

Merton Council

Appointments Committee Agenda

Membership

Councillors:

Stephen Alambritis (Chair)*

Mark Allison (Vice-Chair)*

Tobin Byers

Caroline Cooper-Marbiah

Oonagh Moulton*

Martin Whelton

David Simpson CBE

Anthony Fairclough

Edith Macauley MBE

Nick McLean

*Members of the shortlisting and interview panel

Date: Wednesday 20 November 2019

Time: 3.30 pm

Venue: Civic Centre, London Road, Morden, SM4 5DX

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact recruitment@merton.gov.uk or telephone [020 8545 3319](tel:02085453319).

All Press contacts: communications@merton.gov.uk, 020 8545 3181

Appointments Committee Agenda

20 November 2019

- | | | |
|---|--|-----------|
| 1 | Apologies for absence | |
| 2 | Declarations of pecuniary interest | |
| 3 | Appointment to the post of Managing Director, South London Legal Partnership | 1 - 12 |
| 4 | Exclusion of the public
To RESOLVE that the public are excluded from the meeting during consideration of the following reports on the grounds that they are exempt from disclosure for the reasons stated in the reports. | |
| 5 | Appointment to the post of Managing Director, South London Legal Partnership - Addendum | To follow |

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

Public Information

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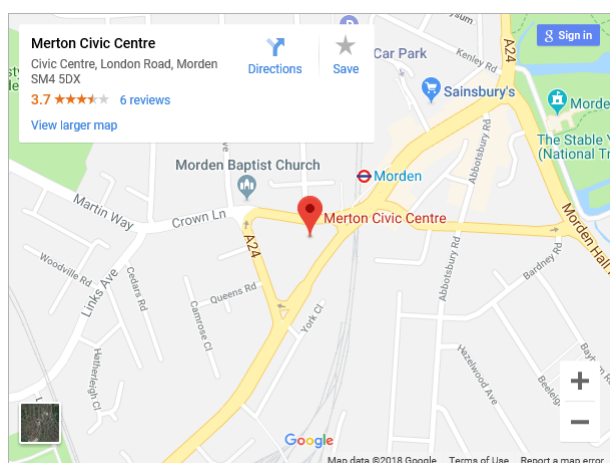
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- Nearest train: Morden South, South Merton (First Capital Connect)
- Tramlink: Morden Road or Phipps Bridge (via Morden Hall Park)
- Bus routes: 80, 93, 118, 154, 157, 163, 164, 201, 293, 413, 470, K5

Further information can be found [here](#)

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Agendas can also be viewed online in the Borough's libraries and on the Mod.gov paperless app for iPads, Android and Windows devices.

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Committee: Appointments Committee

Date:

Agenda item:

Wards: All

Subject: Appointment to the post of Managing Director, South London Legal Partnership

Lead officer: Liz Hammond, Interim Head of HR

Lead member: Chair of Appointments Committee and Cabinet Member for Strategic Resources and Performance

Key decision reference number:

The following paragraph of Part 4b Section 10 of the constitution applies in respect of information within the Addendum to this report and it is therefore exempt from publication:

Information relating to any individual.

Members and officers are advised not to disclose the contents of this report.

Recommendations:

- A That the Committee notes and approves the recruitment steps taken to date as per the details in section 2 below.
- B. That the Committee approve the recruitment steps in relation to paragraph 2.9 below.

1. Purpose of report and executive summary

- 1.1 Under the constitution, this paper should have come to the Appointments Committee prior to the commencement of the recruitment campaign. This has not happened due to another borough having commenced the recruitment process and therefore the proper process has not been followed. Now that Merton are leading the campaign, the proper process will be followed.
- 1.2 The purpose of this report is to note and ratify the steps of the recruitment process taken to date.

2. Details

- 2.1 The recruitment campaign for the post of Managing Director of the South London Legal Partnership is being handled by Penna. Penna have a good track record of recruiting to similar roles at other London boroughs.
- 2.2 The job description and person specification for the post of Managing Director of the South London Legal Partnership is attached. (Appendix One).
- 2.3 The post was advertised in The MJ from 10th October 2019 until the closing date of 1st November 2019.
- 2.4 The timetable for the key stages of the recruitment process is attached (Appendix Two).

- 2.5 Further to advice from Penna about the salary for the Managing Director, the vacancy is advertised showing 'competitive salary'.
- 2.6 In addition, Penna have advised that a pay offer of towards the top range of the salary may be required if an exceptional candidate is found but cannot be secured within the lower end of the salary range.
- 2.7 Following the closing date of 1st November, 8 applications were received for the post. Penna undertook an initial sift of the candidates and recommended that 5 candidates were recommended to proceed to technical interviews, with 3 candidates not recommended to be taken forward.
- 2.8 A longlist meeting was held on 6th November whereby Penna's recommendations were agreed with.
- 2.9 Five candidates will therefore proceed to the preliminary technical interviews on 14th November and the reports from those interviews will be discussed at the shortlist meeting in 20th November, to agree those candidates to be invited to final interview on 27th November.

3. Financial, resource and property implications

- 3.1 The costs of procuring the Managing Director the South London Legal Partnership are discussed at the addendum to this report and is exempt from disclosure.

4. Legal and statutory implications

- 4.1 The recommendations contained within this report are designed to ensure that the Council meets its statutory obligations to appoint staff on merit pursuant to the Local Government & Housing Act 1989. This means that the procedure should be capable of objective justification.
- 4.2 This post is covered by the Employee Procedure Rules (part 4H) of the constitution. The Appointments Committee is responsible for appointing to the Monitoring Officer's post. Once the recruitment process is completed, in accordance with the Council's recruitment procedures; an offer of appointment cannot be made by the Appointments Committee until the Committee has notified the Chief Executive of the name of the person to whom the Committee wishes to make an offer. The Chief Executive then notifies the details to every member of the Cabinet. The appointment will only be made where no material or well founded objections from the Cabinet have been received. Committee should therefore build this process into the recruitment planning.
- 4.3 In all other respects the process must comply with the Council's recruitment procedure.

5. Human rights, equalities and community cohesion implications

- 5.1 The contents of this report are designed to ensure that the Council's processes are human rights and equalities compliant.
- 5.2 It is unlawful to discriminate on grounds of gender, race, disability, age, religion and belief and sexual orientation. This refers to both direct and indirect discrimination. In effect the process has to be evaluated against three tests (1) intention (2) method (3) effect. Where there is an **intention** to discriminate on any

of the prohibited grounds, this would be unlawful. Where there is no such intention but the recruitment **methods** used are discriminatory, then the outcome may be open to challenge. Where the intention and method are sound but the **effect** is shown to have disproportionate effect on a particular category of applicant then the outcome may be open to challenge.

- 5.3 Committee is invited to satisfy itself that the procedures operate as designed. Committee should therefore be satisfied that the advertisement and shortlisting and appointment criteria are objective in order to assist in objective justification of the final decision.

6. Risk management and health and safety implications

- 6.1 None

7. Appendices – the following documents are to be published with this report and form part of the report

- 7.1 Appendix One: job description and person specification

- 7.2 Appendix Two: overview recruitment timetable

8. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report

- 8.1 None

9. Contacts

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 - email: press@merton.gov.uk
 - Tel: 020 8545 3181
- London Borough of Merton:
 - Address: Civic Centre, London Road, Morden, SM4 5DX
 - Tel: 020 8274 4901

10. Useful links

- 10.1 Merton Council's Web site: <http://www.merton.gov.uk>

- 10.2 Readers should note the terms of the legal information (disclaimer) regarding information on Merton Council's and third party linked websites.

10.3 <http://www.merton.gov.uk/legal.htm>

10.4 This disclaimer also applies to any links provided here.

Appendix One – job description and person specification



JOB DESCRIPTION

Post Title:	Managing Director, South London Legal Partnership (SLLP)
Grade:	MG5
Department:	Corporate Services
Location:	Such offices as the five boroughs may require. Main offices are Gifford House, 67c St Helier Avenue, Morden, London, SM4 6HY.
Responsible to:	Board of SLLP; line management at Merton via Director of Corporate Services and dotted line to Chief Executive, Merton as Monitoring Officer.
Responsible for:	South London Legal Partnership - for London Boroughs of Sutton, Merton, Wandsworth, Richmond upon Thames and Royal Borough of Kingston Electoral Services - for the London Boroughs of Merton Democracy Services – for the London Borough of Merton Information Governance –for the London Borough of Merton Internal Audit – for the London Borough of Merton Investigations – for the London Borough of Merton Local Land Charges – for the London Borough of Merton Corporate Complaints –for the London Borough of Merton Carrying out the functions of the Monitoring Officer – for London Boroughs of Merton and Richmond Upon Thames

Overview of SLLP

South London Legal Partnership is a well-established and successful shared service providing legal services to the Boroughs of Kingston, Merton, Sutton, Richmond and Wandsworth. The five councils benefit from **resilient, cost effect and high quality legal services**.

The service is ISO 9001:2015 accredited and provides the full remit of local authority legal services to the directorates of all councils as well as advice to councillors, the council, the committees of the councils and to schools in accordance with service level agreements.

The partnership has four expert teams

- **Property and commercial Team** – provides legal advice and support in relation to procurement, contracts, property and employment matters for all councils.
- **Communities and Environment Team** – litigates on behalf of all councils in the civil and criminal courts, and advises on all planning and highways matters.
- **Social Care and Education Team** – provides legal advice and support to adults' and children's social care teams as well as to the education teams for all councils.
- **Practice Management Team** – supports the legal service by providing administrative support to the legal offices and practice management support and information to legal services managers.

The Managing Director is responsible for the strategic and operational direction of the service and accountable to a shareholder board made up of the Chief Executive of the five boroughs.

MAIN PURPOSE

- To lead the strategic and operational direction of the SLLP and deliver high quality legal services to all five councils.
- To lead the provision of legal advice and legal services to members, directors and departments of all five councils.
- To lead the legal and electoral services teams in the London Borough of Merton and the Legal shared service teams for both councils.
- To act as Monitoring Officer under the Local Government and Housing Act 1989 for Merton and Richmond Councils.
- To manage the London Borough of Merton's democratic services, scrutiny and member services.

- To manage a range of corporate governance functions for the London Borough of Merton including information governance, internal audit and Safety Services.
- In the capacity of Monitoring Officer for the Merton and Richmond Councils, be a member of the Corporate Services Management Team; participate in the overall management of the Corporate Services Department for the London Borough of Merton; be a member of the Directorate Management Team and participate in the overall management of the Finance and Corporate Services Directorate for the London Borough of Richmond upon Thames.

MAIN DUTIES AND RESPONSIBILITIES

Professional

- To provide leadership and managerial direction to the SLLP.
- To provide expert advice to leading members and senior managers of all five councils on all legal and governance issues.
- To ensure that the advice provided to council officers and members on legal and governance issues by the shared team is sound, responsive, based on up to date knowledge and meets organisational needs.
- To participate in the development of all five councils' policy, ensuring that governance and legal considerations are taken into account.
- To lead on the development of governance and decision-making procedures and Standing Orders, to ensure that such procedures and Standing Orders are implemented and maintained and updated as appropriate, and to monitor their application.
- To keep abreast of developments in the law affecting local government, and in modern approaches to decision-making and governance; to make and progress proposals to ensure that arrangements respond to these developments.
- To act as Monitoring Officer for both Merton and Richmond councils.
- To act as Deputy Returning Officer for London Borough of Merton.
- To act as the proper officer for receipt and registration of Members' interests in accordance with the Local authorities (Members' Interests) Regulations 1992 for both authorities and the Council's Register or Pecuniary Interests of Senior Staff for the London Borough of Merton.

Managerial

- To progress the modernisation and transformation of the councils' business including maximising efficiency through development of the shared legal service.
- To deliver the service in line with council policy, procedures legislative and other requirements, ensuring delivery of high quality and cost effective legal services.
- To review the service regularly to continue to improve and meet the changing needs of all councils.
- To develop, implement and maintain service level agreements for legal services provided to other departments, in close consultation with these client departments.

- To lead and manage the London Borough of Merton Corporate Governance Division.
- To develop, implement and maintain performance management and quality assurance procedures for all services responsible for.
- To be responsible for the budget in the region of £6m per annum; to manage this budget ensuring the appropriate monitoring and financial control procedures are in place.
- To lead and manage staff of the shared legal service and the London Borough of Merton Corporate Governance Division, ensuring that recruitment, training, development, appraisal and other management activities are carried out in accordance with council policies. To ensure that appropriate professional development is undertaken by all staff as necessary.
- To participate in and lead as appropriate, intra and inter departmental working parties of both councils and to ensure that such groups receive appropriate contributions from the services managed.
- To represent the Directors or the councils as appropriate to external bodies such as the Local Authority Association, central government departments, Law Society, etc.
- To undertake such other duties of a comparable nature elsewhere in the London Borough of Merton as may be required to facilitate management development and service flexibility.
- Any other duties as requested by the Directors.

LONDON BOROUGH OF MERTON
CORPORATE SERVICES DEPARTMENT
PERSON SPECIFICATION

Qualifications and Experience

Professional and post specific requirements

- Qualification as a Solicitor or Barrister
- Experience of providing direct advice to elected members or members of a board on legal and decision-making issues, both verbally and in writing
- Evidence of contributing successfully to corporate decision-making and development of corporate policy, strategy and governance processes

Managerial requirements

- Management experience at a senior level within a large complex organisation
- Proven success in the management of change and service improvement
- Experience of budget management
- Ability to lead and motivate staff
- Evidence of working successfully in partnership with external organisations and stakeholders

Knowledge, Skills and Abilities

Professional and post specific requirements

- Comprehensive working knowledge of the law affecting local government and its trends and development in the UK and EU.
- Comprehensive knowledge of local government services, governance and management arrangements and best practice.
- Ability to advise on the development and implementation of policies, practices and procedures in line with good practice and UK/EU law.

Managerial and personal requirements

- Ability to develop, articulate and implement a service plan, including a workforce plan, to meet the needs of the business
- Understanding of the principles of business systems and processes and how these can be applied to increase efficiency
- Sound commercial acumen and the ability to identify, assess, mitigate and manage business risk

- Excellent interpersonal skills and the ability to work effectively with elected members and colleagues, balancing control requirements with empowering managers and staff
- Ability to influence, persuade and negotiate for the successful delivery of outcomes
- Excellent communication and advocacy skills, both orally and in writing
- Good numeracy and well-developed analytical skills
- Ability to solve complex problems
- Ability to develop, articulate and implement a clear vision for the future of support service provision within LB Merton
- Clear understanding of ways in which the Council's policy of equality in employment and service provision can be reflected in all aspects of work of the division
- Understanding of the Council's vision and mission statement and how they relate to the work of the Division
- Ability to attend evening and weekend meetings as appropriate

Personal Style and Behaviour

Please refer to LB Merton's Model of Leadership Behaviours (attached).

Appendix Two – overview of recruitment timetable

Job Advertised and Search goes live	10 th October
Closing date	1 st November
Longlist Meeting	6 th November
Preliminary Interviews	14 th November
Shortlist meeting	20 th November
Final Panel and Assessments	27 th November

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