

**Committee: Full Council**

**Date: 6 March 2024**

**Wards: All**

**Subject: Appointment of Chief Officers**

Lead Director: Polly Cziok, Executive Director of Innovation and Change

Lead member: Councillor Billy Christie, Cabinet Member for Finance and Corporate Services

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**Recommendations:**

- A. That Full Council approves the recommendation from the Appointments Committee that the salary packages for the roles listed in section 2 below should be agreed, in accordance with the Council's Pay Policy Statement.

**1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 At the meeting of Full Council on 15th November 2023, revisions to senior salaries were agreed. These changes were agreed to enable the Council to compete more effectively in the London Local Government recruitment market, and to end reliance on expensive agency interim staff, the use of which was leading to significant overspends on senior staffing budgets.
- 1.2 Since that meeting, Executive Directors have terminated contracts of a number of high spend agency interims, in some cases moving them onto Fixed Term Contracts with the council, in other cases using existing staff to 'act up' into more senior roles. These measures, amongst others, mean that at the beginning of January 2024, Merton was employing the lowest number of agency staff for two years.
- 1.3 The next stage in moving towards permanent, cost-effective, and stable leadership in the Council is the commencement of permanent appointments into vacant roles.
- 1.4 The Executive Director for Children, Families, and Lifelong Learning, has announced her intention to retire at the end of May, so in addition to those existing vacancies, this role requires a new permanent appointment.
- 1.5 Following approval to commence recruitment from the Appointments Committee, the following roles have been advertised; Executive Director for Children, Lifelong Learning, and Families, Director of Public Realm, Director of People and Culture Change (formerly titled Head of HR and OD), and Head of Housing Development. Simultaneous recruitment will also be undertaken for a Head of

Communications and Engagement, and a Head of Sustainable Transport, though those roles do not reach the £100k threshold for Full Council authorisation.

- 1.6 The next phase of recruitment will cover recruitment to vacant Director roles in Children's and Adults Social Care, listed in section 2, as well the Director of Strategy, Policy, and Transformation.

## **2 ROLES FOR PERMANENT RECRUITMENT**

### **Executive Director – Children, Lifelong Learning, and Families**

To agree to a salary range of £134,690 - £154,539 for the post of Executive Director of Children, Lifelong Learning, and Families.

### **Director – Public Realm**

To agree to a salary range of £108,790 - £116, 319 for the post of Director of Public Realm (Grade MG5).

### **Director – People and Culture Change**

To agree to a salary range of £108,790 - £116, 319 for the post of Director of People and Culture Change (Grade MG5).

### **Director – Policy, Strategy & Innovation**

To agree to a salary range of £108,790 - £116, 319 for the post of Director of Strategy, Policy, and Transformation (Grade MG5).

### **Director – Strategy Commissioning and Partnerships (CLLF)**

To agree to a salary range of £108,790 - £116, 319 for the post of Director of Partnerships and Strategy (Grade MG5).

### **Director – Children's Social Care and Youth Inclusion**

To agree to a salary range of £108,790 - £116, 319 for the post of Director of Children's Social Care (Grade MG5).

### **Director – Adult Social Care Operations**

To agree to a salary range of £108,790 - £116, 319 for the post of Director of Adult Social Care Operations (Grade MG5).

### **Director - Director of Integrated Care, Commissioning & Assurance**

To agree to a salary range of £108,790 - £116, 319 for the Director of Integration and Commissioning (Grade MG5).

### **Head of Housing Development**

To agree to a salary range of £85,200 - £92,943 for the post of Head of Housing Development (Grade MG3). The salary for this post does not breach the £100k threshold for Member approval, but the competitive nature of the housebuilding and development market means that the Council may have to deploy a market supplement payment to successfully recruit. In that instance the total annual salary package (ie salary range and market supplement) will not exceed £120,000.

### **3 FINANCIAL, RESOURCE, AND PROPERTY IMPLICATIONS**

- 3.1 Salaries for these roles are contained within existing budgets for 2024/25. Permanent recruitment will allow the Council to maintain stable leadership, and to avoid ongoing reliance on agency staff and short-term management arrangements.

### **4 LEGAL AND STATUTORY IMPLICATIONS**

- 4.1 Section 38 (1) of the Localism Act 2011 requires the Council to prepare a Pay Policy Statement for each financial year. It must be approved by a resolution of the Council before it comes into force, it must be prepared and approved before 31 March, and it must be published in such a manner as the Council thinks fit (which must include publication on the website). The most recent Pay Policy was approved by Full Council on 1 March 2023 and amended by Full Council on 17 May 2023. A new Pay Policy for 2024/25 has been brought to this meeting of the Council for approval.
- 4.2 The Statement must include the Authority's policies relating to: (a) the level and elements of remuneration for each chief officer, (b) remuneration of chief officers on recruitment, (c) increases and additions to remuneration for each chief officer, (d) the use of performance-related pay for chief officers, (e) the use of bonuses for chief officers, (f) the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and (g) the publication of and access to information relating to remuneration of chief officers.
- 4.3 Section 40 of the Localism Act includes provision for the Secretary of State to issue guidance on the content and application of pay policy statements. Councils must have regard to this guidance in the exercise of their functions under the pay policy provisions. Initial Guidance under section 40 has been published and this was supplemented by further Guidance in February 2013. The Guidance is statutory guidance, and although it is not law, it is not mere advice, and the Council must consider it carefully and have cogent reasons if it wishes to depart from it. Failure to do so may result in any decision being challenged.
- 4.4 The Guidance advises that Full Council should be given the opportunity to vote before salary packages of £100,000 or more are offered in respect of a new appointment. This is consistent with the Council's pay policy statement which states that the approval of Full Council is required prior to any offer of employment being made where the proposed salary exceeds £100,000.
- 4.5 Section 41 of the Localism Act 2011 says that in making a decision which relates to the remuneration of or other terms and conditions applying to a chief officer, the Council must comply with its pay policy statement for the financial year. The recommendations in this report comply with the pay policy statement approved by Full Council on 1 March 2023 and amended by Full Council on 17 May 2023.

### **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, in particular in relation to compliance

with the Public Sector Equality Duty. Grading of posts is based on the principles of equal value as determined by use of objective job evaluation schemes.

## **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**

- [Appointments Committee Report 8th February 2024](#)

## **8 BACKGROUND PAPERS**

8.1. None

## **9 CONTACT**

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## **10 USEFUL LINKS**

- Merton Council's Web site: <http://www.merton.gov.uk>
- Readers should note the terms of the legal information (disclaimer) regarding information on
- Merton Council's and third party linked websites.
- <http://www.merton.gov.uk/legal.htm>
- This disclaimer also applies to any links provided here