

19 OCTOBER 2011

**LEADER**

*Councillor Stephen  
Greenhalgh*

**APPOINTMENT OF BI BOROUGH CHIEF  
EXECUTIVE AND HEAD OF PAID SERVICE**

**Wards**

**ALL**

**CONTRIBUTORS**

EDFCG  
ADLDS  
HES

**RECOMMENDATIONS:**

Council is invited to adopt the following resolutions as recommended by the Appointment Panel :

1. To appoint Mr Derek Myers as Chief Executive and Head of Paid Service pursuant to section 4 of the Local Government and Housing Act 1989, through an agreement pursuant to section 113 of the Local Government Act 1972.
2. that the Authority enter into an agreement under section 113 of the Local Government Act 1972 on such terms as the Assistant Director (Legal and Democratic Services) considers appropriate for the Royal Borough of Kensington & Chelsea to place Mr Derek Myers at the disposal of the authority to discharge the role of Chief Executive and Head of Paid Service.
3. that all the functions relating to elections including those of electoral registration officer and returning officer, currently vested in the Chief Executive be vested in the Executive Director of Finance and Corporate Governance, or in his/her absence, the Assistant Director (Legal and Democratic Services) and that the Constitution be amended accordingly.
4. that the above changes will be effective from the 20 October 2011.

## 1. BACKGROUND

- 1.1 This report relates to the appointment of a Bi-Borough Chief Executive using section 113 of the Local Government Act 1972.

## 2. APPOINTMENT OF A BI-BOROUGH CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

- 2.1 Cabinet on 20 June 2011, agreed to combine a number of services with the Royal Borough of Kensington & Chelsea and Westminster City Council. Westminster wish, for the time being, to retain a single Chief Executive whereas the Cabinets of Hammersmith & Fulham and Kensington & Chelsea wish, subject to Council approval, to move to a single Chief Executive and head of paid service to realise savings and to facilitate the various Bi and Tri Borough integration projects following the retirement of Mr Geoff Alltimes.
- 2.2 It is proposed that following Mr Geoff Alltimes' retirement the functions of Chief Executive together with the statutory function of head of paid service, (but with the exception of those of electoral registration officer and returning officer and related functions) be provided by the Chief Executive of the Royal Borough of Kensington & Chelsea, Mr Derek Myers, under an agreement under section 113 of the Local Government Act 1972 subject to the Appointment Panel and Full Council being satisfied that these duties can properly be discharged by him.
- 2.3 Mr Derek Myers' Curriculum Vitae is **attached**. The nature of the duties Mr Derek Myers will carry out are set out in the **attached** job description.
- 2.4 The Appointment Panel agreed to recommend to Council that the position should be offered to Mr Derek Myers, the current Chief Executive and Town Clerk of the Royal Borough of Kensington & Chelsea.
- 2.5 It also agreed that the Council be invited to transfer the roles of electoral registration officer and returning officer to the Executive Director of Finance and Corporate Governance given the difficulty of effectively discharging such duties on behalf of two authorities.
- 2.6 Subject to Council's agreement, the above changes will be effective from 20 October 2011.

## 3. Comments of the Executive Director of Finance and Corporate Governance

- 3.1 The saving to the Council as a result of sharing a Chief Executive with the Royal Borough of Kensington & Chelsea is £120,000 per year. The Council will meet 50% of the cost of Mr Derek Myers' salary including on costs. This is estimated to be a cost of £148,000 in a full year. The Royal Borough will invoice the Council quarterly for these costs under the terms of the Section 113 agreement.

## 4. Comments of the Assistant Director (Legal and Democratic Services)

- 4.1 Section 113 of the Local Government Act 1972 provides that a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided

for by the agreement, of the services of officers employed by the former. The officer is treated for all employment purposes as an officer of the lending authority but is treated as an officer of the borrowing authority for the purposes of any enactment relating to the discharge of that authorities functions. Both boroughs have successful arrangements with one another using section 113 dating back to 2006 including a shared borough engineer, solicitor and deputy director of finance. In addition to the financial arrangements described above the arrangement will be terminable on three months notice by either side.

- 4.2 The Council is required under section 4 of the Local Government and Housing Act 1989 to designate one of its officers as the “head of paid service” which in the vast majority of authorities is the Chief Executive or equivalent. An officer provided to the authority under section 113 is treated for all the authority’s functions as one of its officers and may therefore be designated Chief Executive and Head of Paid Service by the Council. The appointment of a Chief Executive and the designation of the head of paid service are both functions of Full Council. Full Council may only make the appointment where no well founded objection is received from any member of the executive. The procedure to notify the executive and receive objections is set out in paragraph 5 of the Officer Employment Procedure Rules (Constitution page 382) and this process will be initiated if the Panel decides to recommend the appointment.

## **5. Recommendations**

- 5.1 Council is invited to adopt the following resolutions as recommended by the Appointment Panel :
1. To appoint Mr Derek Myers as Chief Executive and Head of Paid Service pursuant to section 4 of the Local Government and Housing Act 1989, through an agreement pursuant to section 113 of the Local Government Act 1972.
  2. that the Authority enter into an agreement under section 113 of the Local Government Act 1972 on such terms as the Assistant Director (Legal and Democratic Services) considers appropriate for the Royal Borough of Kensington & Chelsea to place Mr Derek Myers at the disposal of the authority to discharge the role of Chief Executive and Head of Paid Service.
  3. that all the functions relating to elections including those of electoral registration officer and returning officer, currently vested in the Chief Executive be vested in the Executive Director of Finance and Corporate Governance, or in his/her absence, the Assistant Director (Legal and Democratic Services) and that the Constitution be amended accordingly.
  4. that the above changes will be effective from 20 October 2011.

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext. of Holder of File/Copy</b>	<b>Department/ Location</b>
1.	Appointment of Bi Borough Chief Executive and Head of Paid Service	Lyn Anthony, Head of Executive Services (Ext 1011)	CE's Department 3 <sup>rd</sup> Floor, East Wing, HTH
Responsible officer: Lyn Anthony			

## **JOB DESCRIPTION**

**Job title:** Chief Executive  
**Department:** Hammersmith and Fulham Council  
**Responsible to:** Council and Members

### **Principal Accountabilities:**

Gross Revenue account: £765m  
Net Expenditure: £184m  
Capital Expenditure: £33m  
Approximately 5,244 Staff

### **1. Purpose of the Role**

- 1.1 To provide the overall, strategic vision and leadership necessary to achieve the organisation's objectives and to meet the statutory responsibilities of the Council.
- 1.2 To lead and direct the management team of the Council including Tri-borough and Bi-borough Executive Directors.

### **Main Responsibilities**

#### **2. Corporate Role:**

- 2.1 Line management responsibility for all executive directors and other direct reports. Ensuring the effective corporate management of the Council, maintaining the highest standards of governance and probity.
- 2.2 Drive organisational development and promote an enabling organisational culture that supports employees, encourages cross-boundary and partnership working and integrated solutions.
- 2.3 Ensure services are designed to make the most effective use of resources and take into account the views of the public and the local community. So that resident satisfaction with local public services is delivered.
- 2.4 Develop working relationships and work in partnership with other councils, particularly the Royal Borough of Kensington & Chelsea and Westminster City Council, PCTs, the police and other stakeholder organisations to achieve high quality, cost-effective services that are subject to continuous improvement. Maximise positive investment in the Borough.
- 2.5 Enhance the profile of the organisation at local, regional and national levels.
- 2.6 Act as the Head of the Council's Paid Service and be the lead policy and management adviser to the Council. Provide effective, impartial advice and

guidance to all elected members. Work closely with the political leader and cabinet to ensure that the Council delivers the priorities set by the administration. Support the backbench councillors in their scrutiny and other committee roles.

### **3. Functional Role**

- 3.1 Develop and implement the Business Plan for the organisation, including the Tri-borough and Bi-borough proposals, and provide regular reporting on organisational performance to enable effective monitoring and planning of objectives and services.
- 3.2 Ensure systems and procedures are in place to support corporate governance and probity within the organisation.
- 3.3 Develop and advise on strategies and policies which will meet the needs of the residents of Hammersmith & Fulham and ensure their successful implementation.
- 3.4 To support the Council's high visibility, 24/7 beat policing, minimising the environment for crime programme, to achieve a positive and improving environment for local residents and businesses.
- 3.5 To advocate the Council's zero tolerance measures in relation to anti-social behaviour.
- 3.6 To promote the Council's regeneration programme, to achieve a vibrant and varied local economy, fostering social cohesion and positive links with Hammersmith & Fulham's business community.
- 3.7 Lead management team members holding them accountable for the effective delivery of the objectives, goals and aspirations of the organisation as well as service departments. Manage the Council's annual performance appraisal scheme for chief officers.
- 3.8 Deliver an effective performance management and planning framework, ensuring the effective management of financial and other resources.
- 3.9 Ensure the organisation's structure and capacity is fit for purpose and able to meet the needs of the community and that strategic goals are achieved within available resources.
- 3.10 Develop an effective working relationship with each of the political group leaders and their groups, ensuring effective and consistent management of the Council's core functions are maintained.

### **4. Chief Executive's Role**

- 4.1 Through open commitment and clear action, value the rich diversity of the Borough's community, ensuring equality of opportunity and avoiding social exclusion.
- 4.2 To implement national pay awards and any local variations.

- 4.3 To be the Proper Officer in relation to the relevant provisions of the Local Government Act 1972.
- 4.4 Freedom of Information Act 2000 – to determine the application of exemptions in respect of requests for information under the Act, including the application of the public interest test.
- 4.5 Where temporary vacancies arise in statutory or other chief officer posts and pending recruitment, to designate those functions/duties to another officer to avoid undue delays, in consultation with the Leader.
- 4.6 Other statutory functions relating to:
- Powers of principal councils with respect to emergencies or disasters
  - Civil Contingencies Act 2004
  - Regulations for the discharge of functions of one local authority by another, or by the executive of another local authority, or jointly by authorities
  - Reporting to the Authority on the organisation of staffing and resources required to carry out its functions

## 5. **Civil and Other Emergencies**

- 5.1. To support the Council's role in planning for and responding to civil and council emergencies using skills/expertise of the post holder and in accordance with council emergency procedures. To provide emergency contact details for the purposes of emergency and service continuity plans.
- 5.2. To ensure service continuity plans are in place for all services to allow them to deliver essential services following a business disruption and that the plans are regularly tested.

## 6. **I.T.**

To use the Council's office-based and mobile IT services for the input, access and transmission of information using the appropriate level of information security and classification through the use of electronic mail, diaries, word-processing, spreadsheets and databases as well as any specific job-related applications as required to carry out the duties of the post.

## 7. **Information Management**

- 7.1. To ensure the Council's data quality and information rights compliance by managing the administration of information, application systems, technology complying with the Council's Information Management related policies.

**8. Equal Opportunities**

To know and adhere to the Council's equal opportunities policy and equalities legislation and implement in relation to job responsibilities in employment and service delivery.

**9. Health and Safety**

- 9.1. To be fully familiar with the Council's Safety Policy and Codes of Practice and guidance relating to their area of work and ensure that all duties and responsibilities are discharged in accordance with them.
- 9.2. To take reasonable care for his/her own health and safety and any other person(s) who may be affected by his/her acts or omissions at work in accordance with Health and Safety legislation.
- 9.3. To co-operate with the Council in so far as it is necessary to enable it to comply with its duties under relevant Health and Safety legislation.
- 9.4. To be responsible for the risk assessment of officers' health and safety within their service area whilst at work and any other person's health and safety who may be affected by this undertaking for the purpose of identifying the measures they need to take to comply with the requirements and prohibitions imposed upon him/her by or under the relevant statutory provisions, regulations, approved code of practice and guidance.



## PERSON SPECIFICATION

### PART ONE

#### Qualifications and experience

1. Relevant professional qualification or equivalent gained through experience.
2. Significant senior management experience in a major service area or at a high level in an organisation.
3. Possession of a range of highly developed management skills and the ability to lead, motivate and develop individuals and groups of employees in a multi-disciplinary environment. The ability to lead by personal example and to gain the commitment of others.
4. Extensive knowledge and understanding of the trends, developments, political and legislative issues affecting the Council and local authorities generally in terms of modernising public service delivery, political management arrangements and strengthening of local partnership working.
5. Significant experience of providing leadership and direction for the services delivered by the Council, building relationships with leading councillors, senior managers and all key stakeholders.
6. The ability to set the overall management agenda of the Council through leadership of the Council's management team and to develop positive inter-departmental working relationships.
7. The ability to manage and motivate the management team including the effective monitoring of performance.
8. Possession of highly developed communication and presentation skills.
9. Proven ability in relating to, engaging, negotiating with and influencing a wide range of audiences, and build positive relationships with key stakeholders, particularly in a Tri-borough context.
10. Senior management experience of initiating, developing, implementing and evaluating major policy initiatives and organisational change programmes, demonstrating the capacity to think strategically and develop innovative and practical responses to a range of management and service issues.
11. A track record of translating organisational vision into solid, measurable achievement.
12. Experience of managing and understanding financial issues related to local authorities including participation in the formulation of financial objectives, complex budgets and strategies in relation to achieving service objectives.

13. The ability to promote diversity, tackle discrimination and the barriers that prevent equal access and to pursue an organisational commitment to equality of opportunity in service improvement and employee management.

## **PART TWO**

### **Key competencies and behaviours**

The competencies and behaviours listed below form part of the performance management and appraisal process for senior managers.

It is expected that individuals in Director roles will exhibit these at the highest level, i.e. they will consistently and effectively demonstrate the competencies.

Leadership competencies are listed below, under three main clusters of Direction, Performance and People.

<b>1. DIRECTION</b>
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<b>2. STRATEGIC THINKING &amp; MANAGING CHANGE</b>
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<p><b>Definition:</b> Providing future direction. Identifying and overcoming problems and barriers. Proactively identifying change issues and resistance to change. Understanding the national and regional perspective and incorporating it into planning of services. Responding strategically to changes in the internal and external environment. Identifying the opportunities to do things differently including alternative forms of service delivery.</p>
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<b>Indicators</b>
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| <ul style="list-style-type: none"><li>• Promotes and provides the thinking to help drive the vision.</li><li>• identifies what needs to be done, (not necessarily how).</li><li>• Is willing to take decisions and calculated risks to help develop services.</li><li>• Establishes processes for on-going information gathering and ensures information is continually made available to help evolve strategic thinking.</li><li>• Understands and addresses long-term underlying issues, opportunities or forces affecting Hammersmith.</li><li>• Provides a corporate view to assist others in developing their strategy and strategic plans.</li><li>• Examines the long-term implications of policies in considering implementation, including revenue impact.</li><li>• Ensures processes and information are in place in own area and across the authority to enable others to handle complex change issues.</li><li>• Contributes to the effectiveness of CMT and DMT management teams</li><li>• Makes large or long term adaptations in own organisation in response to the needs of stakeholders and issues identified.</li><li>• Encourages partner involvement in joint service delivery and problem solving.</li><li>• IDENTIFIES OPPORTUNITIES FOR EFFECTIVELY CHANGING SERVICE</li></ul> |
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DELIVERY.

### 3. SELF MANAGEMENT

**Definition:**

Exhibiting self control in difficult circumstances. Managing one's own emotions so as to not impact negatively on others. Manages own role and time effectively. Managing stress –both own and others. Confidence in presenting one's own view and representing Hammersmith and Fulham.

**Indicators**

- Acts as an enthusiastic role model for others in 'living the message'.
- Displays understanding of own behaviour.
- Displays appropriate behaviour suitable to situation, people and processes.
- Is assertive in confronting situations with employees, elected members, the public and the media.
  
- Keeps own emotions under control.
- Is able to restrain negative reactions under provocation.
- Responds constructively to criticism or feedback and manages own and others stress positively.
- Continuously seeks opportunities for self development.
- Displays enthusiasm for the job.
- Displays drive and energy in tackling issues.

### 4. PERFORMANCE

### 5. CUSTOMER FOCUS

**Definition:** Putting the customer at the heart of what we do. Understanding, seeking out and delivering to their needs. Shaping our services to better deliver more effectively to residents

**Indicators**

- Considers the customer's needs, both external and internal, as a first priority when approaching all work situations.
- Anticipates and resolves customer issues before the customer voices them.
- Works with customers to assess needs, resolve problems, and significantly exceed customer expectations.
- Gets regular feedback from customers to monitor and improve services.
- Champions customer service and rewards/acknowledges those who deliver.
- Takes action to ensure services are developed and adapted to meet diverse needs.
- Ensures customer consultation is timely and encourages input into service development.
- Has clear and timely customer satisfaction monitoring processes in place and takes

action to address/identify problems.

- ENSURES PROCESSES AND MONITORING ARE IN PLACE TO 'RED FLAG' FAILING SERVICES AND PERFORMANCE.

## **6. PERFORMANCE MANAGEMENT**

- 7. DEFINITION:** STRIVING TO DELIVER HIGH QUALITY SERVICES. TACKLING POOR PERFORMANCE. ENSURING ALL UNDERSTAND AND CONTRIBUTE TO SERVICE DELIVERY.

### **Indicators**

- Sets clear priorities and workplans to deliver objectives and ensures timely production of business plans.
- Is extremely organized, sets well defined priorities, and efficiently determines resource requirements.
- Uses performance management data e.g. Corvu and Balanced Scorecard to plan, manage and monitor service performance and takes action on that data.
- Demonstrates understanding of business and service planning, performance management frameworks and ensures the links are made clear to their colleagues.
- Effectively sets short- and/or long-term goals and assertive strategies to achieve them.
- Proactively and consistently monitors the progress and evaluates outcomes of all operational plans.
- Revises plans where necessary to meet desired goals.
- Evaluates, provides feedback and develops employees to their next level of performance.
- Continually challenges people to improve performance and/or system quality.
- Champions diversity in the workplace.
- MAINTAINS AND SEEKS OUT DATA TO MANAGE POOR PERFORMANCE E.G. SICKNESS AND PROACTIVELY MANAGES UNDER-PERFORMANCE.

### **Planning and use of resources**

**Definition:** Planning and managing all resources to deliver efficient effective services. Manages finances and budgets.

### **Indicators**

- Ensures processes are in place to effectively manage resources both within own area and across the authority.
- Works with external bodies to maximise resources for the residents of Hammersmith and Fulham.
- Leads and gives guidance to others in managing resources.
- Understands and monitors budgets to ensure accurate reporting.
- Continually reviews use of resources to maximise effectiveness.
- Is prepared to radically review the provision and delivery vehicle for services.
- Identifies and encourages the development of creative ways of delivering and enabling services.
- Prioritises the resources of the service to meet its long-term objectives.
- Makes judgements on the basis of consultation about priorities, the best means of

service delivery and the choice of deliverer.

- Actively manages the inter-face between the authority and other agencies.
- Uses information and communications technology in order to improve access and effectiveness.
- Balances service improvements with current work loads.

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## 9. PEOPLE

### Leadership

**Definition:** Provides direction, inspiration and support for staff.

### Indicators

- Inspires, motivates, guides colleagues toward goals.
- Coaches, mentors and challenges staff.
- Demonstrates decisiveness in day-to-day actions.
- Takes unpopular positions when necessary.
- Is looked to for direction in a crisis.
- Faces adversity head on.
- Encourages personal and team development and growth.
- Has a considerable influence in applying and developing values.
- Recognises and manages own impact on the style and culture of the authority.
- Manages performance problems openly and directly.
- Adapts leadership style according to the needs of the situation.
- Promotes leadership, gives public credit where it's due and rewards excellence.
- Effectively conducts one to ones and Personal Development Plans.
- TACKLES POOR PERFORMANCE EFFECTIVELY AND EFFICIENTLY INCLUDING MANAGING SICKNESS, DISCIPLINE AND GRIEVANCE.

### Team & partnership working

**Definition:** Working effectively with others. Fostering co-operation. Building trust, mutual respect. Working across different parts of the organisation internally and externally and with other cultures.

### 10. INDICATORS

- Builds strong relationships with staff, elected members and partners.
- Identifies key partners and opportunities for joint working.
- Makes and understands the linkages.
- Proactively engages partners in developing services and joint delivery mechanisms.
- Consults widely, engaging with stakeholders.
- Develops and encourages cross team working.
- Resolves team issues quickly and effectively.
- Encourages cooperation, pride, trust and group identity.
- Creates a strong sense of team spirit and morale.
- Ensures team achieves goals.
- Always places team priorities before personal priorities.

## **11. COMMUNICATION**

**Definition:** Getting the message across. Adapting to the audience need. Understanding the needs of different people and sensitivities. Ensuring transparency in communication.

### **Indicators**

- Articulate and effective in expressing ideas and information both verbally and in writing.
- Demonstrates good listening, questioning and interpersonal skills.
- Shows the highest level of understanding, courtesy, tact, empathy, and concern with all interactions.
- Informs others of relevant information on a timely basis.
- Ensures communication strategy is developed in parallel with service and organisational changes.
- Takes action to reduce barriers between departments and ensure arrangements are in place for effective communication across and within the organisation.
- Conducts end of project reviews to learn from the experience.
- Ensures effective consultation is in place.
- Conducts effective one to one and team discussions with staff.

**SELECTION PROCESS FOR JOINT CHIEF EXECUTIVE POSITION  
HAMMERSMITH AND FULHAM AND KENSINGTON AND CHELSEA**

Dear Councillors,

I have supplied a short CV and will be happy to expand on my background at interview if that would help.

I am passionately committed to the new style of working that is enshrined in the Bi-borough and Tri-borough enterprise.

I want to be part of a local government sector that finds its own solutions and has its own ambitions.

There is much to do to re-align budgets; promote economic growth; spread opportunities; work better with partners, allies and suppliers and get the best out of our staff.

I think I can offer my experience and judgement; my continuing enthusiasm and my ability to work hard over long periods as a contribution to this important work.

I have lived in west London for 20 years and feel an affinity with Hammersmith and Fulham.

If trusted by you to take this role I will be delighted to work with you, my new staff and my new stakeholders to the best of my ability.

Derek Myers  
September 2011

## **Derek Myers**

Short curriculum vitae provided in support of a proposal to be appointed as joint chief executive of Hammersmith and Fulham and Kensington and Chelsea Councils.

### **Summary**

A serving local authority chief executive in excellent standing, with a track record of high performance and management of change.

Chair of the professional association for his peers.

Previous experience as a non-executive in various charities, trading companies and the Department of Health.

Lives in Chiswick, London

### **Career to date**

Social Worker and Social Services Manager –Essex and London 1977-1992

Director of Social services LB Hounslow 1992-1997

Chief Executive LB Hounslow 1997-2000

Chief Executive RB Kensington and Chelsea 2000 to date

*Kensington and Chelsea was one of only four councils to receive the highest grading awarded to councils by the Audit Commission every year during the eight years of “comprehensive assessment “ .It has the second highest appreciation resident scores for any unitary council, and the fourth lowest council tax in England.*

### **Other relevant experience**

Previous roles as a non executive director:

–Social Work Today Magazine

-British Association of Social Workers (National Treasurer for four years)

-Rainer Foundation

-SOLACE (current Chair)

-Department of Health (2006-2010)

### **Areas of expertise**

Local public services

New models of delivery

Governance

Risk and audit issues

The support of political leadership and management.

### **Qualifications**

Degrees in Economics (Manchester 1976), and Laws (London 1988)

Post graduate qualifications in Social Work, and Management.