

LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Director of Equalities and Disproportionality – Recruitment process: Appointment Recommendation	
REPORT OF Director of People & Inclusion	
FOR SUBMISSION TO Audit and Corporate Governance (Appointment Panel) Sub-Committee	DATE 24 th January 2022
<p>SUMMARY OF REPORT</p> <p>This report provides some background with regard to process and practice for the sub-committee in undertaking their role in appointing candidates for Chief Officer positions, in this instance with regard to a permanent appointment to the role of Director of Equalities and Disproportionality. Members are asked to carefully consider the advice within the report and should they have any additional questions to seek advice either before or during the meeting. Separately and with as much notice as they can (depending on the timing of the recruitment), HR will supply to all members on a strictly confidential basis additional information on the recommended candidate.</p> <p>Local Government Act 1972 – Access to Information</p> <p>No documents have been used in the preparation of this report.</p> <p>Contact Officer: Joanna Brown Director of People and Inclusion 5 Pancras Square London N1C 4AG Tel: 020 7974 6302 E-mail: joanna.brown@camden.gov.uk</p>	
<p>RECOMMENDATIONS</p> <p>That the Audit and Corporate Governance (Appointment Panel) Sub-Committee:</p> <p>(1) Notes the background to the establishment of the post of Director of Equality and Disproportionality and the previous Member decision to appoint for a 12-18 month period.</p> <p>(2) Consider the appointment recommendation and make a decision whether to appoint the current incumbent permanently to the role.</p> <p>(3) In accordance with the Council’s Pay Policy Statement approve the recommendation that the employee appointed continue on their current Chief Officer salary. This will be reviewed in line with the standard annual pay review process.</p>	

Local Government Act 1972 – Access to Information

The additional information on the recommended candidate is exempt from disclosure by virtue of the following paragraphs of Schedule 12A to the Local Government Act 1972:

Paragraph 1: Information relating to any individual.

Signed:

A handwritten signature in cursive script, appearing to read 'J Brown', written in black ink.

Joanna Brown
Director of People and Inclusion

Date: 12th January 2022

1. Purpose of Report

- 1.1 The Audit and Corporate Governance Committee has delegated to the Audit and Corporate Governance (Appointment Panel) Sub-Committee responsibility for offering permanent appointments to all posts at Chief Officer level.
- 1.2 This report sets out the background to the establishment of a new Chief Officer role of Director of Equality and Disproportionality and the decision to appointment for a period of 12-18 months. A recommendation to appoint permanently to the role is made on the basis of the current contractual arrangements, remit and experience of the officer recommended. Additional papers will be provided in an exempt from disclosure report directly by HR.
- 1.3 The job profile for the role of Director of Equalities and Disproportionality is attached at Appendix A.

2. Director of Equality and Disproportionality - Background to the role

- 2.1. At an Audit and Corporate Governance (Appointment panel) Sub-Committee in July 2020 Members decided to appoint to the newly established role of Director of Equalities and Disproportionality on a 12 month basis, with delegated authority being given to the Chief Executive to extend this period by a further 6 months at her discretion.
- 2.2. The role was initially intended for a period of 12-18 months and hence the appointment was made on that basis on a fixed-term contract.
- 2.3. Members will recall the basis for establishing the role was prompted as the levels of inequality were brought into more stark focus as a result of the Covid-19 pandemic and the Black Lives Matters movement. The disproportionate impact on Black, Asian and Minority Ethnic communities further highlighted the work still needed to create a borough where everyone has a chance to succeed and nobody gets left behind.
- 2.4. Whilst the need to understand and respond to these issues is the responsibility of every Council employee we established the role of Director of Equality and Disproportionality to coordinate and accelerate the work and response and provide the level of leadership and focus on this work. The role reports to Jon Rowney, Executive Director of Corporate Services and the Council's Inclusion Sponsor.
- 2.5. The initial focus of the role as described to Members in the report of July 2020 was
 1. Lead the Council's response to Black Lives Matter and Disproportionality by convening the existing work streams on equalities, and managing the emerging work streams as a result of the pandemic, ensuring these all align
 2. Oversee the implementation of the actions and recommendation from the Covid disproportionality working group
 3. Ensure the council meets its statutory responsibilities relating to equalities
 4. Share evidence collected and continue to validate the findings

5. Co-design action plans with our communities and lead on an outward facing role around building cohesive communities.
6. Be a leading voice in the national agenda in tackling race inequalities and share best practice with other local authorities.

3. Background to the Fixed-Term Appointment

- 3.1 In July 2020 Members agreed to appoint the current incumbent on a fixed term contract without the need to advertise or interview for the role.
- 3.2 Appointing the internal candidate to the role in this way is an approach which we have taken from time to time in exceptional circumstances. Whilst this approach is not used very often, it was agreed that it had a number of benefits in this situation: recruiting Chief Officers is not easy to get right even where time and attention is applied in order to appropriately assess an 'untested' candidate's suitability for the role. It was concluded that it was not necessary to search the market and fill the role through the external recruitment process which would incur recruitment costs of circa £20,000. The agreed internal appointment gave a positive message about the Council's commitment to 'growing its own' senior managers from an internal population and contributes to the Council improving diversity at the most senior level of the organisation.
- 4.3 The internal candidate appointed to the fixed term role was already actively working in this role/area of work and there has been a high level of confidence in the post holder, such that it was agreed that an external recruitment process would have seemed artificial.

4. Need for the Role to be Made Permanent

- 4.1. It was anticipated that this role would be established for a 12-18 month period to provide the level of leadership and focus at that time. The role was established in the Summer of 2020 when the key priorities listed in paragraph 2.5 resulting from the Covid-19 pandemic and the Black Lives Matters movement needed leadership at Director level. The view at that time was that the work would become embedded in all Council services over this period.
- 4.2. Over the past 18 months the Director of Equalities and Disproportionality has led on the following key achievements:
 - Delivered and embedded the call to actions from the Building Equal Foundation report, 125 of the 140 actions now complete with the remaining scheduled to be completed in the next six months. This has developed a high level of trust with residents and key community partners from the Race & Equality community stakeholder group. Attached is the report Building Equal Foundations: One Year On (Appendix B)
 - Developing our Diversity in Public Realms work – this includes the renaming of Cecil Rhodes House, Beckford primary school and working alongside CIP on the naming of Maitland park new builds. Working with Commemorations Memorials and Streets Members Working Group, also working closely with the London Mayor office and sit on the panel for diversity in public realms

work.

- Lead sponsor for the Renewal Commission diversity mission, lead sponsor for Camden2025 refresh on equalities challenges, supported the Anti-Racism Learning offer roll out.
- Worked closely with Cabinet and Camden Mayors office, and ward councillors, supported with the implementation of the transgender crossing and worked on key equalities events such as disability history month, Pride, faith forum events, and cultural calendars.
- Working with the GLA (Greater London Authority), CELC (Chief Executives of London Committee), and other Local authorities to enhance work around equalities, diversity and inclusion. Camden is seen as a leader in this area and has featured in the MJ (the Municipal Journal), and the LGA (Local Government Association) website.

3.2 The initial priorities for the role going forward are summarised below:

- Building Equal Foundations was focused on racial inequality and disproportionality. Going forward we need our equalities strategy and Equalities and Disproportionality Service to address all intersecting protected characteristics and structural inequalities.
- A key priority this year will be working on an Equality and Inclusion strategy – this will build on the work being done with the Camden 2025 refresh and Camden Plan. This will involve working with a number of external local groups and residents to ensure their voices are captured from the onset of this work.

3.3 The impact of the work undertaken by this role over the past 18 months has led to a shift in the conversation about equalities at Camden, and there is more work happening in this space as a result. It has become clear that given the impact this role has had and the ongoing need to provide the level of leadership and focus on this work, the role is needed on a permanent basis.

4. Appointment Proposal

4.1 On this occasion, the Chief Executive and Head of Paid Service is recommending to Members that they appoint the current incumbent on a permanent basis.

4.2 To make a permanent appointment to a Chief Officer role we would ordinarily search the market and fill the role through the external recruitment process which would incur recruitment costs of circa £20,000. We have done this on many occasions – and we are currently undertaking this process to fill our Director of Housing role.

4.3 Due to the previous decision to appoint to this role on a fixed term basis we are in a more unusual situation in determining how to appoint to this role permanently. The current incumbent has certain protections under employment legislation. As the role of Director of Equalities and Disproportionality is continuing they have a right to continue in that role as there would be no sound reason for dismissal.

- 4.4 The current incumbent has made a significant impact in this role as evidenced by the achievements listed above. They continue to perform well and there is no basis for them to be removed from the role as it is continuing.
- 4.5 Whilst very exceptional, many of the reasons for making the initial appointment of an internal candidate summarised in Section 3 above also apply to this appointment recommendation. Recruiting Chief Officers is not easy to get right even where time and attention is applied in order to appropriately assess an 'untested' candidate's suitability for the role. This approach also gives a very positive message about the Council's commitment to 'growing its own' senior managers from an internal population, and can contribute to the Council improving diversity at the most senior level of the organisation.
- 4.6 The recommendation that the internal candidate is the only candidate considered for this role would be in keeping with past practice under exceptional circumstances of the type which apply in this instance. The employee has already been actively working in this role and there has been a high level of confidence in the post holder, such that an external recruitment process would seem artificial. There is no other role for the employee to undertake at a similar level and they are entitled to continue in the role they currently hold now that it is being made permanent.
- 4.7 In accordance with the Council's Pay Policy Statement it is recommended that the employee appointed continues on their current Chief Officer salary. This will be reviewed in line with the standard annual pay review process.
- 4.8 Additional background on the candidate, will be provided in a separate report directly from HR.

5. Finance Comments of the Executive Director Corporate Services

- 5.1 Finance have been consulted on this appointment and the salary costs will be met from within existing budget provision.

6. Legal Comments of the Borough Solicitor

- 6.1 The Local Authorities (Standing Orders) (England) Regulations 2001 (the Regulations) set out the requirements for the appointment of senior staff and the relevant provisions of the Regulations are contained in the Officer Employment Procedure Rules, which are set out in Part 4, section 9 of the Council's Constitution. The procedure set out in this report complies with the Regulations.
- 6.2 The Council has the power to appoint such officers as it considers necessary for the proper discharge of the Council's functions by virtue of s. 112(1) of the Local Government Act 1972.
- 6.3 By s. 112(2) of the Local Government Act 1972 such an officer "shall hold office on such reasonable terms and conditions, including conditions as to remuneration, as the authority appointing him think fit".

6.4 The Accounts and Audit (Amendment No. 2) (England) Regulations 2009 which came into force on 31 March 2010 require all local authorities in their annual statement of accounts to publish details of remuneration for all senior employees earning in excess of £50,000 p.a. In the case of senior employees who earn in excess of £150,000 p.a. these employees will be required to be identified by name.

6.5 Local Government and Housing Act 1989 s7(1) stipulates that any appointment made by the Council must be on merit subject only to some exemptions concerning the councils equality duties. The Council should if challenged be able to demonstrate that the successful candidate was the best candidate by objective reference to both the application and the interviews

7. **Appendices**

- a) Job outline and person specification
- b) Building Equal Foundations: One Year On report

REPORT ENDS