

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

## General Services Committee

The meeting will be held at **6.00 pm** on **27 June 2016**

**Committee Room 4, Civic Offices, New Road, Grays, Essex RM17 6SL**

### Membership:

Councillors Robert Gledhill (Chair), John Kent (Vice-Chair), Colin Churchman, Garry Hague, Roy Jones, Barbara Rice and Graham Snell

### Substitutes:

Councillors Mark Coxshall, Leslie Gamester, Brian Little, Bukky Okunade and Angela Sheridan

### Agenda

Open to Public and Press

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<b>1. Apologies for Absence</b>	
<b>2. Minutes</b>	<b>5 - 6</b>
To approve as a correct record the minutes of General Services Committee meeting held on 17 May 2016..	
<b>3. Items of Urgent Business</b>	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
<b>4. Declarations of Interests</b>	
<b>5. Chief Executive Performance Appraisal Procedure</b>	<b>7 - 16</b>
<b>6. To Agree The Appointment Of The Director Of Commercial Services</b>	<b>17 - 20</b>



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- Access the modern.gov app
- Enter your username and password

# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

## Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

## When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

**What is a Non-Pecuniary interest?** – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

### Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

### Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

**Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish**

To achieve our vision, we have identified five strategic priorities:

**1. Create a great place for learning and opportunity**

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspirations and attainment so that local residents can take advantage of job opportunities in the local area
- Support families to give children the best possible start in life

**2. Encourage and promote job creation and economic prosperity**

- Provide the infrastructure to promote and sustain growth and prosperity
- Support local businesses and develop the skilled workforce they will require
- Work with communities to regenerate Thurrock’s physical environment

**3. Build pride, responsibility and respect to create safer communities**

- Create safer welcoming communities who value diversity and respect cultural heritage
- Involve communities in shaping where they live and their quality of life
- Reduce crime, anti-social behaviour and safeguard the vulnerable

**4. Improve health and well-being**

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being
- Empower communities to take responsibility for their own health and wellbeing

**5. Protect and promote our clean and green environment**

- Enhance access to Thurrock’s river frontage, cultural assets and leisure opportunities
- Promote Thurrock’s natural environment and biodiversity
- Ensure Thurrock’s streets and parks and open spaces are clean and well maintained

## Minutes of the Meeting of the General Services Committee held on 17 May 2016 at 7.00 pm

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**Present:** Councillors Mark Coxshall, Roy Jones and Graham Snell

**Apologies:** Councillors John Kent (Chair) and Barbara Rice

**In attendance:** Jackie Hinchliffe, Director of HR, OD & Transformation  
Matthew Boulter, Principal Democratic Services Officer

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### 3. Minutes

The Minutes of the General Services Committee, held on 1 and 2 March 2016, were approved as a correct record.

### 4. Items of Urgent Business

There were no items of urgent business.

### 5. Declarations of Interests

There were no declarations of interest.

### 6. Chief Executive's Performance Objectives

The Committee noted the Chief Executive had met her targets.

#### **RESOLVED:**

**The Chief Executive's Performance Review for 2015-16 is approved.**

**The meeting finished at 7.10 pm**

Approved as a true and correct record

**CHAIR**

**DATE**

Any queries regarding these Minutes, please contact  
Democratic Services at [Direct.Democracy@thurrock.gov.uk](mailto:Direct.Democracy@thurrock.gov.uk)

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## **Performance Appraisal Procedure for the Chief Executive of Thurrock Council**

### **Introduction**

This procedure seeks to ensure that the Chief Executive's performance is formally reviewed on a regular basis. It complies with the principles set out in the Joint Negotiating Committee (NJC) for Local Authority Chief Executives (national salary framework & conditions of service) handbook.

The purposes of the appraisal process are to (i) help maximise the chief executive's job performance; and (ii) determine the performance-related element of the post holder's salary.

### **Responsibilities for Appraisal**

Under Thurrock Council's constitution (Chapter 5, Part 5) the General Services Committee is responsible for the following:

3. To deal with any of the functions of the Council in relation to the employment of staff that are not dealt with by officers under delegated powers ... including powers to ...
  - 3.3 appoint any sub-committee or panel or other body to exercise the committee's powers in relation to staff grading, disciplinary, grievance or any other staffing matter;
  - 3.4 determine any other staffing matter that is within the remit of the Council.

The Chief Executive's terms and conditions of employment include the following:

#### **16. PROBATION**

The Chief Executive will be subject (as all employees are) to 6 months' probation where there is an external appointment.

#### **17. PERFORMANCE MANAGEMENT**

The Chief Executive is required to actively participate in the prevailing Performance Management Scheme as approved by the Leader of the Council.

#### **19. SELF DEVELOPMENT**

The Chief Executive is required to participate in self-development or team development activities as required by the Leader of the Council.

## **Probation**

An externally appointed Chief Executive's probation period will run for six months from their first day of employment with Thurrock Council.

The Chief Executive's objectives and developmental needs for the first five months of their employment will be agreed with the Leader of the Council at the earliest opportunity and recorded using the form at Appendix 1.

During this time, both parties should ensure that all reasonable support and development is sought, offered and accepted so that the probationary objectives will be achieved.

After five months' employment, the Leader should recommend to GSC whether to:

1. Confirm the Chief Executive's appointment
2. Extend their probationary period
3. Terminate their employment

Advice should be taken from the Director of HR, OD and Transformation and Head of Legal and Democratic Services if members wish to pursue options 2 or 3.

The Chief Executive shall then be given written notification of GSC's decision.

## **Appraisal Process**

General Service Committee or a sub-committee appointed by the General Services Committee (GSC) will undertake formal appraisals of the Chief Executive. If a sub-committee is appointed they will report their recommendations to GSC for approval. The Director of HR, OD and Transformation will provide administrative support and advice, and the Head of Legal Services will also advise as appropriate. The sub-committee, GSC and Chief Executive should aim to reach mutual agreement to each appraisal. If this is not possible, the Chief Executive has the right of appeal.

The appraisal process contains the following three tasks:

### **i. Set objectives**

As part of his/her role profile, the Chief Executive has agreed to exercise leadership in the successful execution of the following objectives:

1. Ensure the effective delivery of the corporate plan and other strategic objectives of the Council.
2. Ensure that the Council's overall planning and budgetary processes are delivered into management action.
3. Ensure service delivery standards and objectives are clearly defined and measured.

4. Ensure that effective financial and human resource strategies are maintained which support the Council's corporate strategy and allow legislative and other demands to be met.
5. Ensure effective internal and external communication to ensure all staff work towards the aims, objectives and values of the Council and to promote awareness within the community of Council services and achievements.
6. Maintain and build upon good relationships between political and managerial processes.
7. Ensure effective implementation of Council policies through the direct management of chief officers and other staff, as appropriate.
8. Ensure that the Council continuously improves services and exceeds the expectations of residents, customers and stakeholders.

Objectives set as part of this process should help to achieve one or more of the above. They should, as far as possible, be specific, measurable, time bound and challenging but achievable.

#### **ii. Review performance**

Targets which have been met and other positive achievements should be recognised. The factors contributing towards good performance should be identified so that due recognition can be given and they can be taken forward for future use.

Unmet targets and any other negative aspects of performance should be discussed so that the contributory factors can be addressed.

#### **iii. Identify developmental requirements**

Both parties should identify the professional development necessary to equip the Chief Executive with the requisite skills to meet his/her objectives both now and in the future.

### **The Appraisal Cycle**

The Director of HR, OD and Transformation will oversee the administration of the appraisal cycle.

The sub-committee will undertake an appraisal interview with the Chief Executive every September and March. Before each interview the Chief Executive will be asked to complete a draft appraisal form (see Appendix 1) in which he/she:

- assesses his/her own performance over the previous six months
- proposes objectives for the next six months
- proposes any personal development needs
- provides any additional comments

The form will then be sent to members of the committee/sub-committee in advance of the meeting. Each member should consider the Chief Executive's views carefully and decide, in advance of the appraisal interview, whether they agree with them or whether they wish to add, delete change any of them.

To supplement this process, four members of the leadership group, including a direct report, will be asked to complete an assessment of the Chief Executive's performance (a different four officers should be chosen for each six month appraisal). The information they provide will be given to the Chief Executive and sub-committee members in advance of the interview. The identity of the four officers shall not be disclosed.

Before the appraisal interview, members should meet and aim to form collective views before meeting with the Chief Executive.

At the interview, the chair of the committee/sub-committee should lead a discussion based on the written submission and aim to reach agreement between the members and Chief Executive about how the final, written form should be worded, what rating should be attached to each performance category and what overall rating should be awarded. A date for the next bi-annual appraisal should be agreed before the meeting ends.

After the interview, the committee/sub-committee should, if still necessary, agree on the appraisal's wording and ratings.

A copy of the completed form should be issued to the Chief Executive as soon as possible after the appraisal interview.

A meeting of GSC, at which the Chief Executive will be invited to attend, should then be convened at the earliest opportunity. Where appropriate, the sub-committee's recommendations should be put forward for GSC's approval. GSC may seek further clarification before deciding whether to ratify the recommendations. GSC has the right to change part or all of the appraisal and ratings. The overall performance score in March's appraisal will determine the Chief Executive's pay point for the following financial year.

## **Appeal**

If the Chief Executive disagrees with their appraisal they may appeal against it. They should submit detailed, written grounds for their appeal to the Head of Legal Services, who will arrange an appeal hearing. At the hearing, three elected members, who have had no previous involvement in the process, will consider the written appeal and any oral submission that the Chief Executive wishes to make. A member of GSC may attend and respond to the appeal.

The appeal panel's decision will be final.



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## Performance Appraisal for Lyn Carpenter, Chief Executive

### Objectives and Performance for April 2016 – March 2017

Objectives (SMART = Specific, Measurable, Achievable, Relevant, & Time-bound)	Performance	Rating 1-4 (see below)
<ul style="list-style-type: none"> <li>• Deliver the agreed priorities of the council and represent the council effectively on all external forums to ensure Thurrock's voice is heard strongly and effectively, maximising investment and funding in the borough.</li> </ul>		
Page 13 <ul style="list-style-type: none"> <li>▪ Continue to build an understanding of the politics of the borough, establishing the confidence of members and working effectively across political boundaries.               <ul style="list-style-type: none"> <li>• <i>Effective communication and engagement mechanisms with members and political stakeholders in place.</i></li> <li>• <i>Member/officer relations are effective and role boundaries in place.</i></li> <li>• <i>Effective cross Group working/governance structures.</i></li> <li>• <i>Positive interface between members and officers</i></li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li>▪ Deliver the council's 16/17 budget on target and develop proposals for delivering the 17/18-19/20 budgets in line with council priorities.               <ul style="list-style-type: none"> <li>• <i>Delivery of 16/17 budget on target by March 2017.</i></li> <li>• <i>Council approval of 17/18 budget by February 2017.</i></li> <li>• <i>Develop and implement a commercial strategy. By October 2017.</i></li> <li>• <i>Introduce a Transformation Programme approach across the council to drive effective service delivery and increased cost efficiencies. 17/18 budget to be proposed through transformation and not top slicing.</i></li> </ul> </li> </ul>		
<ul style="list-style-type: none"> <li>▪ Develop effective working relationships with external partners and stakeholders in Thurrock and more widely to support the achievement of the council's ambitions.               <ul style="list-style-type: none"> <li>• <i>External partners and stakeholders are engaged and understand/support the council's ambitions.</i></li> </ul> </li> </ul>		

<ul style="list-style-type: none"> <li>Improved profile and reputation of the council.</li> <li>Implement a Residents Survey in Autumn 2016 using the feedback to review performance standards, KPI's etc for 17/18.</li> </ul>		
<ul style="list-style-type: none"> <li>Build on the model of effective leadership of the senior team and the internal operation, demonstrating behaviours that reinforce the values of the council, drives high performance and delivers service outcomes. <ul style="list-style-type: none"> <li>Display leadership behaviour that demonstrates a good fit with the council, motivates and empowers and creates a positive culture.</li> <li>Establish high visibility across the council.</li> <li>Prepare and implement a cross council action plan to address areas for improvement arising from the Staff Survey. Ensure effective engagement of the officer team, You Said, We Did.</li> </ul> </li> </ul>		
<b>Mandatory objectives</b>		
Hold a formal PDR for each of my direct reports every six months	Yes	
Undertake at least 15% sampling of the formal PDRs undertaken by my direct reports every six months	Yes	
<b>Ratings:</b> 1 = Exceeds target 2 = On target performance 3 = Some Improvement Needed 4 = Unacceptable performance		

Signature of Leader & date:	
Signature of Chief Executive & date:	





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<b>27 June 2016</b>	<b>ITEM: 6</b>
<b>General Services Committee</b>	
<b>To Agree The Appointment Of The Director Of Commercial Services</b>	
<b>Wards and communities affected:</b> N/A	<b>Key Decision:</b> N/A
<b>Report of: Chief Executive</b>	
<b>Accountable Head of Service: N/A</b>	
<b>Accountable Director: Lyn Carpenter, Chief Executive</b>	
<b>This report is Public</b>	
<b>Date of notice given of exempt or confidential report:</b>	

## **Executive Summary**

The role of Director of Commercial Services and Commissioning formed part of the new senior team following the Chief Executives restructure in 2015. Despite an extensive campaign and careful consideration by General Services Committee an appointment was not made to the role in March. It was agreed the Chief Executive would review the role before proceeding with further recruitment.

The review of the post has been conducted and the role has been focussed upon the commercial requirements to drive income generation for the council and ensuring best value from our contracting. With delegated authority interviews were held in March.

### **1. Recommendation(s)**

#### **1.1 To agree the appointment of Sharon Bayliss as Director of Commercial Services.**

### **2. Introduction and Background**

2.1 Following the unsuccessful recruitment of the Director of Commercial Services and Commissioning role in March, the Chief Executive reviewed the role to focus on the commercial requirements to drive income generation. This position is now a part time role which will constitute two days a week, representing a reduction in salary costs and a further decrease in the overall costs of senior managers

- 2.2 The members of the General Services Committee approved to delegate authority to the Chief Executive to proceed with the attraction and appointment to the refined role on the 5<sup>th</sup> May 2016. General Services Committee can delegate authority to appoint to a non-statutory chief officer.
- 2.3 This report asks General Services Committee to agree the recommendation to appoint Mrs Sharon Bayliss as Director of Commercial Services following a full recruitment and interview process.

### **3. Issues, Options and Analysis of Options**

- 3.1 General Services Committee has within its terms of reference and the provisions of the Council's Employment Rules pursuant to The Local Authorities (Standing Orders) (England) Regulations (as amended up to 2015) authority to delegate to the officer(s) the interviewing and selection of the current non statutory Chief Officer post subject to ratification and approval of the selection by the committee. In particular by Para 1.3 of the Employment Rules - "The General Services Committee may arrange for the discharge of any of its functions under Rule 1.2 above by a Sub-Committee or (with the exception of making a recommendation to Council as set out in Rule 1.1 above or the final decision on the appointment or dismissal of a Chief Officer/Director) an Officer." This gives General Services Committee the flexibility to delegate preparatory and selection stages subject to the Committee making the final decision on the appointment of the current non statutory Chief Officer appointment
- 3.2 Following the delegation of authority from GSC to the Chief Executive, and the redefinition of the content of the role, the Director of Commercial Services was advertised externally on Jobs Go Public from Friday 6<sup>th</sup> May - Sunday 22<sup>nd</sup> May 2016. The vacancy advert received over 1000 views and a total of 9 application forms were received.
- 3.3 Shortlisting of these applications was undertaken by the Chief Executive and the Director of HR, OD and Transformation against the essential criteria detailed in the person specification with 3 candidates invited to interview.
- 3.4 The interviews were conducted on the 31<sup>st</sup> May, with Sharon Bayliss being recommended to General Services Committee to be appointed as the successful candidate.
- 3.5 Sharon brings with her a wealth of experience and knowledge having previously held similar commercial roles at London Borough of Hammersmith and Fulham and Royal Borough of Kensington & Chelsea, Sharon also has private sector experience, including roles at EDF Energy and Orange (PCS) Limited as well as running her own consultancy company working with private and public sector clients. During the interview Sharon fully demonstrated the strategic vision and operational demands of driving income and supporting the future financial independence of the council.

#### **4. Reasons for Recommendation**

- 4.1 To agree the appointment of Sharon Bayliss as the Director of Commercial Services following the interviews held on 31<sup>st</sup> March.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

- 5.1 The recommendation in this report is the outcome of a formal recruitment process conducted by the Chief Executive and Director of HR, OD and Transformation, following the delegation of authority by General Services Committee.

#### **6. Impact on corporate policies, priorities, performance and community impact**

- 6.1 N/A

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Sean Clark**  
**Head of Corporate Finance**

The Director of Commercial Services post is fully funded within existing Council budgets.

##### **7.2 Legal**

Implications verified by: **David Lawson**  
**Deputy Head of Legal**

The requisite delegations and processes followed are outlined in the body of the report.

##### **7.3 Diversity and Equality**

Implications verified by: **Natalie Warren**  
**Community Development and Equalities  
Manager**

The appointment is recommended based on the council's recruitment process which is underpinned by the council's equal opportunity policy.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

- N/A

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- N/A

9. **Appendices to the report**

- N/A

**Report Author:**

Lyn Carpenter  
Chief Executive