

SLOUGH BOROUGH COUNCIL

REPORT TO: Council

DATE: 28th November 2024

CONTACT OFFICER: Bal Toor – Human Resources Director

WARD(S): All

PART I **FOR NOTING**

APPOINTMENT OF EXECUTIVE DIRECTOR OF CORPORATE RESOURCES AND SECTION 151 OFFICER

1 Summary and Recommendation

- 1.1 This report asks Council to note the decision by Commissioners to appoint to the position of Executive Director of Corporate Resources and Section 151 Officer.

Recommendation:

Council is recommended to note the decision by Commissioners, following the appropriate recruitment processes having been undertaken, to appoint Ms Annabel Scholes as the Council's Executive Director of Corporate Resources and Section 151 Officer, as set out in Appendix 1.

Reason:

The Council has a statutory obligation to appoint a Section 151 Officer, and the recommendation supports the Recovery Plan by providing further support to promoting effective financial management and to provide strong leadership.

Commissioner Review

Commissioners have been involved in this process which meets the requirements of the Directions.

2 Report

- 2.1 The Council has not had a full-time permanent Executive Director of Finance and Commercial or Section 151 Officer since the previous incumbent left in April 2024. The recent Senior Management Restructure Review in June 2024 created a new post of Executive Director of Corporate Resources which incorporates the Section 151 Officer role. This is one of the three statutory governance officer roles required to be appointed to by local authorities. The Section 151 Officer role has been filled on an interim basis by Annabel Scholes since May 2024.
- 2.2 The Secretary of State Directions of 1 September 2022 state that the Government-appointed Commissioners at the Council shall exercise the function of appointing and dismissing of persons to positions, the holders of which are to be designated as statutory officers and statutory officer is defined as including the Section 151 Officer.

The function includes designating the person as a statutory officer and determining their terms and conditions of employment. However, whilst the decision rests with the Commissioners, the post holder has a key responsibility to the whole Council and will work closely with all elected members.

- 2.3 The proposed salary for the Executive Director of Corporate Resources post is at the top of the relevant pay band (SML16) at a salary of £149,777 per annum, which is in accordance with the Council's Pay Policy: [Slough Borough Council Pay Policy](#). Additionally, a market supplement is recommended for this post of £17, 234 per annum.
- 2.4 This market supplement is reviewable annually, as per the Council's policy on market supplements.
- 2.5 The salary arrangements, including any market supplement, will be in accordance with the Council's Pay Policy and will be published in the next annual policy update. The Council's Pay Policy states that market supplements are not linked to individual performance, but rather to the difficulty in recruiting to certain posts requiring specific skills and qualifications. These payments are reviewed annually to ensure they remain justified and can be changed or withdrawn as appropriate.
- 2.6 The rationale for the market supplement is based on the challenges encountered in identifying suitable candidates for this critical statutory role, as well as feedback from the external Search Partner, Starfish, which highlighted the competitive nature of the labour market for individuals with the necessary skills and experience. This market supplement is justified by the evidence gathered through the recruitment process and is in line with the Council's Pay Policy, which allows for such supplements, where there are difficulties in recruiting and retaining staff with the required expertise.
- 2.7 There were no well-founded objections made by any member of the Cabinet and, therefore, the decision has been confirmed by the Commissioners and an offer of appointment has been made. This is now being reported to Council as Council would normally appoint such officers in accordance with the Council's Officer Employment Procedure Rules.

3. Implications of the Recommendation

Financial Implications

- 3.1 The post holder will undertake the role of Executive Director of Corporate Resources and Section 151 Officer. This is a statutory appointment and is contained within the Council's senior management structure.
- 3.2 Provision was made in the 2024/25 Budget to cover the cost of the Senior Management Structure. To ensure effective budget management, the cost of the appointment, including market supplement, will need to be included when setting the 2025/26 Budget and reviewed annually.

Legal Implications

- 3.3 The Council is obliged under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs and secure that one of its officers has responsibility for the administration of those affairs. This role is designated to the Executive Director of Corporate Resources. The rules governing

recruitment and appointment of chief officers are set out in the Constitution. This includes the need for elected members to decide on these appointments, except when the Commissioners choose to exercise their intervention powers, or an interim is being appointed pending permanent recruitment. The MHCLG statutory Directions give powers to the appointed MHCLG Commissioners to make decisions on senior officer recruitment for the top three tiers of the organisation and specifically refers to decisions in relation to the statutory governance officers, which include the s.151 officer. An offer of employment as a chief officer shall only be made where no well-founded objection from any member of the Cabinet has been received.

Risk Management Implications

- 3.4 The risks of not making the necessary improvements to the Council are considerable. A key risk is not being able to make the necessary improvements in relation to leadership and governance. The intended post holder will play a key role in addressing these risks.

Environmental Implications

- 3.5 Not applicable

Equality Implications

- 3.6 Section 149 of the Equality Act 2010 requires public bodies to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 3.7 Recruiting and retaining a diverse workforce that reflects the wider community of Slough will help to meet this duty and ensure that proposals, decisions and service delivery is led and managed by staff with a diverse approach and background. The post holder will work as part of the wider corporate leadership team to fulfil this aim.

Workforce Implications

- 3.8 The recommendation is to recruit to a key statutory post to assist with the Council's recovery and improvement plans.

Appendices

Appendix 1 - Commissioner letter to appoint.

Background Papers

None