

City of Edinburgh Council

10.00am, Thursday, 8 February 2024

Chief Executive Appointment

Executive/routine
Wards

1. Recommendations

- 1.1 Following confirmation that Chief Executive, Andrew Kerr will retire from the City of Edinburgh Council on 14 June 2024 this report asks Council to approve the recommendation to convene a Recruitment Committee to:
- (i) determine and enact the recruitment and selection arrangements for filling the post of Chief Executive on a permanent basis.
 - (ii) consider interim arrangements, as required.

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Report

Chief Executive Appointment

2. Executive Summary

- 2.1 Andrew Kerr, Chief Executive has submitted his intention to retire from the City of Edinburgh Council on 14 June 2024. In line with the Recruitment and Selection Procedure for the Chief Executive Officer it is recommended that a Recruitment Committee be convened to determine the recruitment and selection arrangements for filling the post.

3. Background

- 3.1 The purpose of this report is to request approval from the Council to convene a Recruitment Committee for the appointment of a new Chief Executive, and interim arrangements.

4. Main report

- 4.1 The Recruitment Committee will be established and represented by all political parties. The Committee is made up of seven elected members consisting of the Council Leader as Convener, the Depute Leader, an executive committee convener, and a group leader/co-convener from each opposition group.
- 4.2 The Committee will be supported by the Service Director, Human Resources.
- 4.3 Due to the significance of the position the Council will engage an external executive search firm to help attract the highest calibre candidates and provide specialist support for the recruitment and selection process. The firm will be selected from the approved Procurement Framework.
- 4.4 The first meeting of the Recruitment Committee will consider and agree:
- Overall vision and recruiting parameters of new Chief Executive.
 - Approval of job advert, job pack including person specification and recruitment campaign arrangements.
 - Consideration of Assessment Centre potential including Competency Based Interview(s), Psychometric Assessments, Stakeholder/Peer Panel, Competency Focused Engagement Assessment.
- 4.5 The recommendation of the Recruitment Committee will be presented to the next available Council meeting for consideration.

4.6 The following is a draft timeline for the permanent recruitment process:

Date	Lead	Details
8 February 2024	Full Council	Approval to convene Recruitment Committee
w/c 26 February 2024	Recruitment Committee	Agreement of Job Pack incorporating job and person specification and dedicated recruitment microsite, advertising campaign, assessment process and methods.
w/c 26 February 2024 – 15 March 2024	Service Director, HR	Campaign/Microsite Go Live
w/c 18 March 2024	Recruitment Committee	Longlisting/Shortlisting
w/c 18 March – 12 April 2024	Service Director, HR	Assessment Centre
w/c 22 April 2024	Recruitment Committee	Longlisting/Shortlisting Interviews
w/c 29 April 2024*	Recruitment Committee	Shortlisting Interviews

* Provisional, dependent on requirement for longlisting.

4.7 It is recognised that there will be a requirement for interim arrangements. The Recruitment Committee will consider the process for this following the closing date.

4.8 Any appointments to either the permanent or interim position will be submitted to Council for consideration.

5. Next Steps

5.1 The next steps will involve the establishment of the Recruitment Committee and progression of the recruitment process for the Chief Executive and interim arrangements as outlined above.

6. Financial impact

6.1 The post and associated costs are contained within budget. The salary of the Chief Executive is set at a national level and the salary band ranges from £191,413 up to £200,617. Fees applicable to the role of Returning Officer for the various local and national elections are payable separately and are set and provided in accordance with the Scottish Parliament Elections (Returning Officer Fees and Charges) Regulations 2021 and the Parliamentary Elections (Returning Officers' Charges) Order 2019.

7. Equality and Poverty Impact

7.1 The Recruitment Committee will consider the Councils Equality, Diversity and Inclusion Strategy and Plan and Gender Pay Gap commitments in respect of the recruitment process to encourage applications from under-represented groups at a senior level.

8. Climate and Nature Emergency Implications

8.1 Not applicable.

9. Risk, policy, compliance, governance and community impact

9.1 The City of Edinburgh Council requires a head of paid service and approval of this paper will mitigate risks in the delay of the recruitment process and ensure appropriate interim arrangements are in place.

10. Background reading/external references

10.1 Not applicable.

11. Appendices

11.1 Appendix One - Recruitment and Selection Procedure for the Appointment to posts of Chief Executive Officer, Executive Director and Head of Service.

**RECRUITMENT AND SELECTION PROCEDURE
FOR THE APPOINTMENT TO POSTS OF
CHIEF EXECUTIVE OFFICER, EXECUTIVE DIRECTOR AND
HEAD OF SERVICE**

CONTENTS

Section	Page
1 INTRODUCTION	3
2 SCOPE	3
3 CONFIDENTIALITY	3
4 STAGES OF THE RECRUITMENT & SELECTION PROCEDURE	
4.1 Notification of Vacancy	3
4.2 Nomination of Recruitment Committee	4
4.3 Job Specification	4
4.4 Person Specification	4
4.5 First Meeting of Recruitment Committee	5
4.6 Vacancy Advertising	5
4.7 Application Form and Information Pack	5
4.8 Application Long-Listing (Optional)	6
4.9 Guaranteed Job Interview Scheme for People with Disabilities	6
4.10 Notifying Long-Listed Candidates of Interview Arrangements	6
4.11 Long List Interviews	7
4.12 Additional Selection Methods	7
4.13 Long List Interviews – Candidate Assessment	7
4.14 Meeting of Recruitment Committee to agree Short List	8
4.15 Notifying Unsuccessful Long-Listed Candidates	8
4.16 Calling Short-Listed Candidates for Interview	8
4.17 Pre-Employment Checks	8
4.18 Meeting of Recruitment Committee to Interview Short-Listed Candidates	9
4.19 Selection Decision	9
4.20 Offer of Appointment	9
4.21 Notifying Unsuccessful Short-Listed Candidates	10

Section

5	RECORD KEEPING	10
6	COMPLAINTS	10
7	REVIEW OF PROCEDURE	10

Approved by Full Council: 11 February 2003
Updated: July 2015

RECRUITMENT AND SELECTION PROCEDURE FOR THE APPOINTMENT TO POSTS OF CHIEF EXECUTIVE OFFICER, EXECUTIVE DIRECTOR AND HEAD OF SERVICE

1. INTRODUCTION

- 1.1 The Council's Scheme of Delegation gives authority to Directors for appointing employees within agreed staffing levels up to but excluding Heads of Service. Therefore, the procedure detailed in this document aims to:
- a) ensure a fair and consistent corporate approach to the process of recruiting to Chief Executive Officer, Executive Director and Head of Service posts within the City of Edinburgh Council;
 - b) assist Elected Members and officers to comply with the Council's Recruitment and Selection Policy and current employment legislation; and
 - c) provide a guide to the stages of the recruitment and selection process.
- 1.2 The availability of this procedure does not remove the requirement for all Elected Members and officers involved in the process to be trained in the application of the Council's Recruitment and Selection Policy and procedures.

2. SCOPE

- 2.1 This procedure applies to the Chief Executive Officer, Executive Director and Head of Service posts, and applies equally to internal and external job applicants.

3. CONFIDENTIALITY

- 3.1 Given the sensitive nature of the data which is available to a number of individuals involved in the recruitment process, confidentiality will be maintained at all stages of the process, i.e. at meetings of panels; interviews; secure handling of application forms; committee reports/agendas etc.

4. STAGES OF THE RECRUITMENT AND SELECTION PROCEDURE

4.1 Notification of Vacancy

- 4.1.1 When a post falls vacant, the Chief Executive Officer or Executive Director will, supported by the Head of HR and OD, review the job specification, grade and person specification for the post, where necessary.

- 4.1.2 For Chief Executive Officer and Executive Director posts the Chief Executive will, supported by the Head of HR and OD, submit a report to Council regarding the vacancy. This will include any recommendations for a meeting of the Recruitment Committee to be convened to determine the recruitment and selection arrangements for filling the post. The report will normally set out the main stages of the recruitment and selection procedure together with a provisional timetable.
- 4.1.3 For Head of Service posts, the Executive Director will advise the relevant Executive Member about the vacancy and the need to fill. Contact will be made with the Governance Manager to set up a meeting of the Recruitment Committee.
- 4.1.4 External executive search firms may be engaged by the Council to help attract the highest calibre candidates and provide specialist support for the recruitment and selection process.

4.2 Nomination of Recruitment Committee

- 4.2.1 Where the Council decides to fill the post, a Recruitment Committee represented by all political parties will be established by the Council.
- 4.2.2 Normally, a Recruitment Committee Member will be expected to attend the short-listing meeting and participate in the interviews. However, where a substitute member attends the short-listing meeting, then the original member cannot attend the interviews, and the substitute member will continue to participate throughout the remainder of the process.
- 4.2.3 Recruitment Committee Members shall declare potential conflicts of interest regarding applicants, and stand down where advised to do so by the Head of HR and OD.
- 4.2.4 The Governance Manager will be responsible for arrangements concerning the meetings of the Recruitment Committee.

4.3 Job Specification

- 4.3.1 There will be a job specification for each vacant post. This will include details of the nature and requirements of the job and the main duties and responsibilities involved. In the creation/revision of a job specification, no wording should be used or duties specified which would unfairly and inappropriately exclude any person from applying.

4.4 Person Specification

- 4.4.1 For each vacancy there will be a person specification which will set out the qualifications, experience, knowledge and competencies required by an individual to undertake the duties and responsibilities of the post. The requirements of the person specification will usually be grouped into two categories, namely:

- a) **Essential criteria:** which the candidate must possess in order to undertake the duties of the post; and
- b) **Desirable criteria:** which would enhance the candidate's performance in the post.

4.4.2 The person specification will be written in such a way that does not unfairly and inappropriately exclude applicants from the process.

4.5 First Meeting of Recruitment Committee

4.5.1 The Governance Manager will arrange a meeting of the Recruitment Committee and issue the relevant papers within the required timescales before the date of the meeting. The Recruitment Committee will be asked to agree:

- a) the job specification;
- b) the person specification;
- c) the advert, choice of media and advertising schedules;
- d) the recruitment procedure for long list interviews, which are optional, and short list interviews;
- e) testing arrangements, and
- f) the priority to be given to each element in the recruitment process.

4.5.2 The Recruitment Committee will be advised throughout the process as follows:

- a) in the case of a Chief Executive Officer vacancy – the Head of HR and OD will provide advice and personnel support;
- b) in the case of an Executive Director vacancy – the Chief Executive will provide advice along with the Head of HR and OD; and
- c) in the case of a Head of Service vacancy – the Executive Director will provide advice along with the Head of HR and OD.

4.6 Vacancy Advertising

4.6.1 Normally such vacancies will be advertised as appropriate in the national press and professional journals and any other media considered suitable. Adverts will be placed simultaneously on the local authority website.

4.7 Application Form and Information Pack

4.7.1 Applications for employment will be submitted online using the Council's standard application form. Applicants can submit a hard copy application form, if required. Information provided by applicants for equality monitoring purposes

is not made available to the Recruitment Committee.

4.7.2 The Chief Executive Officer or Executive Director, supported by the Head of HR and OD, will prepare an Information Pack for applicants. This will include the following:

- a) Job Description
- b) Person Specification
- c) Profile of the Council/service area
- d) Provisional Timetable for recruitment process
- e) Conditions of Employment
- f) Background documents appropriate for the post e.g. Annual Reports, Service Plans etc.

4.8 Application Long-listing (optional)

4.8.1 Where it is decided that there will be a long list stage, following the closing date for receipt of applications for a Chief Executive Officer appointment, the Recruitment Committee will undertake to conduct the long list process with support and advice from the Head of HR and OD.

4.8.2 Following the closing date for receipt of applications for an Executive Director or Head of Service post, a long list of candidates will be drawn up by the Chief Executive Officer, or Executive Director as appropriate, in conjunction with the Head of HR and OD.

4.8.3 Information obtained from the application form will be screened against the essential criteria identified in the Person Specification. Those applications that do not meet the essential requirements of the post will be rejected at this stage.

4.8.4 A record must be kept of the reason(s) for rejection of each applicant.

4.9 Guaranteed Job Interview Scheme for People with Disabilities

4.9.1 The Council operates a guaranteed job interview scheme for people with disabilities. Any job applicant who has a disability (as defined under the Disability Discrimination legislation) and who appears to meet the minimum essential criteria will be interviewed for the post for which they have applied.

4.9.2 Disability Discrimination legislation also places a duty on the employer to make reasonable adjustments to accommodate the needs of a disabled person. Therefore, it may be necessary to consider adjusting for example, the venue for interviews or the minimum essential job criteria to promote equality of opportunity to a specific disabled applicant. Guidance on this will be provided by the Head of HR and OD.

4.10 Notifying Long-listed Candidates of Interview Arrangements

4.10.1 For Chief Executive Officer or Executive Director posts, the Head of HR and OD will write to long-listed candidates normally giving at least seven days written notice of the interview date. The letter will contain as much information as

possible about the interview arrangements, e.g. the approximate time allocated for the interview and details of any tests, presentations or job exercises to be conducted as part of the selection process.

4.10.2 The Executive Director will conduct similar arrangements for a Head of Service post.

4.11 Long List Interviews

4.11.1 Long list interviews will be carried out by the Recruitment Committee in respect of a Chief Executive Officer post, supported by the Head of HR and OD.

4.11.2 In respect of an Executive Director post, long list interviews will be conducted by the Chief Executive Officer and Head of HR and OD. In respect of a Head of Service post, the long list interviews will be conducted by the Executive Director and Head of HR and OD.

4.11.3 A series of core questions asked at interview should relate to the criteria listed on the Person Specification.

4.11.4 Core questions will be agreed in advance to facilitate a comparison between candidates and to ascertain to what degree each candidate meets the criteria of the post.

4.11.5 In certain circumstances a candidate may require assistance in order to fully participate in the interview process and, where reasonably practicable, this will be provided. e.g. a signer; induction loop.

4.12 Additional Selection Methods

4.12.1 Additional testing and assessment methods will form part of the recruitment and selection process to assist in determining a candidate's suitability. Tests used will be in accordance with best practice guidelines, and test criteria will be directly relevant to criteria identified in the Person Specification.

4.12.2 Candidates will be given relevant information, in advance, about any tests that are to be used. At the first meeting of the Recruitment Committee the panel will have agreed the priority which will be given to the different selection elements used.

4.13 Long List Interviews - Candidate Assessment

4.13.1 The **Person Specification** will be the basis for recording candidate assessments and an individual record of assessment for each candidate will be completed immediately after each interview.

4.13.2 Records of this stage will also be kept of other key details such as Panel Members, interview schedule, core interview questions, who attended/failed to attend etc.

4.14 Meeting of the Recruitment Committee to Agree Short List

4.14.1 The Governance Manager will arrange a meeting of the Recruitment Committee and issue appropriate papers within the required timescales. This will include a copy of:

- a) application forms for all candidates;
- b) the person specification/assessment form;
- c) summary assessment of candidates who attended long list interview, including any test results; and
- d) recommended short list.

4.14.2 The Recruitment Committee will consider the papers and, from the recommended short list of candidates, agree the short list of candidates for interview. They will also agree the presentation topic and core questions for the short list interview stage.

4.15 Notifying Unsuccessful Long-Listed Candidates

4.15.1 The Head of HR and OD or Executive Director, as appropriate, will write to all candidates to advise them of the outcome of the long list interviews.

4.16 Calling Short-Listed Candidates for Interview

4.16.1 The Head of HR and OD or Executive Director, as appropriate, will write to short-listed candidates informing them of the interview arrangements and presentation topic and normally give seven days notice.

4.17 Pre-Employment Checks

PVG/Disclosure Checks

4.17.1 Where posts are subject to a PVG or disclosure check, short-listed candidates will be asked to complete a Criminal Convictions Self Declaration form.

References

4.17.2 The Head of HR and OD or Executive Director, as appropriate, will take up two written references from existing/former employers for short-listed candidates prior to interview by the Recruitment Committee. The information sought from referees will be factual, and will normally relate to a candidate's employment and/or educational history.

4.17.3 References will be used primarily as a means of verifying the information provided by candidates and reinforcing the selection panel's decision. Only the references for the candidate selected for appointment will be made available to members of the Recruitment Committee after a selection decision is made.

4.17.4 Where an employment reference or any other pre-employment check casts

doubt on the nominated candidate's suitability for the post, the Recruitment Committee will rigorously re-examine all the information available to them on the candidate and may revise their selection decision.

Evidence of Qualifications

- 4.17.5 The successful candidate will be required to provide evidence of his/her qualifications.

Evidence of Eligibility to Work in the UK

- 4.17.6 The successful candidate will be required to provide evidence of his/her eligibility to live/work in the UK.

4.18 Meeting of Recruitment Committee to Interview Short-Listed Candidates

- 4.18.1 Short list interviews will be carried out by the Recruitment Committee with a presentation topic and core questions used to facilitate further comparison of candidates.

4.19 Selection Decision

- 4.19.1 The Recruitment Committee will complete a record of assessment for each candidate immediately after each interview. It will then make a decision on any candidate to be recommended for appointment, subject to satisfactory pre-employment checks to be carried out on the nominated candidate.
- 4.19.2 All papers held by Members of the Recruitment Committee will be surrendered to the Governance Manager at the end of the meeting for confidential disposal.
- 4.19.3 The decision of the Recruitment Committee will be presented to the next Council Meeting in the form of a recommendation.

4.20 Offer of Appointment

- 4.20.1 The Head of HR and OD or Executive Director, as appropriate, will contact the successful candidate informing him/her of the decision of the Recruitment Committee to recommend his/her appointment, subject to satisfactory pre-employment checks, and to advise that a written offer of appointment will be issued following approval by Council.
- 4.20.2 The nominated candidate will require to participate in a pre-employment health assessment. To comply with equality legislation, questions about health, attendance and/or disability must not be asked before a conditional offer of employment has been made.
- 4.20.3 Where posts are subject to a PVG or Disclosure check, the nominated candidate will be asked to complete the appropriate Disclosure Scotland form.
- 4.20.4 Following approval by the Council, the Head of HR or Executive Director, as appropriate, will conclude the offer of appointment and acceptance

arrangements.

4.21 Notifying Unsuccessful Short-Listed Candidates

- 4.21.1 Following the conclusion of the offer and acceptance of appointment, the Head of HR and OD or Executive Director, as appropriate will, where practicable, telephone the unsuccessful candidates informing them of the outcome and confirm the decision in writing.
- 4.21.2 The Head of HR or Executive Director, as appropriate, will give on request individual feedback on the interview process to unsuccessful candidates.

5. RECORD KEEPING

- 5.1 All confidential personnel records relating to the recruitment process for unsuccessful candidates will be retained by the Head of HR and OD or Executive Director, as appropriate, for a minimum period of six months from the date of the decision to appoint, before being securely destroyed.
- 5.2 The Governance Manager will also retain appropriate records of meetings by the Recruitment Committee.
- 5.3 All papers relating to the recruitment of the successful candidate will be transferred to an employee personal file which will be retained in accordance with the Council's records management arrangements.

6. COMPLAINTS

- 6.1 Any candidate who is dissatisfied with any aspect of their treatment during the recruitment process may raise a formal complaint in writing with the Chief Executive or Executive Director, as appropriate. Following examination of the matter a written response will be issued.

7. REVIEW OF PROCEDURE

- 7.1 The procedure will be revised by the Council in the light of experience or any changes which may affect the recruitment and selection process.
