



GUILDFORD
BOROUGH



Guildford Borough Council

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To: All Members of the Guildford &
Waverley Joint Senior Staff
Committee

Contact:
John Armstrong,
Democratic Services & Elections Manager,
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Date: 21 February 2024

Membership of the Guildford & Waverley Joint Senior Staff Committee:

Guildford Borough Councillors:

Cllr Julia McShane (co-chair)
Cllr Philip Brooker
Cllr Fiona White

Waverley Borough Councillors:

Cllr Paul Follows (co-chair)
Cllr Tony Fairclough
Cllr Peter Martin

Dear Councillor

**GUILDFORD & WAVERLEY JOINT SENIOR STAFF COMMITTEE
MEETING - THURSDAY, 29 FEBRUARY 2024**

A meeting of Guildford & Waverley Joint Senior Staff Committee will be held in COMMITTEE ROOM 3, WAVERLEY BOROUGH COUNCIL, THE BURYS, GODALMING, SURREY, GU7 1HR on THURSDAY, 29 FEBRUARY 2024 at 10.00 am and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

PEDRO WROBEL
Chief Executive

AGENDA

1. APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES
2. DISCLOSURES OF INTEREST
3. MINUTES (Pages 5 - 8)
To approve as a correct record the minutes of the meeting of the Guildford and Waverley Joint Appointments Committee held on 15 January 2024.
4. EXCLUSION OF THE PUBLIC
The Joint Senior Staff Committee is asked to consider passing the following resolution:

“(1) That pursuant to Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of agenda item 5 on the grounds that it is 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.”
5. SENIOR STAFF INVESTIGATION (Pages 9 - 66)
6. SENIOR STAFFING ARRANGEMENTS (Pages 67 - 74)

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GUILDFORD & WAVERLEY JOINT APPOINTMENTS COMMITTEE

MINUTES OF MEETING HELD ON MONDAY 15 JANUARY 2024

Present:

Councillor Julia McShane, Leader, Guildford Borough Council (co-chair) [in the chair]

Councillor Philip Brooker, Guildford Borough Council

Councillor Tony Fairclough, Deputy Leader, Waverley Borough Council

Councillor Peter Martin, Waverley Borough Council

Councillor Liz Townsend, Waverley Borough Council

Councillor Fiona White, Guildford Borough Council

Action By

27. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Paul Follows, Leader, Waverley Borough Council, for whom Councillor Liz Townsend substituted.

28. DISCLOSURES OF INTEREST

There were no disclosures of interest.

29. MINUTES

The Joint Appointments Committee approved, as a correct record, the minutes of the last meeting held on 14 December 2023.

30. EXCLUSION OF THE PUBLIC

Prior to the consideration of this item, the Monitoring Officer advised the Joint Appointments Committee on the process and procedure in respect of Item 5 on the agenda - Appointment of Interim Joint Chief Executive and Head of Paid Service.

The Monitoring Officer advised that the Joint Appointments Committee had the authority to identify and recommend to the full council meetings of both councils a preferred candidate for appointment to the role and designation as Head of Paid Service pending the arrival of the permanent Joint Chief Executive and Head of Paid Service, Pedro Wrobel, on 8 April 2024. No formal offer of appointment could be made until both councils had approved the appointment.

The Monitoring Officer also reminded the Joint Appointments Committee of its duty of Best Value. Whilst the application process had been ring-fenced to internal candidates only, there remained an option, should the Joint Appointments Committee so choose, to compare the internal candidates with external candidates in order to demonstrate that the market had been tested, both internally and externally, notwithstanding the relatively short two-month interim period of appointment.

The Joint Appointments 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 Paragraph 1 of the revised Part 1 of Schedule 12A to the Act namely: 'Information relating to any individual'.
- (2) That the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

31. APPOINTMENT OF INTERIM JOINT CHIEF EXECUTIVE/HEAD OF PAID SERVICE

The Joint Appointments Committee (JAC) noted that Section 4 of the Local Government and Housing Act 1989 required a local authority to designate one of its officers as the Head of Paid Service. Pedro Wrobel, the new Chief Executive would take up this role from Monday 8 April 2024, However, for the period between Tom Horwood's departure on 9 February, and 8 April both councils would need to designate another individual as the interim Joint Chief Executive and Head of Paid Service.

The JAC considered a report which set out the approach for the appointment of an interim Joint Chief Executive and Head of Paid Service to cover this role between 9 February and 8 April 2024.

The Leaders of both councils had invited expressions of interest from the current Joint Strategic Directors in respect of covering the interim role of Joint Chief Executive and Head of Paid Service for both authorities. Following the deadline set for receipt of expressions of interest, Thursday 11 January 2024, two expressions of interest had been received.

The JAC was asked to consider the expressions of interest put forward and, where appropriate, to recommend an appointment for confirmation at extraordinary meetings of both councils scheduled to take place on 23 January 2024 at Guildford and 24 January 2024 at Waverley. Any formal offer of appointment was subject to no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001.

The JAC, having interviewed the two candidates, and having taken into account their written expressions of interest,

RECOMMEND: (to Guildford Borough Council and Waverley Borough Council):

Jon
Formby

That, whilst both candidates were considered to be appointable to the role, confirmation of a formal offer of appointment to the role of Interim Joint Chief Executive, and designation as Head of Paid Service, for both Guildford and Waverley Borough Councils be made to Annie Righton, Joint Strategic Director: Community Wellbeing, subject to:

- (a) the salary for the interim role being set at a level equivalent to the current salary for the Joint Chief Executive/ Head of Paid Service post, pro-rata for two months; and

- (b) no material or well-founded objection being made by either of the two Council Leaders on behalf of their respective Executives, in accordance with the provisions of Paragraph 5 of Part II of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001.

Reason:

To appoint an interim Joint Chief Executive and Head of Paid Service, as part of the agreed collaboration arrangements between Guildford and Waverley Borough Councils to ensure compliance with the requirements of Section 4 of the Local Government and Housing Act 1989.

By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda item number: 5

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By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda item number: 5
Appendix 1

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Agenda item number: 5
Appendix 2

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By virtue of paragraph(s) 1, 2, 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda item number: 5
Appendix 3

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Guildford and Waverley Borough Councils

Report to: Joint Senior Staff Committee

Date: 29 February 2024

Ward(s) affected: N/A

Report of Interim HR Manager, Waverley Borough Council

Author: Jon Formby

Tel: 01483 523499

Email: jon.formby@waverley.gov.uk

Report Status: Open

Senior Staffing Arrangements

1. Executive Summary

- 1.1 Section 4 of the Local Government and Housing Act 1989 requires a local authority to designate one of their officers as the Head of their Paid Service. Most authorities designate their Chief Executive as the Head of Paid Service.
- 1.2 At their extraordinary full Council meetings on 19 December 2023, Guildford and Waverley Borough Councils approved the recommendation of the former Joint Appointments Committee of 14 December 2023 to appoint Pedro Wrobel as their Chief Executive and designate him as their Head of Paid Service, subject to human resources processes, including arranging a commencement date.
- 1.3 At their extraordinary full Council meetings held respectively on 23 and 24 January, Guildford and Waverley Borough Councils approved the recommendation of the former Joint Appointments Committee 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.

- 1.4 The Councils were fortunate in being able to secure the services of Pedro Wrobel earlier than expected and he 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 reverted to her substantive post on 19 February 2024.
- 1.5 On 16 February 2024, the Leaders of the Councils reached an agreement with both the Strategic Director, Community Wellbeing and the Strategic Director, Transformation and Governance, that to allow an investigation to be carried out they would step back from their duties and the next steps would need to be considered by the Joint Senior Staff Committee.
- 1.6 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 were 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 was undertaken with both executives regarding this short-term interim appointment and no member of either Executive raised any objections. The Joint Senior Staff Committee is asked to note the exceptional circumstances surrounding this appointment and the reasons why it was not possible to convene a timely meeting of the Joint Senior Staff Committee to formally approve this short-term interim appointment, and the reasons for the Councils' deviation from their usual procedures. The Committee is asked to retrospectively approve the appointment from 19 February 2024.
- 1.7 The Head of Paid Service has made additional interim arrangements in respect of responsibilities for particular service areas:

Organisational Development, Legal and Democratic Services and Finance are currently the responsibility of the Chief Executive; Housing and Environmental Services are the responsibility of the Interim Strategic Director; all other service areas are currently the responsibility of the Strategic Director for Place for an interim period.

- 1.8 The Head of Paid Service is making arrangements for further interim resource at Strategic Director level to take over from Michael Coughlin from 8 March 2024 and the Joint Senior Staff Committee is 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 Joint Senior Staff Committee on this occasion. The statutory requirement for consultation with the Executives prior to any formal offer being made will be followed.
- 1.9 For information the Head of Paid Service is also currently undertaking recruitment for a permanent Executive Head of Environmental Services. The Council's usual rules as set out in the Officer Employment Procedure Rules will be followed in respect of this recruitment.
- 1.10 The Joint Senior Staff Committee should also note that the Head of Paid Service has implemented arrangements for interim cover for the role of Joint Executive Head of Housing, whilst recruitment for the permanent appointment is being pursued.

2. Recommendation to Committee

The Joint Senior Staff Committee is recommended to resolve:

- 2.1 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.
- 2.2 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.

- 2.3 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.
- 2.4 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 for the Monitoring Officer to amend both Council's constitutions to reflect this delegation.
- 2.5 To approve the cost of interim support as set out in the financial implications paragraph below.

3. Reasons for Recommendation:

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

4. Exemption from publication

- 4.1 This report is not exempt.

5. Purpose of Report

- 5.1 Following the earlier than expected availability of the incoming Joint Chief Executive and Head of Paid Service, and the stepping back from

duties of two Joint Strategic Directors, the Joint Senior Staff Committee is asked to approve secondment arrangements to ensure that Guildford and Waverley Borough Councils have sufficient senior staffing arrangements in place.

The Joint Senior Staff Committee's role, as set out in its terms of reference, is:

“Adopting and exercising such of the functions of Guildford Borough Council and Waverley Borough Council (“the councils”) as can be delegated by those councils in respect of the appointment of the councils’ Joint Chief Executive/Head of Paid Service and any Joint Statutory Officer and Director posts as are covered by the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended) or any successor regulations.”

6. Strategic Priorities

- 6.1 The Joint Chief Executive/Head of Paid Service and Joint Strategic Directors play a pivotal role in the delivery of Guildford and Waverley Borough Councils' aspirations set out in their respective Corporate Plan and Corporate Strategy.

7. Background

- 7.1. The availability of the already approved incoming Joint Chief Executive and Head of Paid Service and the stepping back from duties by two Joint Strategic Directors meant that:
- (i) interim arrangements for the role of Joint Chief Executive and Head of Paid Service were no longer required; and
 - (ii) there was a requirement for interim appointments of additional senior staff at Strategic Director level, at short notice, outside of the normal process for recruitment.
- 7.2 Bringing forward an earlier start date for Mr Wrobel was an opportunity to bring in an already approved Joint Chief Executive and Head of Paid Service who was due to start with us on 8 April 2024.

- 7.3 Bringing in Michael Coughlin provided experienced senior level support from Surrey County Council to assist the functioning of Waverley and Guildford Borough Councils. Mr Coughlin is currently the Executive Director of Prosperity, Partnerships and Growth at Surrey County Council.

8. Financial Implications

- 8.1 Under the collaboration agreement, the cost of employing a Joint Chief Executive/Head of Paid Service is split equally between the two councils, with Waverley being the employing council.
- 8.2 Under the terms of secondment with Westminster City Council for Mr Wrobel, they will charge Waverley and Guildford approximately £30,500 for the period between 19 February and 8 April 2024, which will be split equally between the two councils.
- 8.3 Under the terms of the secondment with Surrey County Council for Mr Coughlin, they will charge Waverley and Guildford approximately £10,500 for the period between 19 February and 8 March 2024, which will also be split equally between the two councils.
- 8.4 The Joint Strategic Director, Community Wellbeing and Joint Strategic Director, Transformation and Governance remain on full pay whilst stepping back from their duties.

9. Legal Implications

- 9.1 Both councils have already approved the appointment of Pedro Wrobel as Joint Chief Executive/Head of Paid Service, and the terms of those approvals did not specify a particular date on which Mr Wrobel would commence his employment in that role. Although it had initially been envisaged that Mr Wrobel would start on 8 April 2024, following his notice period with Westminster City Council, we contacted both Mr Wrobel and Westminster to establish whether it would be possible for him to bring forward his start date to Monday 19 February, and both have agreed. The Joint Senior Staff Committee is asked to note that until 8 April 2024, Mr Wrobel is an Officer of both Waverley and Guildford Borough Councils, but an employee of Westminster City Council acting under a secondment

agreement between Waverley Borough Council and Westminster City Council. The Joint Executive Head of Legal & Democratic Services has consulted both Executives to ask whether they would have any well-founded objections to this appointment, and none have been received.

- 9.2 Similarly, the Joint Executive Head of Legal & Democratic Services has consulted both Executives to ask whether they would have any well-founded objections to the appointment, on a short-term interim basis, of Mr Coughlin as an Interim Strategic Director, on a secondment arrangement from Surrey County Council, and none have been received.

10. Human Resource Implications

- 10.1 The Joint Chief Executive/Head of Paid Service is the most senior officer appointment and leads the strategic Joint Management Team at Guildford and Waverley Borough Councils.
- 10.2 The role of Strategic Director is an important senior role at the second level tier in the structure of the Joint Management Team at Guildford and Waverley Borough Councils.

11. Equality and Diversity Implications

- 11.1 Equality impact assessments are carried out when necessary to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010. There are no immediate equality, diversity, or inclusion implications in this report's recommendations. Impact assessments may be required as further collaboration proposals are developed and implemented and will be reported as appropriate.

12. Climate Change/Sustainability Implications

- 12.1 The climate change emergency declaration and the urgent target for net zero carbon by 2030 is a critical objective for both councils. While no specific impacts on the climate emergency declaration have been identified as a consequence of this report's recommendations, the

Councils will be assessing and prioritising the environmental, climate and carbon impacts of any proposals that emerge.

13. Background Papers

None

14. Appendices

None