

BCP Council Meeting



Report subject	Appointment of Director of Law and Governance and Monitoring Officer for BCP Council
Meeting date	7 th July 2020
Status	Public Report
Executive summary	This report invites the Council to appoint a Monitoring Officer in accordance with statutory requirements. The recommendation is subject to the agreement of Council as this is a statutory post
Recommendations	It is RECOMMENDED that: in accordance with Section 5 of the Local Government and Housing Act 1989 that Council confirms the appointment of Ms Susan Zeiss, as the Council's Monitoring Officer and Director of Law and Governance.
Reason for recommendations	To comply with the requirements of the Local Government & Housing Act 1989 (as amended).
Portfolio Holder(s):	Cllr Vikki Slade
Corporate Director	Graham Farrant, CEO
Contributors	Lucy Eldred, Head of HR
Wards	All
Classification	Decision

Background

1. Following the decision of the previous Monitoring Officer to step down from their current position and subsequent interim appointment of Ms. Anne Brown, BCP Council must appoint a permanent Monitoring Officer. Under Section 5 of the Local Government & Housing Act 1989 (as amended), the Council has a duty to appoint a Monitoring Officer. Neither the Head of Paid Service nor the Chief Finance Officer can hold the position of Monitoring Officer. There is no statutory requirement for the position to be held by a legally qualified officer.

2. The Monitoring Officer has several statutory duties and responsibilities relating to the Council's Constitution and our arrangements for effective governance. These duties include maintaining the Constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct. A full list of the Monitoring Officer's responsibilities and delegated powers is included within the Councils' Constitution (attached at Appendix 1).
3. A shortlist of three candidates, all of whom were considered to be potentially appointable were interviewed by a panel of councillors comprising of the Leader, Deputy Leader and Leader of the Opposition, the CEO and Head of HR. The candidates also met with a wider panel of 5 councillors and with the Corporate Management Board. The preferred candidate overall was considered to be Ms. Susan Zeiss.
4. Ms. Susan Zeiss is a highly experienced Director of Law with an extensive working background in local government. Ms. Zeiss is a qualified solicitor who recently played a pivotal role in re-shaping the transformation of the Environment Agency from a three-tier to a two-tier structure and in the integration into DEFRA as part of a government-wide change programme. Ms. Zeiss is currently working as part of a new senior management team at Northamptonshire County Council responsible for moving the council into financial stability and a sustainable base for the transition to unitary councils. Ms. Zeiss combines an extensive track record of hands-on operational excellence in large complex organisations, with the ability to shape effective strategic and commercial solutions that enhance operational efficiency and meet corporate aims. Ms. Zeiss started her local government career at Dorset County Council in 2003, worked at deputy director level in the Environment Agency and is currently the General Counsel and Monitoring Officer at Northamptonshire County Council, where she has developed relationships with the OPCC, Northants Fire and Rescue Service, Northants District and Borough Councils and MHCLG as part of the current move to unitary. Ms. Zeiss's CV is attached at Appendix 2.
5. It is proposed that Ms. Zeiss will be an employee of BCP Council and will be appointed as an Officer of the Council and will be held to be personally appointed and responsible for the duties of the Council Monitoring Officer.

Options

6. The options are either:

- to appoint Ms Zeiss as the Monitoring Officer; - this is the recommended option;

or

- to appoint another Officer of the Council - this is not recommended as there are limited capacity and resources available for the appointment.

Summary of financial implications

7. There are no financial implications arising from the report, as the role is budgeted and there will be a minimal period for handover with the current interim appointment.

Summary of legal implications

8. There are no additional legal implications other than those set out elsewhere in the report.

Summary of environmental impact

9. There are no environmental implications arising from this report.

Summary of public health implications

10. There are no public health implications arising from this report.

Summary of equality implications

11. There are no specific equalities implications arising from this report.

Summary of risk assessment

12. This decision will reduce risk in ensuring the post of Director of Law and Governance and Monitoring Officer is filled and provides the capacity to the organisation. Risks identified regarding remote working have been mitigated using technology to ensure the candidate can fulfil all the duties of the role in a virtual environment initially.

Background papers

13. None

Appendices

Appendix 1 – Job Description Director Law & Governance

Appendix 2 – CV of Susan Zeiss (Exempt Information – Category 1 (Personal Information))

Appendix 1

Job Description - Director Law and Governance (Monitoring Officer)

Role Profile Leadership Grade tbc ()

Service/Team Law and Governance

Reports to Chief Executive

Number of posts 1

My job improves the quality of life for the people of Bournemouth, Christchurch & Poole Council by...

Providing strategic and organisational leadership to ensure that the council provides highly effective law & governance services, which is aligned and supports the council's objectives, values and behaviours.

Key Responsibilities

- Lead with initiative, ambition and clarity of vision for a variety of functions and services with a legal, governance, democratic and regulatory focus, engaging positively and proactively with the Executive Leadership Team and elected Members.
- Provide strategic leadership to ensure the governance framework, including the Constitution and democratic decision-making arrangements enable the Council to achieve its objectives effectively, transparently and efficiently
- Develop and embed policies and strategies to promote and achieve high standards of probity and ethical standards across the organisation at member and officer level
- Direct, lead and foster a high performing culture within the Law & Governance Directorate, embedding a culture which promotes excellence and high expectations, and a drive for continuous improvement, best practice and value for money.
- Act as the Council's statutory Monitoring Officer (Local Government and Housing Act 1989) to ensure the Council, its officers and members, maintain the highest standards of conduct and act lawfully and in accordance with the adopted governance and decision-making framework
- Provide strategic legal and governance advice at a corporate level in respect of major decisions; statutory obligations and regulatory matters
- Ensure the provision of a high-quality legal service to the Council through the in-house team and through commissioning external advice
- Lead and manage the following functions:
 - Legal Services
 - Information Governance
 - Democratic and Members Support;
 - Mayoralty/Civic
 - Elections and Electoral Registration Services
 - Registration Services
 - Local Land Charges
- Maintain, monitor and review the Council's Constitution and decision-making framework to ensure it enables effective, transparent and efficient decision making
- Provide advice and support to all elected members to enable members to fulfil their ward role and any other role to which they have been appointed by the Council
- Ensure all members understand their obligations in respect of registration and declaration of interests, and the Council's Code of Conduct, and to effectively manage the arrangements for dealing with complaints against elected members
- Ensure robust performance management exists within the Law & Governance Directorate and drive service improvement, creativity, innovation and new ways of

working, and ensure the strategic vision is translated into agreed objectives and operational plans

- Operate effectively within a framework of partnerships at a national, sub-regional and local level
- Achieve and maintain a high level of staff engagement, motivation and clarity as to roles, responsibilities and lead an effective and empowered workforce
- Manage the directorate budget and resources efficiently and develop solutions to achieve effective value for money solutions to financial challenges
- Ensure individual staff accountabilities are clearly defined, understood and agreed and are subject to rigorous review and evaluation
- Establish meaningful departmental measures that ensure the continual improvement of the service in alignment with the corporate direction, priorities and values

Qualifications and Experience

- Significant post qualification experience as a solicitor with evidence of continual professional development
 - Up to date knowledge of statutory and legislative framework for the areas of responsibility
 - Experience of leading and delivering large and complex organisational and cultural change projects and initiatives, to time and budget, with clear consideration of the legal implications
- Management qualification or equivalent experience
- Substantial experience in both strategic and operational management across a range of services and functions within a large and complex organisation including experience of working within a political organisation which involves day to day relationships with elected members
- Leadership of high-profile innovative projects which have a wide-ranging impact and reputational risk for the Council
- Substantial understanding of the local and national environment context

Personal Qualities & Attributes

- Demonstrable commitment to continuous professional development and active participation in regional and national networks within area of focus
- Demonstrates a broad and sophisticated repertoire of leadership behaviours underpinned by strong ethics and personal values
- Ability to operate at both an operational and strategic level and understand the difference
- Maintains good self-awareness through personal reflection, analysis of performance and by regularly seeking feedback from others
- Able to generate support and loyalty at all levels, winning hearts and minds and overcoming barriers
- Innovative, flexible and a champion of change
- Resilient, courageous and tenacious in seeing things through
- Maintains good work/life balance and a lifestyle that supports effective performance and resilience levels

Job Requirements

- Must hold a valid UK driving licence and have access to either their own car or a pool car to undertake the duties of the role