



# ISLINGTON

Corporate Resources  
Town Hall, Upper Street, London N1 2UD

Report of : Director of Corporate Resources

Meeting of	Date	Agenda Item	Ward(s)
Standards	30th March 2006	8	

Delete as appropriate	Exempt	Non-exempt

## Subject: RESPONSE TO THE RECOMMENDATIONS OF THE ADJUDICATION PANEL FOR ENGLAND

### 1. Synopsis

This report formally responds to the recommendations of the Adjudication Panel for England dated 23rd May 2005 that the Council should review the operation of its recruitment and selection procedures in particular to ensure that those Members participating in the procedures are adequately trained and that the recording of the decisions with those procedures is properly documented.

### 2. Recommendations

1. To agree the protocol governing the permanent appointment of the Chief Executive and Directors and advise the Standards Board for England of its revised procedures for recruitment.
2. To authorise the Director of Corporate Resources to submit the protocol to the Standards Board for England as part of a report for them on the recommendation made to the Authority by the Case Tribunal considering the complaint against ex-Councillor Mary Creagh.

### 3. Background

- 3.1 As the Committee will be aware the Standards Board for England received a complaint over the appointment process of the Chief Executive in July 2002. The Standards Board subsequently referred the matter to the Adjudication Panel for England on 5th August 2004 in respect of ex-Councillor Creagh (the original complainant).
- 3.2 The Standards Board subsequently also referred five other members of the Personnel Sub-Committee who considered the appointment process to the Adjudication Panel.

- 3.3 On 23rd May 2005 the Adjudication Panel produced their final report in respect of ex-Councillor Creagh which ruled that she did not fail to comply with the Code of Conduct.
- 3.4 On 5th January 2006 the Adjudication Panel for England also ruled that the five other Councillors also did not break the Code of Conduct.
- 3.5 In the Mary Creagh reference the Tribunal recommended that the Council should review the operation of its recruitment and selection procedures in particular to ensure that those Members participating in the procedures are adequately trained and that the recording of the decisions within those procedures is properly documented.
- 3.6 The arrangements for the appointment of the Council's Corporate Management Team members were reviewed in the summer and were used for the appointment of the new Director of Finance. By the time of the hearing of the complaints against the administration councillors, the Case Tribunal was, therefore, satisfied that the Council had taken steps to address the identified weaknesses in procedure and did not consider it necessary to issue any further recommendations. The arrangements do not apply to the appointment of interim Directors, which remain the responsibility of the Chief Executive.
- 3.7 The protocol set out at Appendix A, which takes account of comments made by the Adjudication Panel, now details the procedures which represent best practice. The protocol reflects the position on these appointments contained in the Council's Constitution and legislation and includes the key milestones for the timetabling of appointments. Prior to the appointment of the Director of Finance, all Members of the Personnel Sub-Committee were trained in the appointment process.
- 3.8 All members of the Personnel Sub-Committee appointed at Annual Council in May 2006, following the local borough elections, will also undergo training in the Council's Recruitment and Selection Procedures.

## **4. Implications**

### **4.1 Financial**

None.

### **4.2 Legal**

- 4.2.1 The Local Authorities (Standing Orders) Regulations 1993 as amended make provision for the appointment of Chief Officers and these positions are incorporated into the Council's Constitution. The protocol reflects those requirements. Under Section 80 of the Local Government Act 2000, where a case tribunal makes recommendations to a local authority regarding the exercise of its functions, the authority's Standards Committee, must consider the recommendations with a view to submitting its response to them to the Standards Board for England.
- 4.2.2 The report must be made within three months of the Case Tribunal's decision being received but, in this case, it has been agreed with the Standards Board for England that the report could await the finding of the second case tribunal.

4.2.3 It is proper that for appointments to these positions clear and effective procedures are in place and are followed.

### 4.3 Equalities

4.3.1 The existence of open and transparent processes facilitates access to all to the most senior officer positions on the Council.

## 5. Conclusion and Reasons for Recommendations

The production of a clear protocol for the appointment of the Chief Executive and Directors will lead to a more effective appointment process.

### Background papers:

Final Report Clearance

Signed by

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Director of Corporate Resources

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Date

Received by

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Head of Democratic Services

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Date

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