

Guildford Borough Council

Report to: Executive
Date: 23 January 2025
Ward(s) affected: 'All'
Report of: Strategic Director of Legal & Democratic Services
Report Author: Susan Sale, Strategic Director of Legal & Democratic Services
Email: susan.sale@guildford.gov.uk
Portfolio Holder: Cllr Merel Rehorst-Smith
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Status: Open Report with Exempt Appendices
Key decision: Yes

Governance and Resourcing of a Joint Executive Support Team

1.0 Executive Summary

- 1.1 The Council's Executive Support Team has been operating in effect as a joint service for both Guildford Borough Council and Waverley Borough Council since 2021, when it started supporting the Joint Leadership Team. This report seeks the approval of the Council for the service to be formally recognised as a shared service between the two Councils.
- 1.2 Employees of both Guildford Borough Council and Waverley Borough Council in Executive Support roles have effectively been undertaking a joint role, delivering a service to both Councils, for some time. However, they have not been treated in accordance with the Council's interim Policy on Joint roles or the existing Inter-Authority Agreement and this inconsistency seeks to be remedied by this report.

2.0 Recommendation to Executive

That the Executive resolves to:

- 2.1 Approve the creation of 1.5 full time equivalent new Personal Assistant posts to support the recent growth of three new Joint Assistant Directors, subject to budget approval by Council;

- 2.2 Subject to approval of the creation of two further new Joint Assistant Directors, approve the creation of 1 full time equivalent further Personal Assistant post to support those posts, subject to budget approval by Council;
- 2.3 Subject to consultation with affected staff and Unions, designate all existing and new posts within the Executive Support Team as Joint Posts from 1 April 2025;
- 2.4 Approve honorarium payments from 2021 (or the start of employment, whichever is the later) to existing Officers in the Executive Support Team in accordance with paragraph 11.3 of this report, at a cost of £51,000 to Guildford Borough Council;
- 2.5 Recommend to Council that the Executive Support function be a joint function with Waverley Borough Council and that the Council agrees to delegate the exercise of this function to Waverley Borough Council on behalf of Guildford Borough Council;
- 2.6 Recommend to Council that the Strategic Director of Legal and Democratic Services be given delegated authority, in consultation with the Joint Chairs of the Joint Governance Committee, to include the shared Executive Support service in any Inter-Authority Agreement.

3.0 Reasons for Recommendations

- 3.1 To ensure that the Leaders of both Councils, the Corporate Leadership Board and the Joint Leadership Team are adequately supported by sufficient resources within the Executive Support Team, to enable them to operate in an efficient and cost-effective way.
- 3.2 To ensure that Executive Support Team officers, who provide a service to both Councils by supporting and working closely with Joint Officers, are formally recognised as having Joint Posts.
- 3.3 To ensure that such Joint Posts are dealt with in a consistent manner and in accordance with existing HR policies for such posts and the inter authority agreement between the two Councils for the sharing of staff.
- 3.4 Recognising that when officers in the Executive Support Team commenced their roles, they were not treated in accordance with the current HR policy for Joint Posts as it did not exist at the relevant time, and remedying this lack of consistency, parity and fairness by way of payment of honorariums will put such officers

into the position they would have been in had the policy been in place at the time.

- 3.4 To seek Council's formal approval of the creation of a joint service and to agree the provision of the function to Guildford Borough Council by Waverley Borough Council.

4.0 Status of Report

This report is not restricted.

5.0 Strategic Priorities

- 5.1 The Executive Support Team optimises the efficiency and effectiveness of senior leaders, both politicians and officers, and goes to the heart of the Council's strategic framework and delivery of the Corporate Strategy. It provides a supporting role in delivering the Corporate Priority of being a Resilient and Well-Managed Council.

6.0 Background

6.1 Resources

- 6.1.1 A review has been carried out of the level of resources in the Executive Support Team. The current team consists of 11.5 FTE Officers:

- 1 x FTE team leader (grade 6);
- 5.5 x FTE Executive Assistants (grade 7); and
- 5 x FTE Personal Assistants (grade 8).

- 6.1.2 Until recently the team provided support for the Waverley Borough Council Mayoral function, but to provide better alignment with service responsibilities, this has now transferred to officers within Democratic Services. This aligns with the structure at Guildford Borough Council where the Civic function and support for the Mayoralty is also within Democratic Services. The Executive Support Team are therefore now responsible for support to the Leader of Guildford Borough Council, the Leader of Waverley Borough Council, the Joint Chief Executive, the four Joint Strategic Directors and the thirteen Joint Assistant Directors.

- 6.1.3 On reviewing demands of the service, taking account of the very wide remit of senior officers across their joint roles for two Councils and their requirement for a high level of support from the Executive

Support Team, and learning from experience, it is considered that an appropriate level of support is:

- 0.5 FTE Executive Support Officer for each Council Leader;
- 1 FTE Executive Support Officer for the Joint Chief Executive;
- 1 FTE Executive Support Officer for each Joint Strategic Director; and
- 0.5 FTE Personal Assistant Officer for each Joint Assistant Director.

6.1.4 There has been recent growth in senior officers including the approval of three new Joint Assistant Directors ('Legal Services & Information Governance', 'Democracy and Governance' and 'Finance'). The Executive is also currently considering growth requests for one new permanent Joint Assistant Directors ('People') and one new temporary '2 year fixed term' Joint Assistant Director ('Business Transformation'). It is also felt that an enhanced level of support to each of the Leaders and their Executives would support achievement of the Corporate Strategy.

6.1.5 Growth in the Executive Support Team is therefore sought as follows:

Current Resources		Required Resources		Increase in Resources	
Team Leader	1 FTE	Team Leader	1 FTE	Team Leader	N/A
Executive Assistants	5.5 FTE	Executive Assistants	6 FTE		0.5 FTE
Personal Assistants	5 FTE	Personal Assistants	7.5 FTE		2.5 FTE

6.1.6 Any growth requests for the Executive Support Team should be considered in the context of the high level of savings being realised every year from the Councils having a Joint Leadership Team, arising from the Collaboration between Waverley Borough Council and Guildford Borough Council, as confirmed by independent analysts and confirmed in the Local Partnerships Report on the collaboration savings, due to be considered by Council shortly.

6.2 Shared Posts

6.2.1 All posts in the Executive Support Team are included in the existing inter-authority agreement and designated as Shared Posts. The costs of these posts is split on a 50/50 basis between the two

Councils in line with the principles of the inter-authority agreement for the sharing of staff.

- 6.2.2 The inter-authority agreement provides that generally staff in shared posts will be employed by Waverley Borough Council and the HR policy provides that they are evaluated on the Waverley Borough Council job evaluation scheme with a 10% uplift applied which has resulted in an interim pay scale for such joint posts. Currently, one post is still a Guildford Borough Council post, and consultation will be undertaken shortly with the affected employee and the Unions, on a proposal to transfer this individual's employment to Waverley Borough Council as the new service provider, in line with the rest of the Executive Support Team.
- 6.2.3 It is proposed that any new posts in this area will be designated as Joint Posts in accordance with the inter-authority agreement.

6.3 Terms and Conditions of Executive Support Team Postholders

- 6.3.1 The Councils recently adopted an interim approach to joint posts which provides that Waverley Borough Council will be the employer for those posts. They are evaluated on an interim job evaluation scheme and awarded a salary commensurate with the Waverley Borough Council grade, which is then enhanced by a sum of 10%, to provide an interim pay scale for such joint posts.
- 6.3.2 From 1st April 2025, or as soon as possible thereafter, it is proposed that all posts in the joint Executive Support team will be Waverley Borough Council employees appointed in accordance with the inter authority agreement and the relevant HR policy for joint posts. However, some postholders have in effect been providing a joint service in what perhaps should have been considered a joint post, since the creation of the Joint Leadership Team in 2021. When they commenced work in what was effectively a joint post their roles were re-evaluated but the 10% uplift, which is included in the current HR policy, was not applied.
- 6.3.3 This disparity between how the Councils treat new joint posts now, and how the Executive Support Team posts were treated in 2021, leads to a perception of a lack of fairness and could expose the Councils to a risk of legal challenge. It is proposed therefore that all affected postholders be paid an honorarium payment equal to the sum they would have received if the 10% uplift had been applied to the salary for the Waverley evaluated grade, from the date they

commenced work in a joint post, to 31st March 2025. This would lead to a total cost of £102,000 to be divided 50/50 between the two Councils.

6.4 A Joint Service

6.4.1 Whilst there is a governance mechanism in place already, by way of the inter authority agreement and associated HR policies, to enable joint posts between the two Councils, there are currently no formally approved joint services between the two Councils.

6.4.2 The Executive Support Team has effectively operated as a joint service since 2021 when the Joint Leadership Team was created to serve both Councils. At the time, a business case was prepared, and was formally approved by the Corporate Management Team. This led to a restructure of the Executive Support Team (previously known as the Business Support Team). The business case identified several benefits of the restructure but didn't go as far as a formal request for approval by the Councils to establish a joint service. It was recognised at the time that there was a need for more senior level support roles to assist the Joint Chief Executive and Joint Strategic Directors, which were competent to take on a range of high level Executive Assistant tasks. New Executive Assistant roles were therefore introduced to provide consistency and resilience across the team when individuals are absent due through sickness or annual leave. It was further recognised that additional capacity and dedicated support was required at the Executive Head of Service (now Assistant Director) level to reflect the expansion of their new roles across both Guildford and Waverley. The Joint Leadership Team roles were accepted as having a significantly broader remit strategically and operationally across both Waverley and Guildford Borough Councils, with a significantly higher workload, and so would need in place a capacity support plan to ensure that individuals could perform effectively.

New roles of Executive Support Team Leader, Executive Assistants and Personal Assistants were created; they were job evaluated and postholders were recruited. At the time there was no increase in remuneration to reflect the breadth of the roles across two Councils and there was no proposal to transfer postholders to the employment of one Lead Council. There was at that time no HR Policy in place relating to arrangements for Joint Posts.

The rationale included in the 2021 Business Case for the restructure of the Business Support team included the following aspects aimed at supporting the increased capacity and demands on the Joint Leadership Team:

- Capability
 - To support the senior roles and provide assistance with additional capacity, a higher level role/s were required where the employees undertaking the roles have the capability to undertake specific tasks or draft initial correspondence to a high level.
- Support
 - To ensure high level support for the senior roles, it was accepted that they should have either a dedicated individual assigned to them or part of a dedicated individual assigned to them. This was in line with general good practice in this area and ensured trust and a good working relationship was established. Whilst it was recognised that not all Senior Managers would require the same levels of support, the new structure was based on parity across roles, with the Chief Executive and Directors receiving the equivalent of one full-time role each, and the Executive Heads of Service 0.5 of a full-time role each.
- Resilience
 - To provide resilience across the teams it was considered essential that there was sufficient capacity at the right level to cover for leave and that the teams be resourced appropriately to ensure flexibility to provide cover when their colleagues were away.

The individuals in the roles supporting the Joint Chief Executive and Joint Directors were expected to:

- Pro-actively look ahead in the appointments and diary of the individuals and assist them to manage their calendar and appointments to best utilise their working time and capacity;
- Be able to draft correspondence to a high level on behalf of the Senior Manager to check and sign;
- Be able to draft initial reports for the Senior Manager to check;
- Be able to pro-actively research information and then collate into a format that is accessible for the Joint Chief Executive / Joint

Strategic Director to review and be prepared for meetings/committees

The Executive Head of Service roles (now titled Assistant Director) have a broad remit across the two Councils. It was agreed that general P.A. support equivalent to 0.5 full time equivalent per Executive Head of Service was required. It was agreed that Executive Heads of Service would have a dedicated named individual supporting them to provide the business support that they required. These roles would be expected to:

- Triage and proactively manage incoming work
- Collate information required for external responses and draft responses in conjunction with the Executive Head of Service
- Provide diary management
- Compiles agendas, minutes and reports required for meetings
- Arranges facilities and IT Support for meetings
- Take notes and track actions as required at meetings
- Provide a liaison point internally and externally with Councillors and members of the public
- Co-ordinating incoming and outgoing correspondence to make sure it meets any Council standards
- Raise purchase orders on Agresso / Business World

6.4.3 At the time of the 2021 restructure of the Business Support Team, as the Inter Authority Agreement allowed for staff to be made available to work for the collaborating Council, it was suggested that the permanent member of Guildford staff continued to be employed by Guildford on their current terms and conditions. However, since then the Councils have amended their inter-authority agreement to provide that staff in joint roles should usually be employed by Waverley Borough Council on behalf of both Councils, and so transferring the remaining member of the team employed by Guildford to Waverley is now appropriate.

6.4.4 Whilst the Executive Support Team consists of postholders who effectively work in joint roles by virtue of supporting senior officers who are in joint posts, therefore operating as a joint service providing a function to both Councils, this has never been formalised.

6.4.5 To formally create a shared Executive Support Team between the two Councils, it would be necessary for one Council to delegate its Executive Support function to the other Council. It is proposed that

Guildford Borough Council formally delegate their Executive Support function to Waverley Borough Council, to be the lead Council for provision of the service, to be effective from 1 April 2025. It is anticipated that the postholder currently employed by Guildford Borough Council will be transferred to Waverley Borough Council from that date, or as soon as practicable thereafter. All staff in the Executive Support Team will be made available to both Guildford & Waverley Borough Councils in equal measure and the inter-authority agreement would enable each Council to delegate decisions to them as if they were their own staff.

- 6.4.6 The delegation would need to be agreed by both Councils, and the Executive are asked to recommend the proposal to the Council. The basis on which both Councils will exercise the delegation will be agreed through the inter-authority agreement. It is essential that a robust legal agreement sets out the respective obligations and responsibilities of each Council. Council are recommended to delegate the amendment of the existing inter-authority agreement, to include the Executive Support function, to the Strategic Director of Legal and Democratic Services, in consultation with each Chair of the Joint Governance Committee.
- 6.4.7 The arrangement is based on co-operation between the two Councils for their mutual benefit, recognising the aligned aims of the Councils to ensure high quality, cost effective, executive support, which can be more readily achieved by way of a joint service.
- 6.4.8 The joint service from 1 April 2025 will operate as an in-house service and there is no proposal or intention for the service to trade or sell their services externally.

7.0 Options

- 7.1 Three options were considered:
- Option 1 – Do nothing.
 - Option 2 – Establish two separate Executive Support Teams
 - Option 3 – Formally create a shared Executive Support Team
- 7.2 Option 1 has been discounted as it would not regularise the existing situation where the team in practice operates as if it were a shared service.
- 7.3 Option 2 would involve additional costs in fully resourcing two separate Executive Support Teams and a loss of current economies

of scale; it would also lead to a loss of best practice, greater breadth of skills sets and flexibility of allocation of resources; it would also lead to a lack of clarity of roles, responsibilities and accountabilities of postholders that support senior officers for only part of their work relating to one Council.

- 7.4 Option 3 would regularise the existing arrangements. Whilst the benefits of a joint service, including savings, greater efficiency, flexibility and development opportunities have already been realised by the Councils, it is recommended that the arrangement is now formalised by a delegation of the function from one Council to the other with governance of the arrangements being included in the inter-authority agreement.

8.0 Consultation

- 8.1 Consultation regarding the creation of a formal arrangement between Guildford and Waverley Borough Councils for the Executive Support Team will be undertaken with all affected staff and the Unions prior to 1st April 2025.
- 8.2 Consultation regarding the proposed transfer of employment of the Guildford Borough Council employee to Waverley Borough Council will also be undertaken with the affected employee and the Unions prior to 1st April 2025. This will be a TUPE consultation process with GBC as the transferor and WBC as the transferee.
- 8.3 Consultation has been undertaken with the Leaders of both Councils and the relevant Portfolio Holders. Consultation has also been undertaken with the Corporate Leadership Team.

9.0 Key Risks

- 9.1 That the current support capacity to senior officers and leaders is insufficient creating risk of not achieving best value as well as risk of the Joint Leadership Team not having sufficient capacity to achieve the Council's Corporate Priorities.
- 9.2 There is a risk that current postholders in the Executive Support Team view the current arrangements relating to their posts as being unfair and inconsistent with other postholders of joint posts. This could lead to a lack of motivation and commitment and potentially a risk of legal challenge.
- 9.3 There is a risk of unlawfulness of one Council delegating decisions to the Executive Support Team without a formal resolution of the Council in place delegating the service to the other Council.
- 9.4 There is a risk to each Council if the service is effectively delivered by officers of one Council without robust provisions in an inter

authority agreement setting out the rights and responsibilities of each organisation.

10.0 Legal and Governance Implications

- 10.1 Section 113 Local Government Act 1972 provides a power for a Local Authority to enter into an agreement with another Local Authority for the placing of staff at their disposal for the purposes of their functions.
- 10.2 Section 101 Local Government Act 1972 provides a power for a Local Authority to arrange for the discharge of any of their functions by any other Local Authority.
- 10.3 Section 112 Local Government Act 1972 provides a power to appoint staff on such terms and conditions as appropriate.
- 10.4 This proposal relates to all posts in the Executive Support Team to be designated Joint Posts under s113 Local Government Act and for Guildford Borough Council to delegate the exercise of the function to Waverley Borough Council on their behalf.
- 10.5 The Inter-Authority Agreement (Schedule 2, S3.3) provides that the Executive of both Councils will agree the provision of any new joint posts in excess of 12 months.
- 10.6 Guildford Borough Council's Constitution provides that the making of an agreement with another local authority in relation to staffing is a decision for the Council.
- 10.7 Under the Inter-Authority Agreement, the default position is that new Joint Posts will be employed by Waverley Borough Council, and the costs will be shared 50:50 between the Councils unless otherwise agreed. Officers appointed to such Joint Posts should be appointed in line with the current interim HR Policy for Joint Posts.

11.0 Financial Implications

11.1 Cost of Growth Posts

Approval is being sought for permanent growth of a 0.5 FTE grade 7 Executive Assistant and 2 FTE grade 8 Personal Assistant, and also for a 'two year fixed term' 0.5 FTE grade 8 Personal Assistant.

These posts will be appointed in line with the current HR policy for joint posts and included in the inter-authority agreement.

The costs of such growth posts will be as follows:

Post	25/26	26/27	27/28	28/29	29/30
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0.5 EA	26,720	26,720	26,720	26,720	26,720
1 PA	46,055	46,055	46,055	46,055	46,055
1 PA	46,055	46,055	46,055	46,055	46,055
0.5 PA	22,400	22,400	N/A	N/A	N/A
Total	141,230	141,230	118,830	118,830	118,830

The total cost of growth posts to reflect the recent growth in the senior leadership team and ensure that current service levels may be maintained is £141,230 per year for 25/26 and 26/27, reducing to £118,830 per year from 27/28 onwards.

Such costs are to be split equally between the two Councils with Guildford Borough Council being liable for £70,615 in the first 2 years reducing to £59,415 and is included in the budget proposals for approval by full council in February 2025.

11.2 Cost of Existing Posts Being Designated Shared Posts

From 1st April 2025 it is proposed that the existing posts in the Executive Support Team are formally designated as Joint Posts and that for the future they are dealt with under the HR policy relating to Joint Posts. The roles have been job evaluated under the Waverley Borough Council job evaluation process including the 10% uplift added to the Waverley Borough Council salary associated with that grade, to provide an interim pay scale for joint posts.

The existing 11.5 FTE officers in the team will therefore, from 1st April 2025, be Waverley Borough Council employees, but the joint roles will attract a salary in line with the interim joint pay scale for joint posts, in accordance with the current HR policy.

This will result in additional costs from 25/26 of £43,231 plus on costs per annum in respect of existing staff in accordance with existing HR policies. Total costs are estimated to be approximately £57,152 with Guildford Borough Council being liable for approximately £28,575.

Please see appendix 1 for further details.

11.3 Honorariums

The Executive Support Team Leader and 5.5 Executive Assistants undertook joint roles, by virtue of supporting joint senior leadership team (Chief Executive, Leaders and Strategic Directors) from 1st April 2022, or later if they took up their post after that date.

Four current Personal Assistant have been undertaking joint roles, by virtue of supporting joint Executive Heads of Service (now known

as joint Assistant Directors) from 1st October 2022, or later if they took up their roles after that date.

With the benefit of hindsight, a formal governance process should have been undertaken to designate the posts as joint posts and a review of remuneration should have been undertaken in light of the breadth of the role.

To be consistent with current arrangements, and in accordance with the new HR policy for joint posts which will impact the salaries of the Executive Support Team from 1 April 2025, it is proposed that an honorarium is paid for the period from when they effectively started work in a joint role until 31st March 2025.

This equates to a cost of £101,998.36 to be shared equally between the two Council with Guildford Borough Council being responsible for £50,999.18. The Guildford Borough Council proportion can be funded by the over-achievement of treasury income for 2024/25.

See appendix 2 for further details.

12.0 Human Resources Implications

- 12.1 All new posts approved in the Executive Support team, and all existing posts from 1st April 2025 will be formally designated shared posts and will be dealt with in accordance with the current interim HR Policy for such joint posts.
- 12.2 In line with the interim HR policy for joint posts any new roles where appropriate will be evaluated using the Hay method of job evaluation.
- 12.3 The existing inter-authority agreement of 24 October 2024 provides that all staff in Joint posts will be employees of Waverley Borough Council unless expressly specified otherwise. The Waverley Borough Council restructure policy and process will be followed in regard to the proposed changes to the Executive Support Team.
- 12.3 It is proposed that the one existing postholder in the Executive Support Team who is currently a Guildford Borough Council employee is transferred to the employment of Waverley Borough Council on 1st April 2025. Consultation with the member of staff affected and the Unions will be undertaken and the Transfer of Undertaking Protection of Employment Regulations will apply.

13.0 Equality and Diversity Implications

13.1 Equality and Diversity Implications have been taken into account in the Council's current HR Policy and the inter-authority agreement.

14.0 Climate Change and Sustainability Implications

There are no direct climate change or sustainability implications.

15.0 Background Papers

15.0 Guildford Borough Council's Constitution

15.1 Inter-Authority Agreement dated 24 October 2024

15.2 Guildford Borough Council interim Policy on Arrangements for Shared Posts with Waverley Borough Council

16.0 Appendices

Appendix 1 - Costs, for existing Executive Support Team postholders
(EXEMPT)

Appendix 2 - Honorariums to be paid to Staff (EXEMPT)

Report clearance progress:

Finance	Richard Bates / Jo Knight	3 rd January 2025
Legal	Deborah Upton / Claire Beesly	6 Jan 25
Human Resources	Francesca Chapman / Jon Formby	6 Jan 25
Strategic Director	Susan Sale	2 Jan 25

Consultation

Portfolio Holder	Cllr Morson / Cllr Kiehl	By email 2 Jan 25
CLB	Pedro Wrobel, Richard Bates, Susan Sale, Julian Higson	By email 2 Jan 25
Relevant Assistant Director	N/A – Post Vacant	
Leaders	Cllr McShane / Cllr Follows	By email 2 Jan 25
Executive		GBC Executive Briefing Meeting 8 Jan 25 WBC Executive Briefing Meeting 21 Jan 25