

SHAREHOLDER COMMITTEE
Agenda

Date Monday 10 June 2019

Time 5.00 pm

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Elizabeth Drogan in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Elizabeth Drogan Tel. 0161 770 5151 or email elizabeth.drogan@oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Wednesday 5th June 2019.
 4. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE SHAREHOLDER COMMITTEE IS AS FOLLOWS:
Councillors Fielding, Jabbar, Shah and Ur-Rehman

Item No

6 Interim Arrangements - Managing Director of Unity Partnership (Pages 1 - 4)

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Oldham
Council

Report to
Unity Partnership Shareholder Committee

Interim Arrangements - Managing Director of Unity Partnership

Officer Contact: Carolyn Wilkins, Chief Executive and Head of Paid Service, Oldham Council and Accountable Officer, NHS Oldham CCG

Report Author: Lewis Greenwood, Head of Executive Office. Ext: 3542

10th June 2019

Reason for Decision:

The Council acting as the sole shareholder of The Unity Partnership Limited is required to make all decisions which are in the list Reserved Matters. One of the Reserved Matters is the appointment and removal of any Managing Director.

Previously, Ray Ward (Deputy Chief Executive Corporate & Commercial) undertook the additional role of Managing Director. Ray Ward has recently resigned from the Council and his role as Managing Director of Unity and therefore, a decision is required to appoint an Interim Managing Director of Unity Partnership Limited.

Recommendations:

- To note the requirement to appoint an Interim Managing Director Unity Partnership;
- To approve the appointment of the Deputy Chief Executive (Helen Lockwood) as the interim Managing Director for Unity Partnership.

1. Current Position

- 1.1 Following the departure of the Deputy Chief Executive (Corporate & Commercial), a decision is needed on whether the Shareholder Committee wish to appoint a replacement and if they do wish to replace, to nominate a senior officer accordingly.
- 1.2 Following the purchase of the Kier shareholding and the Council becoming the sole shareholder, the Council can exercise greater control via the Matters Reserved and via the appointment of Directors and through the setting of strategic direction to the Board of Directors. As a separate legal entity, the Company operates via the Board of Directors who are legally responsible under the Companies Act 2006. The Directors are collectively responsible for directing the Company's affairs whilst meeting the appropriate interests of the shareholders. It is proposed that Helen Lockwood is appointed to the position of interim Managing Director. There are fiduciary and statutory duties required for directors detailed in companies legislation.
- 1.3 The role of interim MD will in time need to be reviewed to reflect the requirements of the Council and any strategic overview of the performance of the company.
- 1.4 In due course, the Council may decide to review and formalise a single Shareholder Committee for all of the Council separate legal company entities and this would be a timely and appropriate time to review the interim MD role.

2 Preferred Option

- 2.1 The preferred options are as recommended on page 1 of this report.

3 Consultation

- 3.1 This is not a matter which requires external consultation.

4 Financial Implications

- 4.1 There are no specific financial implications arising from this report. There is no impact on the financial arrangements between the Council and the Unity Partnership arising from the change in MD. (Anne Ryans, Director of Finance)

5 Legal Services Comments

- 5.1 The legal issues are contained in the report. (Paul Entwistle, Director of Legal)

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- 6 **Co-operative Agenda**
 - 6.1 Not applicable
 - 7 **Human Resources Comments**
 - 7.1 Not applicable
 - 8 **Risk Assessments**
 - 8.1 There are no specific risks associated with the change of officer in the MD role.
 - 9 **IT Implications**
 - 9.1 Not applicable
 - 10 **Property Implications**
 - 10.1 Not applicable
 - 11 **Procurement Implications**
 - 11.1 Not applicable
 - 12 **Environmental and Health & Safety Implications**
 - 12.1 Not applicable
 - 13 **Equality, community cohesion and crime implications**
 - 13.1 Not applicable
 - 14 **Equality Impact Assessment Completed?**
Not applicable
 - 15 **Key Decision**
 - 15.1 No
 - 16 **Key Decision Reference**
 - 16.1 Not applicable
 - 17 **Background Papers**
 - 17.1 None

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