

Report to Council

Appointment of Chief Executive and Head of Paid Service and designation of Section 151 officer

Portfolio Holder: Cllr Arooj Shah, Leader of the Council

Officer Contact: Steve Hughes, Assistant Director for Strategy and Transformation

Report Author: Wendy Jackson, Interim Assistant Director of Human Resources & Organisational Development

06 March 2025

On behalf of Appointments Committee, this report is moved by Cllr Arooj Shah as Leader of the Council and Chair of the appointments committee, and seconded by Cllr Howard Sykes, Leader of the Opposition.

Recommendations – Appointment of Chief Executive & Head of Paid Service

Appointments Committee recommends to Full Council to:

- 1) Appoint Shelley Kipling as the permanent Chief Executive and Head of Paid Service with effect from 07 March 2025;
- 2) Appoint Shelley Kipling as the Place Lead, following joint appointment with the Integrated Care Partnership Chief Executive who was in attendance for the final interview, (Appointments Committee meeting on 25 February 2025);
- 3) Appoint Shelley Kipling as Electoral Registration Officer for a constituency or part of a constituency coterminous with or contained in Oldham Metropolitan Borough under section 8 of the Representation of the People Act 1983 and Returning Officer for Local Elections and Parish Council Elections, Acting Returning Officer for Parliamentary elections and local Returning Officer for Greater Manchester Combined Authority Mayoral elections and other elections or referenda;
- 4) Subject to recommendation 1, approve delegation to Chief Executive, in consultation with Appointments Committee to:
 - a. amend the secondment agreement with Tameside Council while Tameside Council undertake their own permanent recruitment; and
 - b. undertake a review of the secondment arrangement by the end of May (within the six months agreed by previous Council meeting October 2024).
 - c. make changes to any arrangements relating to Harry Catherall and his employment with the council

Recommendations – Designation of the Section 151 Officer

- 5) Note the designation of Fiona Greenway, Interim Director of Finance, as Section 151 Officer, while recruitment is undertaken for a permanent replacement.

1 Background

- 1.1 On 24 October 2024, Full Council agreed to:
- Increase the working hours for Harry Catherall, Chief Executive, from four days to five days per week with the appropriate salary implications, and noting no other changes to his contract
 - Enter a secondment agreement for the Chief Executive of Oldham Council to act as Interim Chief Executive of Tameside Council, for four days per week
 - Appoint Shelley Kipling as the Acting Chief Executive Officer for an initial period of six months.
- 1.2 This arrangement was agreed to be reviewed in six months.
- 1.3 The Council benefitted from a Peer Challenge progress review (November 2024) with one of the recommendations from this visit to formalise and permanently appoint a full time Chief Executive as soon as reasonably possible.
- 1.4 On 03 February 2025, Appointments Committee agreed:
- To commence recruitment of permanent full-time Chief Executive Officer and Head of Paid Service
 - The recruitment process and timeline
 - The longlisting/shortlisting of applications
 - Appointments Committee formal interview with applicants on 25 February 2025
 - To bring recommendations from the Appointments Committee on 25 Feb '25 to an extra ordinary Full Council meeting on 6 March 2025, ahead of the scheduled budget Full Council meeting; and
 - Subject to all the above, amendments for the substantive Chief Executive and current secondment arrangement to Tameside to take effect from 7 March 2025.

2 Recruitment of Chief Executive Officer

- 2.1 The Council undertook a full and thorough external recruitment process advertised in The Management Journal for the post of Chief Executive - Head of Paid Service. Applications were received and a long listing process was undertaken which saw a shortlist of candidates be invited to interview at Oldham Council offices.
- 2.2 The final interview process took place on Tuesday 25th February, and included:
- an external assessment panel with stakeholder partners from across public, private and voluntary sectors;
 - an internal staff and union representative assessment panel with colleagues across all directorates, and various grades, focusing on key areas and specific staff who do not work directly with the internal applicant; and
 - with recommendations from each panel being shared with the Appointments Committee for a final interview for each applicant.
- 2.3 It was the unanimous decision of the Appointments Committee that Shelley Kipling be appointed as Chief Executive – Head of Paid Service, and the Place Lead for the Integrated Care Partnership.
- 2.4 The appointment is made in line with Chief Officer NJC terms and conditions and on a salary of £175,045 per annum.

3 Secondment Arrangements for Harry Catherall

-
- 3.1 Pending the approval of Shelley Kipling as Oldham Council's new Chief Executive and their start date from 7 March 2025, it is proposed that Harry Catherall will continue be seconded to Tameside Council on a full-time basis, with full costs reimbursed by Tameside Council.
 - 3.2 Harry Catherall has given his clear agreement that upon conclusion of the secondment agreement with Tameside Council, in the best interests of Oldham, Mr. Catherall's employment with Oldham Council would end as he has formally waived his rights to the substantive Chief Executive role, and any redundancy or exit payments. An agreement reflecting this has been signed by Harry Catherall.
 - 3.3 Appointments Committee convened on 3 February 2025 and made the recommendations above for consideration and approval by Council.

4 Designation of Section 151 Officer

- 4.1 The council is required by law to have a designated Section 151 officer as defined by Section 151 of the Local Government Act 1972.
- 4.2 Following the departure of the previous Director of Finance and Section 151 statutory officer, recruitment has taken place for an interim Director to fulfill this role for six months while permanent recruitment takes place.
- 4.3 This paper recommends that Council note their designation as Section 151 Officer as defined by Section 151 of the Local Government Act 1972.
- 4.4 Appointments Committee will soon start the recruitment process for a permanent Section 151 officer inline with their delegations within the council's constitution.

5 Financial Implications

- 5.1 The report confirmed that the secondment agreement with Tameside Council will cover the full reimbursement of all associated costs with no adverse budget implications for the council.
- 5.2 Following an external benchmarking exercise for the recruitment of the Chief Executive and Head of Paid Service, Appointments Committee of the Council proposed a new banding of £165,000 to £180,000 for the Chief Executive and Head of Paid Service post, which was agreed by Council on 12th July 2023.
- 5.3 Following the nationally agreed Pay Award Settlements in 2023 & 2024, the salary banding equates to £175,045 – £190,958 and the post is budgeted at this level and is held within the Council's Senior Management Team budget.
- 5.4 There are no financial implication associated to the designation of the Section 151 officer.

Lee Walsh – Interim Director of Finance / S151 Officer

6 Legal Implications

- 6.1 The role of Chief Executive is a Chief Officer role and holds the statutory responsibility of Head of Paid Service as defined by section 4 of the Local Government and Housing Act 1989, responsible for reporting to Council on the Council's functions.
- 6.2 The report outlines that the Chief Executive is also the Electoral Registration Officer and the Returning Officer for local, regional elections and Acting Returning Officer for Parliamentary elections and is Place Based lead of the Integrated Care arrangements with the NHS.

-
- 6.3 The Council's Constitution provides that the appointment of the Chief Executive is a Council function. The Appointments Committee is responsible for agreeing the process for appointing a new Chief Executive and making recommendations to the Council for consideration.
- 6.4 The role of Director of Finance is a Chief Officer role and holds the statutory responsibility of Section 151 officer as defined by Section 151 of the Local Government Act 1972. This report notes the interim arrangements, which ensures we fulfill our statutory responsibilities pending a permanent recruitment process, led by Appointments Committee.

Alex Bougatef - Interim Borough Solicitor

7 Human Resources Implications

- 7.1 The secondment agreement between Oldham Council and Tameside Council will be updated to reflect the amendments in this report, in line with LGA and ACAS guidelines.
- 7.2 All proposals of this report follow existing recruitment policy, procedure and guidance.

Wendy Jackson – Interim Assistant Director for HR & OD

8 Background Papers

- 8.1 None

9 Appended Documents

- 9.1 None