

ANGUS COUNCIL

18 JUNE 2015

ANGUS ALIVE – TRUSTEES AND CEO RECRUITMENT

REPORT BY ALAN MCKEOWN, STRATEGIC DIRECTOR COMMUNITIES

ABSTRACT

This report seeks Council approval to accelerate the recruitment of the Independent Trustees for Angus Alive and also to accelerate the recruitment of the Chief Executive to achieve Charitable Status and to achieve the agreed go live date of 1 December 2015.

1. RECOMMENDATION(S)

It is recommended that the Council:

- i. Agrees to the acceleration of the recruitment process for the appointment of the Independent Trustees to the Angus Alive Board and to the recruitment process for the Chief Executive of Angus Alive as set out in this report.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Communities that are prosperous and fair
- Communities that are learning and supportive
- Communities that are safe and strong
- Communities that are caring and healthy

3. BACKGROUND

- 3.1** The Communities Committee on 25th May 2015 confirmed the decision to “Go Live” with Angus Alive on 1 December 2015 and the Shadow Board established to drive the development process to achieve this date has made clear the shared ambition to deliver on that agreed date.
- 3.2** There is little need to remind Council this timescale is exceptionally ambitious. To achieve that date the Shadow Board has had to take account of the recess period, holidays of Board members, and staff, normal recruitment practices and timescales, and the fact that in terms of senior staff recruitment, it is possible that the successful applicant may have a three months’ notice period.
- 3.3** In addition, the Shadow Board has taken legal, recruitment and governance advice in developing this report. External legal advice received in relation to charitable status indicates an acceleration of the appointments of the Board the Chief Executive would be needed to meet the go-live date and protect the savings which are predicated on the new Trust being a charitable body.
- 3.4** This report outlines the circumstances, the risks and associated mitigation of an accelerated timetable to allow Council to fully consider any implications of approving accelerated recruitment in advance of their decision in September.

4. CURRENT POSITION

Charitable Status and Trustees

- 4.1** Advice from the Council's externally appointed legal advisors (Brodies LLP) is clear, and is based on their recent and considerable experience in this field. To successfully achieve charitable status the Independent Trustees must be in place and have signed the application. They need not necessarily be fully up to speed and operational but they must have been appointed and have signed the Charitable Status application.
- 4.2** This clearly requires an appropriate response in terms of the recruitment process and timescale. At present there is no delegated authority to do this and accordingly approval is sought from Angus Council to recruit Independent Trustees through the process and timescales set out in para 4.4.
- 4.3** Advice on this aspect has been taken from appropriate senior Angus Council staff and it is agreed this is the correct course of action. This will allow the full Board of Trustees to conduct the recruitment of the Chief Executive of Angus Alive if members agree this report. It will also allow for a proper and full induction and familiarisation for Trustees to be developed and delivered. The job description and details for the Independent Trustees is attached at Appendix 1.

Trustee Recruitment Timescales and Process

- 4.4** The Angus Council recruitment processes will form the basis of the process. In terms of the recruitment of the Independent Trustees if Council agrees the report, the recruitment process will begin the week commencing 22nd June with adverts in the local press, with Community Planning Partners and on the Council's website and social media outlets and members are also encouraged to promote and raise awareness of the appointments. The closing date for applications will be Friday 10 July. The applications will be assessed in the week commencing 13th July with calls for interview going out on or before the week commencing 20th July. Following normal practice allowing preparation time for interview, the interviews will be held the week commencing 10th August with appointments made week ending 14th August.
- 4.5** The Shadow Board has also recommended a fifth panel member is recruited and that that panel member be drawn from an existing charitable body with that being the Cairngorms National Park Authority. Once the Independent Trustee appointments are made the full Board will commence its induction and be trained to enable it to undertake the recruitment of the Angus Alive Chief Executive.

Chief Executive Recruitment

- 4.6** As noted above the timescales for recruitment are tight for Senior Management and Trustees. If Council is minded to recruit the Independent Trustees, it is pragmatic, and realistic, to also seek approval to recruit the Chief Executive of Angus Alive in an accelerated timescale with both processes running in parallel in order to ensure that the successful candidate can be in place for the "go live" date of 1 December 2015.
- 4.7** There are risks of recruiting early in advance of the Council's formal decision to approve the transfer to Angus Alive and these will be covered later in this report. There are however, arguably, greater risks in delaying the recruitment process until September as it is possible an appointment may not be made until sometime in 2016 leaving Angus Alive without a Chief Executive (and possibly no or not enough Trustees).
- 4.8** On balance the recommendation to accelerate recruitment puts Angus Alive in a stronger position to go forward. The Shadow Board has agreed the Senior Management Structure and the timescales for the presentation of the remaining structure. It is anticipated that the Shadow Board will, it is hoped have agreed the full Angus Alive Structure on the 17th June.

Chief Executive Recruitment Timescales and Process

- 4.9** The existing Angus Council recruitment processes will form the basis of the process. In terms of the recruitment of the Chief Executive of Angus Alive, if Council agrees the report, the recruitment process will begin the week commencing 22nd June with a micro site online, advert in My Job Scotland and any relevant professional Journal as well as internal advert. The Council's Social Media channels will also be used.
- 4.10** The closing date for applications will be Friday 17 July. The longleat process will be carried out during the week commencing 20th July. The recruitment panel will meet on or before the week ending 24th July to select the shortleat. Invitations for Interview will be sent out the week commencing 27th July. To allow the Independent Trustees to be appointed and their recruitment training to take place, the interviews for the Chief Executive will be scheduled for 27th/28th August with the aim of making an appointment that week.
- 4.11** The Chief Executive Officer's Job Description and Personal Specification are attached at Appendix 2 of this report.

5. RISKS

Accelerated Appointment Risk

- 5.1** There is a risk that Full Council will not approve the business case for Angus Alive in September 2015 and therefore trustees and a Chief Executive will have been appointed but these appointments will not be able to commence. This is a reputational risk in terms of the trustees and Chief Executive appointments however; there is also a further risk of breach of contract for the Chief Executive appointment with potential financial implications.
- 5.2** To mitigate the risk of appointing a Chief Executive now, prior to the Council approving the Final business Case, any appointment of the Chief Executive will be made subject to full council approval of the Final Business Case and agreeing that the delivery of various services will be undertaken by the Trust.

Risks of Not Accelerating Appointment

- 5.3** If trustees are not appointed timeously then it may not be possible to gain charitable status in advance of the "go live" date of 1 December 2015. External advice indicates it can take up to 3 months for this process to complete. The main impact of not accelerating the appointments will either be on delivery of early savings or slippage of the agreed "Go-Live" date. If the Chief Executive appointment is not accelerated then it is unlikely that the successful candidate will be in place for 1 December 2015 given the potential notice period required in their current role.

Governance and Perception Risk

- 5.4** There is a risk that accelerating appointments is seen to be "forcing or influencing" the Council decision on the final business case for the Trust to be considered at the September cycle. In mitigation of this, early indicators are that the main driver for a move to Trust status i.e. the financial savings, are positive in terms of the projected VAT and NDR savings and are completely in line with those presented at the determination of the Outline Business Case. The final business case will be presented to Council in September 2015 at the latest.

6. FINANCIAL IMPLICATIONS

The costs associated with the recruitment of trustees and the Chief Executive of the new Trust are not expected to be significant and will be met from sums already agreed to come from the Transforming Angus Budget to take forward the Trust concept. The salary costs of the Chief Executive post will require to be funded from the overall resources Angus Alive has available once it becomes operational.

7. CONCLUSION

Shadow Board members are only too aware of the pace at which Angus Alive is operating and how members are being asked to operate in a manner that is fleet of foot and nimble in decision making. The reality is there is little choice but to work through issues in this manner and at this pace to achieve the agreed go live date. Whilst it is accepted that this acceleration of appointments is challenging, the best possible advice has been sought externally and internally. This paper is seeking to break new ground for Angus in terms of what can be achieved and in terms of timescales being operated against; it is being done with the required transparency and risk assessments being developed and in place for Council to make an informed decision.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

REPORT AUTHOR: Alan McKeown – Strategic Director Communities

EMAIL DETAILS: Communities@angus.gov.uk

Independent Trustee Recruitment

TRUSTEES OVERVIEW

The Role

Angus Alive is seeking to nominate five new independent non-Executive Trustees to the Angus Alive Board.

We are looking for experienced individuals with the vision, drive and enthusiasm, to provide Board level oversight and leadership of the implementation and development phase of Angus Alive. We seek to build on a great set of facilities and a healthy customer base and a desire to be better for the citizens of Angus in providing equality of access to Sports, Leisure, Learning, Cultural and Outdoor activities and facilities.

Within the skillsets we are particularly looking for Trustees to lead, drive and successfully develop the key areas below:

1. Libraries, Culture and Learning
2. Sport and Leisure (incorporating Countryside, Outdoor Education, Theatre and Halls)
3. Business Management and Development
4. Service Develop and securing new sources of Income
5. Customer Experience.

Experience & Attributes

The key attributes required of Trustees are:

- Experience of leadership and management in either the public, private or voluntary sector.
- An ability to exercise independent judgement and a commitment to good governance.
- A commitment to the aims of Angus Alive to set and achieve high standards of service delivery and to the promotion of participation in sport, learning, culture and outdoor activity.

We would particularly welcome interest from those with legal, financial, health and safety, facilities development, marketing, income generation, learning, volunteering or performance sport backgrounds.

Whilst experience of cultural or leisure organisations would be beneficial, it is not essential.

Application Process

To express an interest in these roles, please forward a full CV and supporting statement **by 10 July 2015**. Informal enquiries should be directed to Name, email address.

Angus Alive is committed to the pursuit of equal opportunities in its appointment process.

Please note that these roles are not remunerated but reasonable expenses will be reimbursed. Trustees and Officers Liability Insurance is in place.

All correspondence will be issued electronically.

Overall Responsibility:

To direct the affairs of Angus Alive and ensure that it is managed effectively and efficiently.

Responsible to: The Angus Alive Board.

Purpose:

1. To work constructively with other Board Members and employees to ensure that Angus Alive is managed and controlled appropriately;
2. To ensure that Angus Alive is accountable to its legitimate interest groups and stakeholders;
3. To ensure that Angus Alive works within the requirements of the law and its funders;
4. To act as a “guardian” of the mission and values of the Trust;
5. To develop inclusive sporting, culture and heritage, customer and outdoor services and facilities with access for all;
6. To continuously improve, evolving and developing services and attracting new sources of income whilst working as part of the Governing Body;
 - To ensure Angus Alive complies with its Articles of Association, charity law, company law and any other relevant legislation or regulations;
 - To ensure Angus Alive pursues its objects as defined in its Articles of Association;
 - To ensure Angus Alive uses its resources exclusively in pursuance of its objects: Angus Alive must not spend money on activities which are not included in its own objects, no matter how worthwhile or charitable those activities are;
 - To contribute actively to the Board’s role in giving firm strategic direction to the organisation, setting overall policy, defining goals and setting targets and evaluating performance against agreed targets;
 - To safeguard the good name and values of Angus Alive;
 - To ensure the effective and efficient administration of Angus Alive;
 - To ensure the financial stability of Angus Alive;
 - To protect and manage the property of the Trust and to ensure the proper investment of the Trust’s funds;
 - To appoint the Chief Executive and Senior Management Team and monitor their performance, as appropriate;
 - To ensure that the governing body maintains a balance of skills, experience and diversity within its membership;
 - To actively seek new sources of funding and to continuously review and develop services so they meet customer and funder needs and that there is clear evidence of performance and delivery against, goals, operational targets and the Single Outcome Agreement for Angus.

Working as an Individual:

1. Acting with personal integrity at all times; declaring any interests, abiding by the Code of Conduct and maintaining the interests and good name of the Trust and Board.

2. To treat all information gained by virtue of being a Board member in the strictest confidence while promoting an ethos of openness and accountability.
3. To devote sufficient time and energy to Angus Alive's business. This includes:
 - Preparing for meetings.
 - Attending Board and Committee meetings as required.
 - Keeping up to date with relevant issues by reading and attending training/briefing sessions.
4. To participate in the management and control of Angus Alive's activities, including:
 - Generating strategic opinions.
 - Financial monitoring and control.
 - Establishing plans, policies and objectives.
 - Ensuring plans are implemented and evaluating performance.
 - Reviewing activity and deciding on appropriate action.
 - Representing the Board on the Trading Body – Angus CLT (Trading) Limited.
5. To consider all options presented by staff in reports and papers and make clear decisions or request deferment of decisions until sufficient information is available or clarification received.
6. To abide by and promote Angus Alive's commitment to equality.
7. To positively represent the Trust as required; promoting our policies, objectives and good name. To inform interested parties about the work of the Trust, the possibilities of membership, and the roles of the Board member.
8. To share collective responsibility and support all decisions taken by the Board. Each should act only in the interests of the Trust and not on behalf of any constituency or interest group.

Angus Alive Chief Executive Job Description and Personal Specification

ANGUS ALIVE

JOB OUTLINE

CHIEF EXECUTIVE

Post title:	Chief Executive
Responsible to:	Angus Alive Board
Responsible for:	All employees of Angus Alive
Grade:	CO38
Job Purpose:	Lead and operate a successful Trust delivering a clear strategic direction and ensuring effective management of leisure, cultural and customer services.

Leadership and Management Responsibilities

1. To provide effective and visible leadership and management of Angus Alive ensuring that services are customer focused and responsive to the needs of customers;
2. To lead, in conjunction with the Board of Trustees of Angus Alive, the development of the Vision, Strategy and Business Plan for the Trust and ensure the delivery of strategic objectives and actions agreed in that Business Plan;
3. To ensure that the Trust operates within agreed budgets and has in place robust arrangements for financial management and governance;
4. To act as the main point of operational contact between the Trust and Angus Council managing the political and operational relationship between the two organisations;
5. To work in close partnership with Strategic Director – Communities and the Head of Schools and Learning to maintain and develop service links with schools and other services focussing on the delivery of positive outcomes and contributing to the Single Outcome Agreement;
6. To work in partnership with the Angus Health and Social Care Partnership to devise and deliver programmes that assist the achievement of enablement and active lives across all age groups;
7. To ensure that the outcomes and targets set in the Service Level Agreement with Angus Council are met and there is clear evidence in place to demonstrate achievement;
8. To lead and manage the Trust's senior management team;
9. To seek to continuously improve the outcomes for the Trust by sourcing and exploring new markets, products and sources of income;
10. To be responsible for ensuring that effective policies, procedures and systems are in place to ensure the health, safety and well-being of employees;
11. To be the Trust's officer representative for the press and other media in line with the Angus Alive media policy and protocol;

12. To represent the Trust and ensure effective joint working with other organisations at local, regional and national level;
13. To ensure that there are effective procedures and practices are in place for the proper evaluation and monitoring of performance including service standards, customer satisfaction data and an employee appraisal system;
14. To ensure that the Trust meets all necessary legislative requirements;
15. To work with Angus Council and the Community Planning Partnership in the effective preparation and delivery of emergency planning arrangements.

This job outline is indicative of the nature and level of responsibilities associated with this job. It is not exhaustive and the post holder may need to undertake other duties of a similar level and nature that may be required.

DRAFT ANGUS CLT
PERSON SPECIFICATION
MARCH 2015

JOB TITLE: Chief Executive – Angus Alive

LOCATION: The Yard, Queenswell Road, Forfar

ESSENTIAL ATTRIBUTES:

In order to be able to carry out the duties of this post effectively and safely, candidates will be able to provide evidence of the following:-

1. EXPERIENCE

- Considerable achievement at Senior Management/ Chief Officer level in a large organisation.

2. EDUCATION AND QUALIFICATIONS

- Educated to degree level;
- Hold a professional qualification in an appropriate field or membership of a professional body or equivalent experience.

3. SKILLS/ATTRIBUTES GENERAL

- Commitment to the health and safety of employees and customers;
- The ability to analyse the political, legal and business environments, think strategically and solve problems;
- The ability to analyse financial information and manage budgets effectively;
- The ability to improve service delivery through various initiatives e.g. maximising the benefits of Information Communication Technology;
- The ability to manage conflict, under performance and inappropriate behaviour;
- The ability to allocate and delegate tasks to make best use of resources.

4. SKILLS/ABILITIES SPECIFIC TO THE POST

- Positive experience of managing major change and the ability to manage the human aspects of change;
- Commitment to eliminating discrimination and promoting equality in service delivery and employment.

5. INTERPERSONAL AND SOCIAL SKILLS

- The ability to develop strategies, vision and values;
- The ability to lead a successful service through motivating, supporting and developing employees and colleagues to make the best of their abilities;
- The ability to prepare and communicate effective policies, plans and recommendations to board members, elected members, employees and customers;
- The ability to manage successful customer consultation and improve business processes to best meet customer requirements;
- The ability to present information and ideas to promote understanding and gain commitment;
- The ability to influence others and negotiate appropriate outcomes;
- Professional integrity.