

GUILDFORD & WAVERLEY JOINT SENIOR STAFF COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 29 FEBRUARY 2024

Present:

Councillor Paul Follows, Leader, Waverley Borough Council(co-chair) [in the chair]
Councillor Julia McShane, Leader, Guildford Borough Council (co-chair)
Councillor Philip Brooker, Guildford Borough Council
Councillor Tony Fairclough, Deputy Leader, Waverley Borough Council
Councillor Peter Martin, Waverley Borough Council
Councillor Fiona White, Guildford Borough Council

In attendance:

Pedro Wrobel, Joint Chief Executive/Head of Paid Service
Susan Sale, Joint Executive Head of Legal & Democratic Services & Monitoring Officer
Robin Taylor, Joint Executive Head of Organisational Development
Jon Formby, Interim HR Manager, WBC
John Armstrong, Democratic Services & Elections Manager, GBC
Mark Greenburgh, external solicitor

Action By

1. APOLOGIES FOR ABSENCE

None.

2. DISCLOSURES OF INTEREST

Councillor Paul Follows disclosed, for transparency purposes, that, in relation to Agenda Item 5 – Senior Staff Investigation, his parents were tenants of Guildford Borough Council.

Councillor Julia McShane disclosed, for transparency purposes, that, in relation to Agenda Item 5, she was the portfolio holder for the housing function at Guildford, and having taken advice from the Monitoring Officer, considered that she was not conflicted in respect of that item.

3. MINUTES

The Committee approved, as a correct record, the minutes of the last meeting of the former Joint Appointments Committee held on 15 January 2024.

4. SENIOR STAFFING ARRANGEMENTS

The Joint Chief Executive withdrew from the meeting during consideration of this matter.

The Joint Senior Staff Committee (JSSC) noted that at their extraordinary full Council meetings on 19 December 2023, Guildford and Waverley Borough Councils had approved the recommendation of the former Joint Appointments Committee of 14 December 2023 to appoint Pedro Wrobel as their Chief Executive and to designate him as their Head of Paid Service, subject to human resources processes, including arranging a commencement date.

At their extraordinary full Council meetings held respectively on 23 and 24 January, Guildford and Waverley Borough Councils had also approved the recommendation of the former Joint Appointments Committee of 15 January 2024 to appoint the Strategic Director for Community Wellbeing, as interim Joint Chief Executive/Head of Paid Service for the period between the former Chief Executive's departure and the arrival of the incoming Chief Executive/Head of Paid Service, Pedro Wrobel.

The Councils had been fortunate in being able to secure the services of Pedro Wrobel earlier than expected and he had commenced his role as both Councils' Joint Chief Executive /Head of Paid Service on 19 February 2024, initially under a secondment agreement from Westminster City Council. The interim arrangements that had been made for the expected period between the departure of the former Chief Executive and the arrival of the incoming Chief Executive were therefore no longer required and the Strategic Director, Community Wellbeing had reverted to her substantive post on 19 February 2024.

On 16 February 2024, the Leaders of both Councils had reached an agreement with both the Strategic Director, Community Wellbeing and the Strategic Director, Transformation and Governance, that they would step back from their duties to allow an investigation to be carried out and that the next steps would need to be considered by the JSSC.

The stepping back from their duties by two Strategic Directors meant there was an urgent requirement to secure additional senior level support for both Councils on an interim basis. The Councils had been able to secure the services of Michael Coughlin from Surrey County Council on a part time and interim basis, by way of secondment, for a short period, from 19 February 2024 to 8 March 2024, to act as Director for the Housing and Environmental Services. Consultation had been undertaken with both councils' Executives regarding this short-term interim appointment and no member of either Executive had raised any objections. The JSSC was asked to note the exceptional circumstances surrounding this appointment and the reasons why it had not been possible to convene a timely meeting of the JSSC to formally approve this short-term interim appointment, and the reasons for the councils' deviation from their usual procedures. The JSSC was asked to approve retrospectively the appointment from 19 February 2024.

The Head of Paid Service had made additional interim arrangements in respect of responsibilities for particular service areas: Organisational Development, Legal and Democratic Services and Finance were currently the responsibility of the Chief Executive; Housing and Environmental Services were the responsibility of the Interim Strategic Director; all other service areas were currently the responsibility of the Strategic Director for Place for an interim period.

The JSSC noted that the Head of Paid Service was making arrangements for further interim resource at Strategic Director level to take over from Mr Coughlin from 8 March 2024 and was asked to delegate authority to the Chief Executive/Head of Paid Service to make such interim appointment, in consultation with the Leaders of both Councils, to enable swift action to be taken without the need to convene a further meeting of the JSSC on this occasion. The statutory requirement for consultation with the Executives prior to any formal offer being made would need to be followed.

The JSSC also noted that the Head of Paid Service:

- (a) was also currently undertaking recruitment for a permanent Executive Head of Environmental Services and that the procedures set out in the Officer Employment Procedure Rules would be followed in respect of that appointment; and
- (b) had implemented arrangements for interim cover for the role of Joint Executive Head of Housing, whilst recruitment for the permanent appointment was being pursued.

The JSSC noted the financial implications of the proposals in the report. Councillor Martin expressed concern that the significant additional costs arising as a consequence of the housing maintenance fraud investigation at Guildford should be split equally between Guildford and Waverley. The Joint Monitoring Officer confirmed that, in accordance with the terms of the Inter Authority Agreement, the cost of the interim senior staffing arrangements would be split equally between the councils.

Having considered the report, the JSSC

RESOLVED:

- (1) To note the appointment of Pedro Wrobel into the role of Joint Chief Executive and designation as Head of Paid Service, in accordance with Council decisions, with effect from Monday 19 February 2024.
- (2) To note that Pedro Wrobel became an Officer of both Councils from 19 February 2024 and will commence employment with Waverley Borough Council from 8 April 2024; and that a secondment agreement is in place between Waverley Borough Council and Westminster City Council until 8 April.
- (3) To retrospectively approve the interim appointment of Michael Coughlin into the role of Joint Strategic Director from Monday 19 February 2024 for an initial period of 3 weeks, noting that Waverley Borough Council have a secondment agreement with Surrey County Council in respect of this arrangement.

- (4) To delegate authority to the Joint Chief Executive and Head of Paid Service with immediate effect to approve any interim appointments of up to 6 months, usually in the remit of the Joint Senior Staff Committee, subject to consultation with the Leader of Guildford Borough Council and the Leader of Waverley Borough Council and to details of any such interim appointments being reported to the Joint Senior Staff Committee for transparency purposes, and for the Monitoring Officer to amend both Council's constitutions to reflect this delegation.
- (5) To approve the cost of interim support as set out in the financial implications paragraph of the report submitted to the Committee.

Reasons:

- To appoint a Joint Chief Executive and Head of Paid Service as part of the agreed collaboration arrangements between Guildford and Waverley Borough Councils.
- To comply with the requirements of Section 4 of the Local Government and Housing Act 1989.
- To ensure adequate senior staffing cover is in place for the functioning of Waverley and Guildford Borough Councils.

(Councillor Peter Martin requested that his vote against this decision in respect of the financial implications be recorded.)

The Joint Chief Executive re-joined the meeting and indicated his wish to raise a further related matter regarding senior staffing arrangements. Accordingly, the Joint Executive Head of Legal & Democratic Services and Monitoring Officer withdrew from the meeting.

The Joint Chief Executive reminded councillors that the former Joint Chief Executive had previously indicated his intention to review the senior staffing structure by including both the Joint Monitoring Officer and Joint Section 151 Officer on to the Joint Management Board as strategic directors. Following a comparative exercise to look at the wider market

and best practice across the comparable district and borough councils, and taking account of DLUHC guidance, the Joint Chief Executive informed the JSSC of his decision, taken under his delegated authority as Head of Paid Service in consultation with the two Leaders, to implement that proposal with effect from 1 March 2024.

Members of the JSSC expressed their strong endorsement of the decision taken by the Joint Chief Executive.

The Joint Executive Head of Legal & Democratic Services and Monitoring Officer re-joined the meeting.

5. EXCLUSION OF THE PUBLIC

The Joint Senior Staff Committee

RESOLVED:

- (1) That pursuant to Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in Paragraphs 1, 2, 3, and 5 of the revised Part 1 of Schedule 12A to the Act namely:
 - Para (1): Information relating to any individual.
 - Para (2): information which is likely to reveal the identity of an individual
 - Para (3): information relating to the financial or business affairs of any particular person (including the authority holding that information).
 - Para (5): information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (2) That the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. SENIOR STAFF INVESTIGATION

The Joint Senior Staff Committee

RESOLVED:

- (1) To approve the recommendations set out in the exempt report submitted to the Joint Senior Staff Committee.
- (2) To convene a further meeting of the Joint Senior Staff Committee to consider an update on progress in respect of the investigation no later than two months from the date of this meeting.

Reasons:

- The power to authorise an investigation and to take disciplinary action in relation to Joint Strategic Directors is delegated to the Joint Senior Staff Committee.