable way. The salary is also subject to any nationally negotiated pay awards.

Salaries are either paid at a single pay point or on a grade range, which has a minimum and maximum pay point and usually a small number of incremental pay points in between. The benefit of a single pay point is that it can limit costs. The advantages of a grade range are:-

- Greater flexibility. We don't know what the salary your preferred candidate is currently being paid, and a range offers the ability to offer a salary depending on the person and their expectations.
- Potentially helps to attract a wider pool of candidates when recruiting.
- Recognises the increased contribution that someone can bring to a role as experience and organisational knowledge increases over time. As long as a range has no more than 6 incremental pay points, there would be no risks of being indirectly discriminatory (based on age).

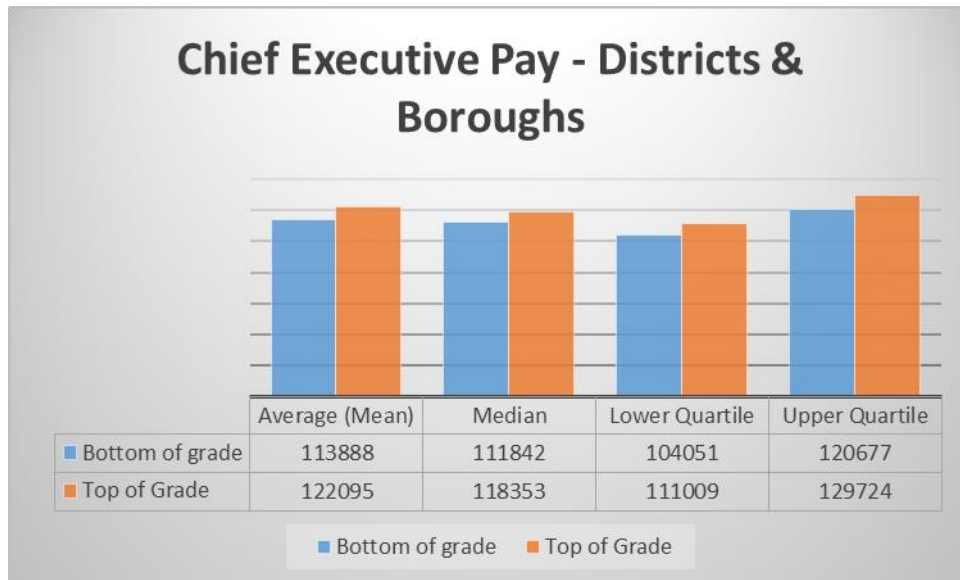
### **Pay Benchmarking**

#### National Pay Benchmarking

East Midlands Councils has conducted a pay benchmarking exercise to provide a comparison of salaries of chief executive roles in comparable district/borough councils. The

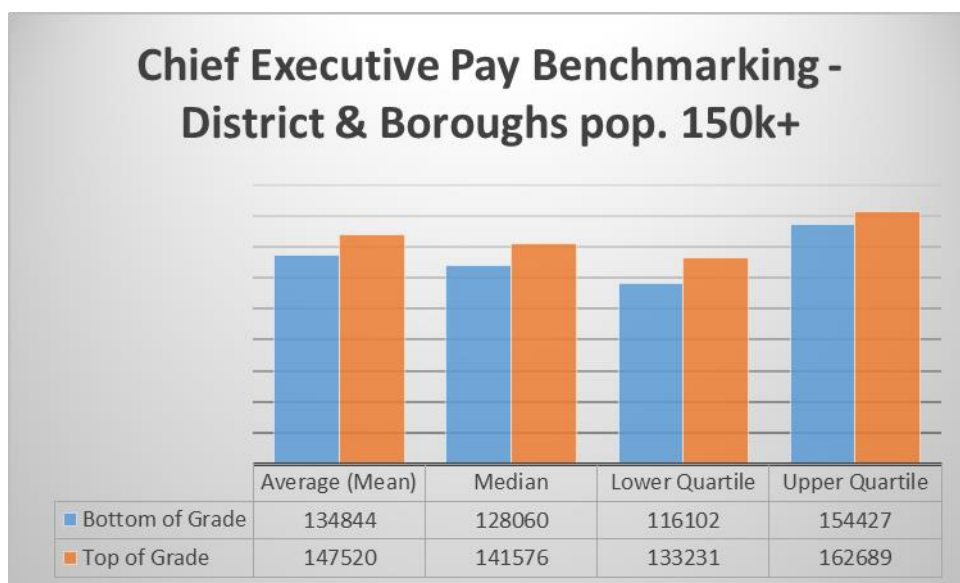
benchmarking is based on pay data held on a national database, E Paycheck, which holds real-time data for jobs in local government.

The following chart sets out average and quartile pay levels for chief executives across 55 different district and borough councils:-

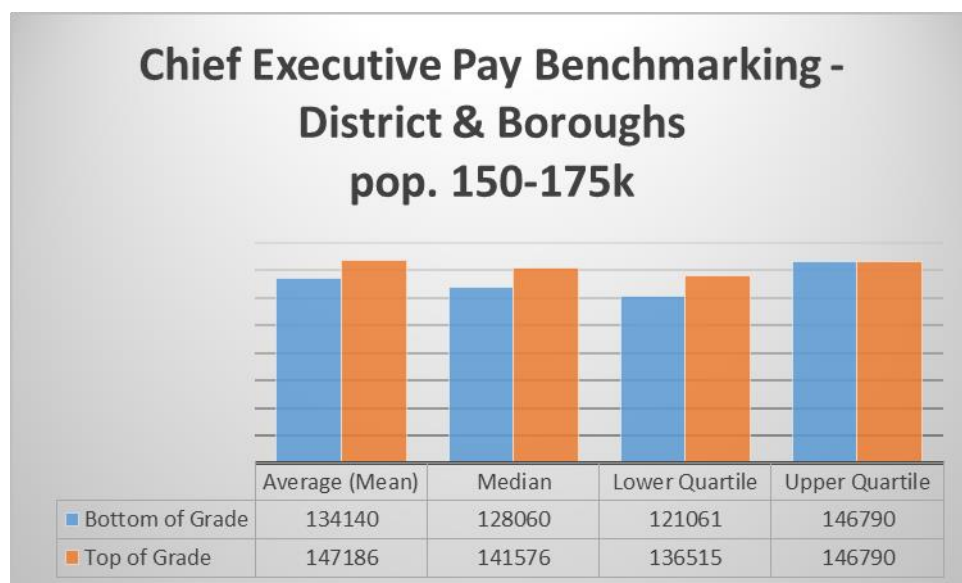


There was a wide range of salaries, from £88,000 to £178,000, generally reflecting the different sizes of authority.

Given such a wide range, we targeted district and borough councils with a similar population size to that of Charnwood. The sample consisted of 7 local authorities: Northampton Borough Council, Basingstoke & Deane Borough Council, Basildon Borough Council, Huntingdonshire District Council, Maidstone Borough Council, Chelmsford City Council, New Forest District Council. The results are provided in the following chart:-



Narrowing the focus further, to look at councils with a population band of 150,000 to 175,000, the results are fairly similar:-



It should be noted that linking population to salary is a very rough guide and is not always helpful. Candidates do not particularly view authorities with smaller populations as easier to run and therefore deserving a lower salary.

#### Area-based Benchmarking

Neighbouring councils all have a smaller population size than Charnwood. From their pay policy statements, pay levels were indicated as:-

North West Leicestershire	£119,956 - £122,355
Melton Borough Council	£98,838 - £109,242
Blaby District Council	£95,147 - £108,254
Hinckley & Bosworth Borough Council	£115,588
Rushcliffe Borough Council	£120,360
Chesterfield Borough Council	£113,123

#### **Recommendations**

When using benchmarking to set a salary level for recruitment purposes, then it would be recommended to look at a level at or around the average for the top of the pay grade and close to the upper quartile for the bottom of the grade. This is because when seeking to attract candidates, organisations need to set pay levels at a rate that would make it attractive for candidates of the appropriate calibre to leave their current roles and join a new organisation (approximately £10,000-£15,000 more than their current salary).

The salary should be seen in light of who the target market is for the role. For example, if the Council sees this role as ideal for someone's first Chief Executive position, then pitching

the salary closer to the lower quartile level or £15,000 higher than a typical Director salary may be sufficient. However, if the Council really wants to target candidates who are already working as chief executives, then it is recommended to offer a salary that is close to median pay levels for chief executive roles in similar organisations. Given the ambition of the Council, then an experienced chief executive is more likely to be your target audience for this role.

This will be an attractive role for candidates in non-financial terms, given the Council's situation and ambitions. It should not therefore be necessary to offer a salary at/above the upper quartile level of the benchmarked salaries.

Therefore it may be useful to look at a salary level of around £125,000 to £140,000.

It is recommended to consider a grade range, rather than a single pay point for the reasons set out above. The range could consist of 4 points, where the successful candidate is appointed to reflect their current salary level and, if not appointed at the top, progression is based on satisfactory performance each year until the maximum is reached.

Point 1:	£125,000
Point 2:	£130,000
Point 3:	£135,000
Point 4:	£140,000

Sam Maher

Director HR & Cllr Development

June 2019



## Pay Policy Statement 2019/2020 (effective 1/8/2019)

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## Purpose

As a responsible employer Charnwood Borough Council is committed to delivering a fair, equitable and transparent policy covering pay and other employee benefits which improves flexibility in delivering services and provides value for money.

Within the framework of its terms and conditions of employment, the Council aims to develop and maintain appropriate pay systems and benefit packages to attract and retain motivated, flexible people who take responsibility, work as a team, improve performance and acquire new skills.

This Pay Policy Statement sets out the Council's policies relating to the pay of its workforce for the period from 1<sup>st</sup> August 2019 to 31<sup>st</sup> March 2020, in particular the:

- Remuneration of Chief Officers;
- Remuneration of the lowest paid employees;
- Relationship between the remuneration of chief officers and employees who are not chief officers.

The statement meets the Council's obligations under the Localism Act 2011 and will enable the elected members of the Council to make decisions on pay.

The Council's Pay Policy Statement will be agreed by Full Council before the beginning of each financial year and will then be published on Charnwood Borough Council's website. The statement may also be amended by Full Council during the course of the year if necessary.

## Scope

This statement applies to all employees of Charnwood Borough Council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services (Green Book);
- Joint Negotiating Committee for Chief Officers of Local Authorities;
- Joint Negotiating Committee for Local Authority Chief Executives;
- Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book).

Employees who have TUPE transferred across from other organisations will remain on their existing terms and conditions unless agreed otherwise.

## Definitions

For the purposes of this Pay Policy Statement the following definitions will apply:

### Remuneration

This includes three elements:

- Basic salary;
- Pension;
- Any other allowances arising from employment.

### Chief Officers

Under the Localism Act 2011 a Chief Officer is defined as:

- The head of the Council's paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- Its monitoring officer designated under section 5(1) of that Act;
- A statutory chief officer mentioned in section 2(6) of that Act;
- A non-statutory chief officer mentioned in section 2(7) of that Act;
- A deputy chief officer mentioned in section 2(8) of that Act.

In Charnwood Borough Council this definition would apply to the posts set out in [Appendix A](#).



### Lowest Paid Employees

The Council currently employ apprentices who are paid at the applicable apprenticeship rate. Additionally, Joint Negotiating Committee for Craft and Associated Employees (Red Book) apprentices are paid in accordance with the requirements of that agreement.

For all other posts, this refers to employees on Grade A, Pay Point 1. This definition has been adopted as it is the lowest level of remuneration attached to a post within the Council, other than apprenticeship posts.

On 1 April 2013 the Council adopted the Living Wage rate applicable at that time. It was agreed that all pay awards after this date for all spinal column points within the Council, would be in line with the applicable percentage increase of the national pay agreement for local government.

## Pay and Grading Structure

The Chief Executive's salary scale has been updated with effect from 1<sup>st</sup> August 2019 in line with recommendations from the Personnel Committee following a benchmarking exercise conducted by the East Midlands Council. This post sits at the highest level within the officer salary grade and does not have a comparator. As such it is for the Council to determine the salary arrangements for the post without needing to go through a specific job evaluation process.

The grading of all other posts within Charnwood Borough Council is determined using the nationally recognised Hay Job Evaluation Scheme. This is in order to ensure that all posts are graded and therefore rewarded financially through a fair and non-discriminatory process, that there is consistency in treatment between posts and that the Council complies with equal pay legislation. The scheme is an analytical one that takes into consideration three key elements of a post:

- Know How - the levels of knowledge, skill and experience (gained through work experience, education and training) which are required to perform the job successfully;
- Problem Solving - the complexity of thinking required to perform the job when applying Know How;
- Accountability - the impact the job has on the organisation and the constraints the job holder has on acting independently.

The Council follows the NJC national agreement on pay and conditions of service (the Green Book) which includes the use of national pay scales. Advice was taken from Hay during the implementation of the job evaluation scheme in order to determine the relationship between the scoring of posts under the scheme and the relevant pay grade.

However a small number of staff employed under the Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) are paid on a different pay scale, a copy of which is attached at [Appendix B](#).

Basic pay is paid in accordance with the evaluated grade of the post. Each grade comprises a range of scale points. A copy of the Council's pay and grading structure is attached at [Appendix B](#).

This NJC pay claim for 2018-2019 is made by the Joint Trade Union Side (UNISON, GMB and UNITE) to the Local Government Association. The existing pay award for all employees up to and including P04 (SCP 43) follows the national award made by the National Joint Council for Local Government Employees and covers the period 1 April 2018 to 31 March 2020. The Craft Pay Rates for 2018 – 20 cover the period 1 April 2018 – 31 March 2020. A pay award covering the same period has been agreed for employees on Joint Negotiating Committee (JNC) terms and conditions for Chief Officer's. The same agreement was reached for employees on JNC for Chief Executives of Local Authorities.

Any future pay awards for all Charnwood Borough Council employees, including senior management on JNC grades and the Chief Executive will be administered as appropriate, if and when that pay award is agreed.

A copy of the Council's organisation chart, showing grades of posts, can be found on the [Council's website](#).

Details of senior management remuneration are published annually in the [Council's Statement of Accounts](#) which are available on the website.

The 'pay multiple' - the ratio between the highest paid salary (Chief Exec scale - points CEX 1 to CEX 4) and the median average salary of the Council's workforce is 5.455 to 6.110.

The figure has increased following a bench marking exercise as part of the recruitment process for a new Chief Executive to the Council.

## Remuneration on Appointment

All employees are usually appointed to the minimum scale point applicable to the grade of the post. Managers have discretion in some circumstances to appoint to a higher scale point, subject to the maximum of the grade.

Full Council will be given the opportunity to consider remuneration packages over £100,000 per annum (including salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment) before new posts are established and advertised.

## Market Premia

There is provision for the award of a market premium (i.e. a temporary additional payment) where it can be shown that the salary level of a job is having an adverse

impact on the Council's ability to recruit and retain the appropriate calibre of employee into a post. The award of a market premium is subject to the agreement of the relevant Strategic Director. If approved, market premia are awarded for a maximum period of three years. It is anticipated that market premia will be awarded on very limited occasions. Details of the scheme can be found in the Council's Market Premia Policy and Procedure.

## Incremental Progression

### Chief Officers

Progression through the pay grade for Chief Officers is dependent on them achieving set criteria and objectives which are agreed at the officer's annual Performance Development Review. Progression through the Chief Executive's grades will be dependent on an annual performance review if not appointed at the top grade, as with other chief officers.

### Other Employees

Subject to satisfactory service, employees covered by the conditions of service of the National Joint Council for Local Government Services and the Joint Negotiating Committee for Local Authority Craft and Associated Employees are eligible to receive annual increments on 1<sup>st</sup> April each year until they reach the maximum scale point for the grade of their job. If the employee's start date is between 1<sup>st</sup> October and 31<sup>st</sup> March then their first increment will be paid after completing 6 months in post. Any subsequent increments, until the maximum of the grade is reached, will be paid on 1<sup>st</sup> April thereafter.

The Joint Negotiating Committee for Local Authority Craft and Associated Employees operates a system of progression through the grade, which is subject to performance related criteria.

## Enhancements

From 1 January 2014 the Council agreed a change in rate of enhancement for evening, weekend and bank holiday working for employees at Grade 6 and below. Employees required to work on Saturdays, Sundays and Bank Holidays as part of their normal working week will be recompensed at time and a quarter for evenings and Saturdays, and time and a half for Sundays and Bank Holidays.

## Overtime Payments

'Overtime' is defined as hours worked in excess of 37 per week. However, part-time employees are entitled to the additional hours enhancements in circumstances in which full-time employees in the establishment would qualify. Employees in posts graded up to Grade E who work additional hours are eligible to receive payment at double time rate for hours worked on Sundays, bank holidays or extra statutory days and time and a half for hours worked at any other time.

Employees in posts graded SO1 and above, who work additional hours are not eligible for payment, but may receive time off in lieu.

Heads of Service are also authorised to make payments, within existing budgets, for overtime to employees graded SO1 to PO4 for time limited projects of a non-repetitive nature as follows:

- (a) Plain time up to an agreed maximum number of hours for a particular project and over a certain number of weeks/months; or
- (b) A lump sum to cover completion of a particular project by an agreed deadline.

Where the payment of a lump sum is agreed in accordance with (b) above, it should not be made in full unless the project is completed by the due date and that provision for claw back considered for inclusion in the scheme. Payments for overtime cannot be authorised retrospectively.

## Overtime and Additional Hours Holiday Pay

Claims for overtime or additional hours (for part time employees) will receive a 12.07% increase for the hours worked. This increase is calculated on the relevant hourly flat rate.

Example – if you work for 2 hours overtime @ time plus ½ you will receive 3 hours pay. 12.07% will be added to 2 hours of that pay only as the flat rate element of pay.

Additional hours which have been agreed on a temporary basis as a variation to contract will not attract this uplift. The annual leave entitlement will be increased for the period that an employee works these additional hours.

## Other Allowances

All Chief Officers receive allowances as detailed in the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Local Authority Chief Executives. However, where these conditions are silent or do not cover an allowance or process, the Chief Officer / Chief Executive will receive the same as those employees covered by the National Joint Council for Local Government Services.

Copies of the conditions of service for all employees covered by this statement can be requested from the [Local Government Employers website](#).

### Essential Car User

Posts that are designated as essential car user, including those of Chief Officers, receive a monthly allowance and are eligible to claim mileage allowances as per the NJC Conditions of Service.

### Broadband

Employees who meet the criteria for home working are able to claim a broadband allowance. Details of the scheme can be found in the Council's Home Working Policy and Procedure.

### **Professional Fees**

The Council will pay the annual fee for membership of a professional body if it is considered an essential requirement of the employee's post.

### **First Aid Allowances**

Employees who are classified as a 'designated first-aider' are eligible to receive an allowance.

### **Standby and Call-Out Payments**

Employees who are required to provide out of hours responsibilities or work for essential services that they undertake are eligible to receive a standby and call out, standby and advisory or emergency contact scheme payment. Employees graded at PO1 or above will not normally receive payment, unless there is a requirement for them to participate in a formal regular Standby and Call Out or Standby and Advisory Scheme arrangement. Those graded at JNC A or above are expected to respond as part of their role and will not receive any additional payments. Details of the scheme can be found in the Council's Policy for Standby and Call-Out, Standby and Advisory, and Emergency Contact Scheme Policy and Procedure.

### **Emergency Planning**

Employees who volunteer to respond in emergency situations are eligible to receive a payment.

### **Subsistence**

Employees who are eligible to claim subsistence do so in accordance with the rate agreed locally for subsistence.

## **Bonus Payments**

The Council does not pay any group of employees a bonus.

## **Pension Benefits**

All employees under the age of 75 are eligible to join the Local Government Pension Scheme. The scheme is a statutory scheme with contributions from employees and employers. Details of the scheme can be found on [www.leics.gov.uk/pensions](http://www.leics.gov.uk/pensions).

The scheme allows for the exercise of discretion by employers. A copy of the Council's approach to these discretionary regulations can be found at [Appendix C](#). The Council will consider each case on its merits, but has determined that its usual policy is not to enhance benefits for any of its employees.

The scheme provides for flexible retirement. To be eligible to request flexible retirement, the Council normally requires that an employee either reduce their

working hours by a minimum of 40% and/or be appointed to a post on a lower grade. In applying this provision no distinction is made between employees.

Under the Local Government Pension Scheme there is no abatement (i.e. reduction or suspension) of pensions for employees who return to work after drawing their pensions except in the circumstance where they have previously been awarded “added years”.

## Honoraria

Subject to certain conditions, employees who are temporarily required to undertake some or all of the duties of a higher graded post are eligible to be paid an honorarium. Details of the scheme can be found in the Council’s Honoraria and Acting-Up Policy and Procedure.

## Salary Protection

Employees are eligible to receive salary protection for a period of up to three years if they are redeployed into a lower-graded post. Details of the provisions can be found in the Council’s Organisational Change Policy and Procedure.

## Severance Payments

### **Early Retirement (Efficiency of Service)**

The Council has discretionary provisions for employees to seek early retirement on the grounds of efficiency of service. Details of the scheme can be found in the Council’s Retirement Policy and Procedure.

### **Redundancy**

The Council has a single redundancy scheme which applies to all employees. Redundancy payments are calculated in accordance with the Employment Rights Act 1996 and the 2006 Discretionary Compensation Regulations and are based on the employee’s age, length of continuous local government service and salary. The payment mirrors the statutory table but provides a multiplier of 2. Details of the redundancy scheme can be found in the Council’s Organisational Change Policy and Procedure.

Employees have the option of using their redundancy payment, in excess of the statutory redundancy payment, to purchase a period of membership in the Local Government Pension Scheme. The amount of membership purchased by the cash sum will vary depending on the age of the employee and the number of years’ service.

The Council does not provide any further payment to employees leaving the Council’s employment other than in respect of accrued annual leave.

Employees who have TUPE transferred into the Council on redundancy terms which are more favourable than those details above will retain these provisions as per TUPE legislation.

Full Council have the opportunity to vote on severance packages over £100,000 before they are approved. The information presented will clearly set out the components of the severance package (e.g. salary paid in lieu, redundancy compensation, pension entitlements, holiday pay and any bonuses, fees or allowances paid).

*N.B - It is anticipated that a cap on Public Sector exit payments at £95,000 under the Small Business, Enterprise and Employment Act 2015 will come into force in the near future.*

## Re-Engagement of Employees

Employees who have been made redundant are eligible to apply for vacancies which may arise after they have left the Council's employment. Any such applications will be considered together with those from other candidates and the best person appointed to the post. Any necessary adjustments to pension would be made in accordance with the scheme regulations.

Employees who are offered another post with the Council, or another employer covered by the Redundancy Modifications Order, prior to their redundancy leaving date and commence this post within 4 weeks of that date are not eligible to receive their redundancy payment.

## Election Duties

The Chief Executive receives additional payments as the Returning Officer (or equivalent) for elections taking place within the Borough, to which role he has been appointed by the Council. These payments are funded by the organisation responsible for each election, which can include the Borough Council, County Council, Parish and Town Councils, and the Government.

Election fees and expenses for Borough, Town and Parish Council elections are agreed annually by Full Council. For other elections, the scale of fees and expenses is specified by the relevant organisation.

The Chief Executive may also, on appropriate occasions, require officers, which may include Chief Officers, to undertake Deputy Returning Officer roles and other election duties. They will be remunerated for undertaking these roles.

## Publication and Access to Information

This Pay Policy Statement will be published on the Council's website, together with the Council's pay and grading structure and information relating to senior management remuneration.



## Appendix A - Charnwood Borough Council's Chief Officers

<u>POST TITLE</u>
Chief Executive
<b>Neighbourhood and Community Wellbeing</b>
Strategic Director - Neighbourhoods and Community Wellbeing
Head of Cleansing and Open Spaces
Head of Leisure and Culture
Head of Neighbourhood Services
<b>Corporate Services</b>
Strategic Director - Corporate Services
Head of Finance and Property Services
Head of Customer Experience
Head of Strategic Support
<b>Housing, Planning, Regeneration and Regulatory Services</b>
Strategic Director - Housing, Planning, Regeneration and Regulatory Services
Head of Strategic and Private Sector Housing
Head of Landlord Services
Head of Planning and Regeneration
Head of Regulatory Services

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## Appendix B - Pay and Grading Structure

### Annual Salaries and Hourly Rates from 1st August 2019

Grade	SCP	Annual Salary	Hourly Rate	Monthly	Wkly
A	1	17364	9.0002	1447.00	333.01
	2	17711	9.1801	1475.92	339.66
	3	18065	9.3636	1505.42	346.45

B	4	18426	9.5507	1535.50	353.38
	5	18795	9.7419	1566.25	360.45
	6	19171	9.9368	1597.58	367.66
	7	19554	10.1354	1629.50	375.01

C	8	19945	10.3380	1662.08	382.51
	9	20344	10.5448	1695.33	390.16
	10	20751	10.7558	1729.25	397.96
	11	21166	10.9709	1763.83	405.92
	12	21589	11.1902	1799.08	414.04

D	13	22021	11.4141	1835.08	422.32
	14	22462	11.6427	1871.83	430.78
	15	22911	11.8754	1909.25	439.39
	16	23369	12.1128	1947.42	448.17
	17	23836	12.3548	1986.33	457.13

E	18	24313	12.6021	2026.08	466.28
	19	24799	12.8540	2066.58	475.60
	20	25295	13.1111	2107.92	485.11
	21	25801	13.3733	2150.08	494.81

SO1	23	26999	13.9943	2249.92	517.79
	24	27905	14.4639	2325.42	535.16
	25	28785	14.9200	2398.75	552.04

SO2	26	29636	15.3611	2469.67	568.36
	27	30507	15.8126	2542.25	585.07
	28	31371	16.2604	2614.25	601.64

PO1	29	32029	16.6015	2669.08	614.25
	30	32878	17.0415	2739.83	630.54
	31	33799	17.5189	2816.58	648.20
	32	34788	18.0315	2899.00	667.17

PO2	33	35934	18.6255	2994.50	689.15
	34	36876	19.1138	3073.00	707.21
	35	37849	19.6181	3154.08	725.87
	36	38813	20.1178	3234.42	744.36

Grade	SCP	Annual Salary	Hourly Rate	Monthly	Wkly
JNC A	50	47609	24.6770	3967.42	913.05
	51	48835	25.3125	4069.58	936.56
	52	50047	25.9407	4170.58	959.81
	53	51273	26.5762	4272.75	983.32

JNC B	54	52497	27.2106	4374.75	1006.79
	55	53711	27.8398	4475.92	1030.07
	56	55056	28.5370	4588.00	1055.87
	57	56392	29.2295	4699.33	1081.49

JNC C	58	58620	30.3843	4885.00	1124.22
	59	59944	31.0706	4995.33	1149.61
	60	61283	31.7646	5106.92	1175.29
	61	62609	32.4519	5217.42	1200.72

JNC D	62	67326	34.8969	5610.50	1291.18
	63	69005	35.7671	5750.42	1323.38
	64	70690	36.6405	5890.83	1355.70
	65	72373	37.5128	6031.08	1387.98

JNC E	66	74051	38.3826	6170.92	1420.16
	67	75756	39.2663	6313.00	1452.85
	68	77001	39.9117	6416.75	1476.73
	69	79167	41.0344	6597.25	1518.27

Chief Executive	CEX1	125000	64.7908	10416.67	2397.26
	CEX2	130000	67.3825	10833.33	2493.15
	CEX3	135000	69.97408	11250.00	2589.04
	CEX4	140000	72.56572	11666.70	2684.90

Skills Group 1	17	23836	12.3548	1986.33	457.13
	20	25295	13.1111	2107.92	485.11
	25	28785	14.9200	2398.75	552.04

Skills Group 2	17	23836	12.3548	1986.33	457.13
	19	24799	12.8540	2066.58	475.60
	22	26317	13.6408	2193.08	504.71

Skills Group 3	14	22462	11.6427	1871.83	430.78
	15	22911	11.8754	1909.25	439.39
	20	25295	13.1111	2107.92	485.11

## ANNEX B

PO3	37	39782	20.6201	3315.17	762.94
	38	40760	21.1270	3396.67	781.70
	39	41675	21.6013	3472.92	799.25
	40	42683	22.1237	3556.92	818.58

Skills Group 4	7	19554	10.1354	1629.50	375.01
	8	19945	10.3380	1662.08	382.51
	9	20344	10.5448	1695.33	390.16

PO4	41	43662	22.6312	3638.50	837.35
	42	44632	23.1340	3719.33	855.96
	43	45591	23.6310	3799.25	874.35

Pay Grades for Joint Negotiating Committee for Local Authority Craft and Associated Employees

	<b>Scale Point</b>	<b>Annual Salary (£)</b>
<b>Group 1</b>	<b>17</b>	<b>23,836</b>
	<b>20</b>	<b>25,295</b>
	<b>25</b>	<b>28,785</b>
<b>Group 2</b>	<b>17</b>	<b>23,836</b>
	<b>19</b>	<b>24,799</b>
	<b>22</b>	<b>26,317</b>
<b>Group 3</b>	<b>14</b>	<b>22,462</b>
	<b>15</b>	<b>22,911</b>
	<b>20</b>	<b>25,295</b>
<b>Group 4</b>	<b>7</b>	<b>19,554</b>
	<b>8</b>	<b>19,945</b>
	<b>9</b>	<b>20,344</b>

Levels of Apprenticeship	NJC Salary	
Intermediate	Year 1 Year 2 to completion	NMW Rate for 18 – 20 year olds Appropriate NMW age rate for those aged 21 and above
Advanced	Year 1 Year 2 to completion	NMW Rate for 18 – 20 year olds Appropriate NMW age rate for those aged 21 and above
Higher	Year 1 Year 2 to completion	NMW Rate for 18 – 20 year olds Spinal column points 1 – 4 (Grade A scp 1 – 3 and Grade B scp 4) with annual incremental progression
Degree	Year 1 Year 2 to completion	NMW Rate for 18 – 20 year olds Spinal Column points 4 – 7 (Grade B) with annual incremental progression

The rates for Apprentices appointed under the Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) are in accordance with that agreement.

## **Local Government Pension Scheme (LGPS) Regulations Policy Statement on all Eligible Employees**

Under Regulation 60 of the LGPS Regulations 2013, (as amended), each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations.

This statement is applicable to all employees of Charnwood Borough Council who are eligible to be members of the LGPS.

The Council is required to publish the following five policies.

### **LGPS Regulations – Regulation 31: Power of employer to award additional pension**

#### **Explanation and Employer's Policy**

An employer may resolve to award a member additional pension of not more than £6,500 (figure as at 1 April 2014) a year within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.

The Council will not normally agree to award an additional pension under this regulation

### **LGPS Regulations 2013 – Regulation 16(2)(e) and 16(4)(d) : Funding of additional pension contributions (shared cost)**

#### **Explanation and Employer's Policy**

An active member in the main section of the scheme who is paying contributions may enter into arrangements to pay additional pension contributions (APCs) by regular contributions of a lump sum.

Such costs may be funded in whole or in part by the member's Scheme employer.

The employer will need to determine a policy on whether it will make a contribution towards the purchase of extra pension.

This does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work to pay a shared cost APC to cover the amount of pension "lost" during that period of absence. In these cases the employer MUST contribute 2/3rds of the cost (Regulation 15(5) of the LGPS Regulations 2013.

The Council has not adopted this discretion.

### **LGPS Regulations 2013 – Regulation 30 (6):Flexible Retirement**

#### **Explanation and Employer's Policy**

An active member who has attained the age of 55 or over who reduces working hours or grade of an employment may, with the Scheme employer's consent, elect to receive

immediate payment of all or part of the retirement pension to which that member would be entitled in respect of that employment if that member were not an employee in local government service on the date of the reduction in hours or grade, adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.

The Council has agreed to release pension where there is no costs and not to waive any reduction.

Members must reduce their hours by a minimum of 40% and/or reduce their grade.

The Council may however allow the release of pension where there is a cost or waive reduction in a potential redundancy situation, where a reduction may occur through redeployment, or in other exceptional circumstances supported by a business case.

**LGPS Regulations 2013 – Regulation (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Switching on rule of 85**

**Explanation and Employer's Policy**

A member who has not attained normal pension age but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government service in that employment, reduced by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.

In these circumstances (other than flexible retirement) the 85 year rule does not automatically apply to members who would otherwise be subject to it who choose to voluntarily draw their benefits on or after age 55 and before NPA.

The employer has the discretion to "switch on" the 85 year rule for such member (paragraph 1 (1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.

If the employer does agree to switch back on the rule of 85, the cost of any strain on the fund resulting from the payment of benefits before age NPA would have to be met by the employer.

The Council will not apply either discretion.

**LGPS Regulations 2013 – Regulation (paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Waiving of actuarial reduction**

An employer has the discretion, under a number of retirement scenarios, to waive actuarial reductions on compassionate grounds. The cost of which would fall upon the employer. "Compassionate grounds" is not defined in the regulations.

The Council will not apply this discretion, unless there are exceptional circumstances.

The Personnel Committee and the Director involved will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial position of the

Charnwood Borough Council must be considered.

Under Regulation 66 of the LGPS Administration Regulations 2008, (as amended), each scheme employer must publish and keep under review a statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations.

### **LGPS Benefits Regulations - Regulation 30: Early payment of retirement benefits at the member, or former members request**

#### **Explanation & Employer's Policy**

A scheme member or former member can request that the Employer grant early retirement between 55 & 60 years old.

It is possible that, where a member's pension is introduced early, these benefits will be reduced. The reduction is calculated in accordance with guidance issued by the Government Actuary. As an employer you may determine not to apply any reduction.

The Council will not consider the premature retirement of an employee except on compassionate grounds. To qualify for consideration, an employee must be entitled to a pension under the LGPS. The Council will not consent to a request for early retirement where capital costs are applicable unless there are exceptional circumstances. The Council will, in principle, consider a request for early retirement as an application of early retirement arising from redundancy where the request would result in the same cost, a lower cost, or nil cost to the Council. In all cases, early retirement will only be considered when supported by a justifiable business case.

### **LGPS Benefits Regulations - Regulation 18: Requirements as to time of payment (Flexible Retirement)**

#### **Explanation & Employer's Policy**

A member who is 55 or over, and with their employer's consent, reduces their hours and/or grade can, but only with the agreement of the employer, make an election to the administering authority for payment of their accrued benefits without having retired from employment. It is possible that, where a member's pension is introduced early, these benefits may be reduced. The reduction is calculated in accordance with guidance issued by the Government Actuary. As an employer you may determine not to apply any reduction.

Whilst a request which result in a cost to the Council will generally not be approved there may be instances where granting flexible retirement will enable departments to review their requirements, e.g. succession planning, managerial or specialist skills development, or ultimately achieve other efficiency savings through staff movement/structure changes etc. That is to say, there must be a significant organisational benefit to the Council.

In considering any request for flexible retirement the following business reasons are to be taken into account:

- Cost to the Council in releasing the scheme member's pension
- Requirement/ability to recruit to the vacated hours or grade
- Additional costs as a result of recruitment/training to the vacated hours or grade



- Capacity to re-allocate work amongst co-workers
- Impact on service delivery and work performance
- Suitability of individual's proposed working arrangements, i.e. days, hours etc.

This scheme will not apply where there are formal conduct or performance issues and the appropriate procedures should be invoked in those circumstances.

### **LGPS Administration Regulations – Regulation 25 (3) and LGPS Benefits Regulations – Regulation 15 (3): Shared Cost Additional Contribution Facility**

#### **Explanation & Employer's Policy**

This discretion allows the Employer to maintain and contribute to an employee's Additional Voluntary Contribution Scheme.

The Council has not adopted this discretion. This will not have any effect on the existing AVC facility available where the employee only is able to make such contributions.

### **LGPS Benefits Regulations - Regulation 12: Augmentation (increase of scheme membership)**

#### **Explanation & Employer's Policy**

An employer may resolve to increase the total membership of an active member.

The Council has not adopted this discretion. This decision does not affect the discretion available to the employer to allow a scheme member to convert a lump sum discretionary payment using the augmentation factors. (See Early Termination of Employment Discretionary Compensation).

### **LGPS Benefits Regulations - Regulation 13: Power of employer to award additional pension**

#### **Explanation & Employer's Policy**

An employer may resolve to award a member additional pension of not more than £5000 a year payable from the same date as his pension payable under any other provisions of these Regulations. Additional pension may be paid in addition to any increase of total membership resolved to be made under regulation 12.

The Council has not adopted this discretion.

### **The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006**

New provisions provide local government employers with the powers to consider making a one off lump sum payment to an employee which must not exceed 104 week's pay. The regulations no longer provide for the award of compensatory added years.

This statement is applicable to all employees of Charnwood Borough Council who are eligible to be members of the LGPS.

**Regulation 5: Power to increase statutory redundancy payments****Explanation & Employer's Policy**

The Employer may decide to calculate a redundancy payment entitlement as if there had been no limit on the amount of a week's pay used in the calculation.

The Council has decided to adopt this discretion and base redundancy payment calculations on an unrestricted week's pay.

**Regulation 6: Discretionary Compensation****Explanation & Employer's Policy**

A "one off" lump sum compensation payment may be awarded to an employee up to a maximum value of 104 weeks' pay, inclusive of any redundancy payment made. If the above Regulation is adopted, employees who are members of the LGPS can be given the option of converting compensation payments, (less the statutory redundancy payment), into additional pensionable service, in accordance with the augmentation factors provided by the authority. An employer should specify whether they intend to provide this option.

Employees who have been continually employed for two years or more by members of the modification order will receive a redundancy payment. The payment is based on the statutory formula with a multiplier X 2 applied. The maximum number of weeks an individual can receive is 60 weeks. Employees have the option of using their redundancy payment, in excess of the statutory redundancy payment, to purchase a period of membership in the LGPS.

## COUNCIL – 29TH JULY 2019

### Report of the Monitoring Officer

#### ITEM 3.2 APPOINTMENT OF HEAD OF PAID SERVICE (CHIEF EXECUTIVE)

##### Purpose of Report

To seek approval to formally offer the position of Head of Paid Service (Chief Executive) to the successful candidate as recommended by the Member Appointment Panel, following a recruitment process.

##### Recommendations

1. That the position of Head of Paid Service (Chief Executive) be formally offered to Mr Robert Mitchell at a starting salary of grade CEX1 (£125,000 per annum), and subject to completion of the Council's standard pre-employment checks.
2. That delegated authority be given to the Monitoring Officer, in consultation with the Leader of the Council, to finalise a start date for Mr Mitchell after the required pre-employment checks have been satisfactorily completed.
3. That Mr Mitchell also be appointed as Returning Officer and Electoral Registration Officer with effect from the commencement of his employment with the Council.

##### Reasons

1. To reflect the unanimous recommendation of the Member Appointment Panel that Mr Mitchell should be offered the appointment following the recruitment process.
2. To ensure that a start date can be agreed expeditiously.
3. To confirm Mr Mitchell's appointment to the other statutory positions fulfilled by the Head of Paid Service (Chief Executive).

##### Policy Justification and Previous Decisions

At the meeting of the Personnel Committee on 13th June 2019, in accordance with the requirements of the Constitution the Committee established a Member Appointment Panel to be involved in the recruitment process for a new Head of Paid Service consisting of the following Members:

- Cllr Morgan
- Cllr Barkley
- Cllr Hunt

- Cllr Ranson
- Cllr Miah

Following the job opportunity being advertised, fifteen applications were received.

Supported by independent specialist advice from East Midlands Councils HR Service, who were commissioned to assist with the selection process, the Member Appointment Panel then agreed a shortlist of five candidates to participate in an Assessment Centre. This process involved psychometric testing, a meeting with a Panel of partner representatives, and a presentation to the Member Appointment Panel.

After completion of the Assessment Centre process the two strongest candidates were selected for formal interviews, which were undertaken by the Member Appointment Panel.

Following the formal interviews, the unanimous decision of the Member Appointment Panel was that they wished to recommend to full Council that an offer of appointment be made to Mr Robert Mitchell.

Mr Mitchell is currently Chief Executive Officer at Ashfield District Council in Nottinghamshire, a position he's held since June 2015, and he was previously a Director at Tamworth Borough Council. He lives locally with his family in Quorn.

As required by the Constitution, Cabinet members were given an opportunity to consider the recommendation of the Member Appointment Panel, and no objections were made to the proposed offer of appointment.

#### Implementation Timetable including Future Decisions and Scrutiny

To ensure a smooth transition process and stability to the Council, the Leader of the Council has agreed with the incumbent Chief Executive that he will remain in employment until 30th November 2019.

#### Report Implications

##### *Financial Implications*

There are no financial implications directly arising from this report.

##### *Risk Management*

The risks associated with the decision Council is asked to make, and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Possible issues with the suitability of the recommended candidate	Unlikely (2)	Serious (3)	Moderate (6)	A rigorous and thorough recruitment process has been followed, and standard pre-employment checks will be completed. As with all new employees, there will also be a 6 month probation period.

Background Papers: None

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