

PRE-SCRUTINY OF PROPOSED REPORT TO COUNCIL RE STRATEGIC PARTNERSHIP WITH BRENTWOOD BOROUGH COUNCIL

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to update the Review Committee as to the Council's proposals for a strategic partnership with Brentwood Borough Council ("BBC") ahead of a report being presented to an extraordinary meeting of the Council on 25 January 2022 and an extraordinary meeting of BBC on 26 January 2022.
- 1.2 The Committee is invited to pre-scrutinise the proposed contents of the report and the recommendations proposed to be brought to the extraordinary meeting of Council, as the same are set out below in paragraphs 2-11 inclusive. The purpose of pre-scrutiny is to provide robust and constructive challenge and make any comment or suggestion which will improve the quality of that report before it is published.

PROPOSED REPORT TO COUNCIL:

2 INTRODUCTION

- 2.1 Following a decision by the Council on 20 July 2021 and a reciprocal decision by BBC on 28 July 2021, Jonathan Stephenson was appointed as Joint Chief Executive/Managing Director for both Councils (hereinafter referred to as the "Joint Chief Executive") and designated as Head of Paid Service for the Council with effect from 1 August 2021 until 28 February 2022.
- 2.2 At those same meetings, it was resolved that the Joint Chief Executive and the Strategic Directors of each Council, in consultation with the Leader and Deputy Leaders of each Council undertake the creation of a feasibility study to explore further shared and partnership opportunities with one another. A further report with proposals was due to be brought back to each Council for consideration by the end of 2021. Due to the amount of work to be completed and the desire to engage with the Overview and Scrutiny Committee of each Council it was not possible to meet this deadline although a verbal update was provided by both Leaders to their respective meetings of Full Council in December 2021.
- 2.3 As part of the feasibility study, the two Councils have been working with external experts Shared Service Architecture ("SSA") who have supported

other Councils through this process. SSA has helped to facilitate engagement, ensure alignment and develop of Heads of Terms for the proposed strategic partnership (the “Partnership”). Through these sessions the Councils have created a shared understanding of what they want to achieve together and how they want to achieve it. Leaders have also engaged with senior leadership teams of both Councils to ensure they have been included in the discussions and have informed thinking.

2.4 Leaders believe that the Council and BBC are appropriate partners because of the following identified reasons relevant to the two Councils:

Both Councils are located in South Essex	They already have a shared set of strategic interests
Both Councils are second tier Councils	There is parity in their local government status
Both Councils have similar size net revenue budgets	There is equality of bargaining power and both are experiencing similar financial pressures
Both Councils have similar socio economic make up and demographics	There is much commonality in residents’ interests, scale and dynamics by population (Brentwood Borough c77,000 and Rochford District c87,000)
Both Councils have a mixed economy of in-sourced/ outsourced services	There is no dogma or overriding philosophy which could be a brake on creativity
There is no joining administrative boundary	There is no legal ability to merge into one Council – because this is simply not an option, it removes any tension or suspicion from the partnership and allows the Councils to focus on making it work

3 HEADS OF TERMS AND THE VISION FOR THE PARTNERSHIP

3.1 The terms of the Partnership between the two Councils will be set out in a written Memorandum of Understanding (MOU) document which will formalise the details of the arrangement. The Heads of Terms which will form the basis of the MOU have been agreed by the Leaders of both Councils and are set out at Appendix A.

3.2 The Heads of Terms sets out the key points and principles which underpin the Partnership. From these the two Councils will continue to develop and agree

the MOU which will set out in more detail how the Partnership will work going forward. An MOU is not a contractual document but the obligations contained within it set a precedent for how the two Councils intend to work together and so it is dependent on the trust and confidence which has been built through the process.

3.3 A more formal legal agreement will also need to be created under s.113 Local Government Act 1972 (the “s113 Agreement”) to make the Councils’ workforces available to one another and to adopt harmonised terms and conditions.

3.4 The vision of the two Councils set out in the Heads of Terms is that the Partnership will be:



3.5 The two Councils’ ambition is to create One Team, One Culture, One Partnership between Two Sovereign Councils.

4 TRANSFORMATION PROGRAMME

4.1 Implementation of the ambitions of the Partnership will be delivered using established programme methodology (the “Transformation Programme”).

4.2 The Transformation Programme will be led by the Joint Chief Executive and managed by one of the Strategic Directors who will be the Senior Responsible

Owner (SRO). A designated Transformation Unit will be created to drive delivery and to provide specialist advice, skills and support to the implementation of the Transformation Programme, including an externally recruited specialist programme manager.

- 4.3 The Transformation Programme will be delivered via a series of projects sequenced over a period of approximately 2.5 years from February 2022 to September 2024 (the “Roadmap”). There will be a programme plan and workstream milestone plans to deliver the Roadmap. This detailed project planning will be undertaken from February 2022 once the Transformation Unit is assembled. A high level year one indicative timetable is set out below.

Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22
Policy Alignment Workstream										
Tier 2 Process		Tier 3 Process			Service Delivery Workstream					
Workforce Development Workstream										
Communications and Engagement Workstream										

Phase 1: Creation of a Single Unified Leadership Team – February 2022 to September 2022

- 4.4 The creation of One Team and One Culture requires the alignment of the officer organisational structure between both Councils. This is Phase 1 of the Transformation Programme which is intended to take place between February and August 2022.
- 4.5 Creation of One Team requires the formal appointment of Jonathan Stephenson as the Joint Chief Executive Officer for both Councils. The Extraordinary Council meeting to be held on 25 January 2022 will recommend his appointment as Joint Chief Executive. The terms and conditions of his employment will remain with BBC and the requirements of the Council relating to his employment, including the shared arrangements with BBC, will be contained within the legal s113 Agreement which will also contain provisions relating to discontinuing the arrangements, if required in the future.
- 4.6 The draft job description and draft person specification for the role are set out at Appendix B. These have been written and benchmarked by the East of England Local Government Association (EELGA) whose report can be found at Appendix C.

- 4.7 The Review Committee should note that the salary requirement for the post of Joint Chief Executive is subject to the agreement of both Leaders and will be presented to the respective meetings of Full Council on 25 January 2022 (for the Council) and 26 January 2022 (for BBC) for formal approval.
- 4.8 It follows that the Joint Chief Executive Officer must be empowered to lead the transformation required to deliver the Partnership, along with a senior leadership team who will support the delivery of both Councils’ ambitions.
- 4.9 Accordingly, the next step for the creation of One Team is the creation of a single unified officer structure for Tier 2 and Tier 3 which is proposed as set out below:

		The Council	BBC
Tier 2 Strategic Director	Current position	1 FTE	3 FTE
	Future position	3 FTE initially (then 2)	
Tier 3 Assistant Director /Corporate Director	Current position	6 FTE	6 FTE
	Future position	9 FTE	

- 4.10 For Tier 2 (Strategic Director) this will create a saving of 1 post across the Partnership and it is proposed that the vacant post at BBC will be deleted and the saving shared as part of the overall saving apportionment across all phases. It is proposed that a further saving of 1 post will be created after the Transformation Programme is completed.
- 4.11 New job descriptions and person specifications will be created for each of the 3 new Tier 2 roles. These posts will be ring fenced to the existing Tier 2 Strategic Directors in each Council. Current postholders will be consulted about the restructure proposals and invited to apply for one or more of the new roles during late January/early February 2022.
- 4.12 An assessment of suitability will be undertaken by the Joint Chief Executive supported by EELGA and suitably qualified applicants will be offered the new roles with effect from 1 March 2022. The roles will be offered on common terms and conditions of employment which will be the same across both Councils.
- 4.13 The outcome of this process will be reported to meetings of each respective Full Council not later than the first meeting of the new municipal year.

- 4.14 The Joint Chief Executive and Strategic Directors will then prepare proposals for a restructure to bring together the senior leaders of both Councils at Tier 3 (Assistant Director/Corporate Director). This will create a saving of 3 posts. This will require a formal restructuring exercise which will be undertaken in accordance with best practice and the policies/procedures of the two Councils. Consultation with affected staff will take place in April 2022 with a recruitment and selection exercise completed not later than 31 July 2022. All staff appointed to the new roles will have their employment retained with their existing Council; however, the total cost/savings accruing to the new roles will be shared across the two Councils.

Phase 2: Alignment of service delivery and creation of joint working opportunities – September 2022 to September 2024

- 4.15 It is proposed that following the creation of one unified leadership team, the services delivered by both Councils will also be transformed to optimise opportunities for improved delivery across both Councils in order to achieve the vision and ambitions of the Partnership. This is Phase 2 of the Transformation Programme. Phase 2 will take approximately 2 years to deliver to ensure orderly transition and minimise disruption to the delivery of services.
- 4.16 Proposals for transformation of services will be subject to a robust service review methodology and captured in business cases for change (“Business Cases”). The Transformation Unit will support the creation of all Business Cases but Business Cases will not be implemented until formal corporate governance approval has been given by each Council.
- 4.17 Services will be reviewed in their directorate groupings so that the Tier 3 leader is an integral part of the service redesign. However, the integration of back office services – the business of doing the business - will be a priority. This is because it will be important to stabilise the core of the Councils’ business and the new single officer leadership team to preserve service delivery and continuity. It will also be a priority to focus on improvements to the customer experience so that the benefits of the Partnership can be demonstrated to residents as soon as possible.

5 TRANSFORMATION PROGRAMME GOVERNANCE

- 5.1 It is a fundamental premise of the Partnership that the sovereignty of each Council is not compromised. This means that all formal decision making remains within the auspices of each Council’s own Constitution. In Phase 1, appointments will follow the standard procedures in both Councils. In Phase

2, no Business Case will be implemented unless it has been approved through the relevant Council's corporate governance. Where a Business Case affects both Councils, both Councils must approve it before it can be implemented.

- 5.2 Internal programme governance will be overseen and managed by the Joint Chief Executive and SRO. There will be regular reporting into the Councils' respective corporate governance processes in a planned manner so that all Members have visibility of the Transformation Programme and regular reporting as to its progress.
- 5.3 There will be an annual report to each Council reporting benefits realised by the Transformation Programme. This will enable the Partnership to be considered at the same time as the Councils review their respective corporate strategies.
- 5.4 In between times there will be a quarterly update report to the Executive (for the Council) and to the Policy, Resources and Economic Development Committee ("PRED") at BBC. In advance of these meetings, reports will be presented to each Council's Overview and Scrutiny Committees in order that questions can be asked and performance scrutinised and recommendations made. Municipal calendars will be aligned to enable this to happen effectively.

6 BENEFITS REALISATION

- 6.1 It is intended that the Transformation Programme will yield annual savings of £600,000 - £850,000 in total between the two Councils with effect from 2024/25 once the Transformation Programme is complete. Savings would be shared across both Councils; the apportionment of these savings would need to be mutually agreed following a further review of the respective current structures and reflecting the Heads of Terms set out at Appendix A. The saving and apportionment (on a service by service basis) would be agreed by each Council as part of the Business Case approvals process in Phase 2 of the Transformation Programme.
- 6.2 It is also intended that there will be other non-financial benefits including:
- Improved retention and development of staff
 - Efficiencies and economies of scale in service delivery and procurement
 - A stronger and more influential regional voice

7 RECOMMENDATIONS FOR APPROVAL BY COUNCIL

7.1 It is proposed that the Council will be asked to consider the following recommendations at its meeting on 25 January 2022:

- (1) To agree the Strategic Partnership between Rochford District Council and Brentwood Borough Council and that Jonathan Stephenson is the Joint Chief Executive for both Councils;
- (2) To appoint Jonathan Stephenson as the Council's Head of Paid Service;
- (3) To approve the Heads of Terms set out in Appendix A;
- (4) That the Joint Chief Executive and the Monitoring Officer of each Council be given delegated authority, in consultation with the Leader of each Council, to enter into a Memorandum of Understanding and s113 Agreement to give effect to the Partnership;
- (5) That the Joint Chief Executive be given delegated authority to undertake a restructure of Tiers 2 and 3 of the Councils in consultation with the Leader of each Council;
- (6) That the designated Head of Paid Service is the proper officer under s270(3) of the Local Government Act 1972;
- (7) That a maximum of £300,000 (as set out in paragraph 4.2 of this report) be allocated from general reserves to fund the additional programme resource for the Transformation Unit;
- (8) That the Monitoring Officer be given delegated authority in consultation with the Portfolio Holder for Governance to make any required changes to the Constitution to give effect to the recommendations in this report.

7.2 The Committee is asked to consider these recommendations as part of its pre scrutiny.

8 RISK IMPLICATIONS

8.1 A full risk register for the Transformation Programme will be created and reported against as part of the programme management process. This work

will begin from February 2022 once the Transformation Unit has been commissioned.

- 8.2 At this stage, a very simple analysis of the most obvious key risks around embarking on the Partnership is set out below. There are, of course, many more risks which need to be defined, mitigated and actively managed. These will form part of the programme governance and reporting referred to in paragraph 5 above.

Risk type	Description	Mitigation
Political	The Partnership becomes or is perceived to become a political merger or take over of one Council by another;	The absence of a geographical boundary makes merger legally impossible; and the benefits of the Partnership continue to be tangible and cogent irrespective of political leadership
Economic	The Partnership does not achieve its potential for wider economic benefits for the community	Working in partnership to achieve inward investment activity will be a joint strategic aim of the Partnership and measured via the Transformation Programme
Financial	The Partnership does not yield the financial benefits it aims to achieve	The Transformation Programme is designed to deliver financial benefits which are measured via the programme governance and formal reporting
Organisational	The Transformation Programme causes instability within the workforce	The Workforce Development workstream is designed to address the people side of change
Technological	Incompatibility of IT systems becomes a barrier to harmonisation of services which in turn frustrates the efficiencies of creation of one team	Whilst both Councils operate Office 365, due diligence of applications will be carried out as part of the service review and Business Case approval process in Phase 2 of the Transformation Programme and

Risk type	Description	Mitigation
		it is anticipated that decisions will be made accordingly.
Legal	The sharing of services and workforce creates legal blurring of responsibilities between the Councils	The s113 Agreement will address this and all legal implications of service reviews will be considered as part of the Business Case approval process in Phase 2
Environmental	There could be a negative environmental impact arising from the operational requirements of sharing workforce and services, but this will not become obvious until the service review process at Phase 2 of the Transformation Programme.	Implications of service reviews will be considered as part of the Business Case approval process at Phase 2. It is envisaged that the progress we have seen through new working practices and utilisation of technology will be built upon in the way the teams will work and interact across the two partnership areas.

9 RESOURCE IMPLICATIONS

- 9.1 In the 20 July 2021 meeting Council agreed that a maximum of £20,000 be allocated from general reserves to fund 50% of the costs required to undertake the feasibility study and provide additional programme resources. BBC also committed £20,000 of resources to undertake this work making a total of £40,000. The cost of this work is currently £10,000 underspent, forecasted at £30,000 which will be borne equally between the two Councils.
- 9.2 The following resources are the best estimates required to create the Transformation Unit over the course of the Transformation Programme. Costs will be shared equally between the two Councils. The costs will be profiled accordingly over the appropriate financial years, with the programme anticipated to commence in February 2022 following Council approval:

Role	Year 1	Year 2	Year 3 (part year)	Total
NEW POST Programme Manager and Service Delivery workstream lead (0.6 FTE)	£60,000	£60,000	£30,000	£150,000
Programme Office admin support (0.2 FTE)	£10,000	£20,000	£10,000	£40,000
Key Change Champions	£20,000 back fill costs	£20,000 back fill costs	£10,000	£50,000
	£15,000 training costs	Nil	Nil	£15,000
NEW POST Workforce development workstream lead (0.6 FTE)	£40,000	£60,000	£30,000	£130,000
Workforce Training and Development	£5,000	£10,000	£5,000	£20,000
Additional HR support (EELGA)	£20,000	Nil	Nil	£20,000
NEW POST Communications and engagement workstream lead (0.6FTE)	£20,000	£40,000	£20,000	£80,000
Additional legal and financial support (s113 Agreement development)	£40,000	£40,000	£15,000	£95,000
	£220,000	£240,000	£120,000	£600,000
Cost to each Council				£300,000

9.3 Indicative benchmarking exercises have been undertaken to estimate the likely achievable savings over the two phases of the Transformation Programme. Total savings following the completion of the Transformation Programme are estimated to be between £600,000 and £850,000 per annum

across both Councils. These savings would be cashable from financial year 2024/25 and accrue each year thereafter. The apportionment of these savings as between the Councils would need to be agreed following a further review of the respective current structures.

- 9.4 This is an invest to save programme and over the 2.5 years of its duration it is expected that the costs incurred (as outlined in the table above) would be paid back through the savings achieved, by the end of financial year 2023/24.

10 LEGAL IMPLICATIONS

- 10.1 Section 4 of the Local Authority and Housing Act 1989 states it shall be the duty of every local authority to designate one of their officers as Head of Paid Service, and to provide that officer with such staff and accommodation and other resources that are, in his/her opinion, sufficient to allow his/her duties to be performed.
- 10.2 It is common to designate the role of Head of Paid Service to the Chief Executive. The decision to designate the Head of Paid Service to the Chief Executive is reserved to Full Council.
- 10.3 As set out in paragraph 3 above, both Councils will need to enter into a legal agreement and MOU to give effect to the partnership arrangements. The Local Government Act 1972 s113 allows a local authority to enter into an agreement with another local authority to place its officers at the disposal of another authority. Subject to consultation with the staff concerned, including any negotiation in changes to terms and conditions.
- 10.4 Further, Section 1 of the Local Authorities (Goods and Services) Act 1970 enables a local authority to enter into an agreement to provide goods and services with another local authority including administrative, professional or technical services.
- 10.5 The legal agreements will include the usual standard contract clauses around performance, termination, breach, dispute resolutions and regulatory duties, as well as mutually agreed terms and conditions.
- 10.6 Legal advice will be provided as Business Cases are bought forward.
- 10.7 By following the proper processes identified in this report the Council will mitigate the risk of challenges to outcomes.

11 EQUALITY AND DIVERSITY IMPLICATIONS

- 11.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- a. To eliminate unlawful discrimination, harassment and victimisation
 - b. To advance equality of opportunity between people who share a protected characteristic and those who do not
 - c. To foster good relations between those who share a protected characteristic and those who do not
- 11.2 The protected characteristics are age, disability, gender, race, sexual orientation, religion, gender reassignment, marriage/civil partnerships, pregnancy/maternity.
- 11.3 An Equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

12 RECOMMENDATIONS

- 12.1 The Committee is invited to consider the report and to provide robust and constructive challenge and make any recommendations to Council further to those proposed in paragraph 7 above.
- 12.2 Subject to paragraph 12.1, the Review Committee **RECOMMENDS TO COUNCIL**

To adopt the contents of this report.



Angela Hutchings
Strategic Director

Background Papers:-

None.

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If you would like this report in large print, Braille or another language please contact 01702 318111.



Brentwood Borough Council and Rochford District Council
Strategic Partnership
Heads of Terms for a Memorandum of Understanding

1. Introduction and background

- 1.1 This document sets out the Heads of Terms which will form the basis of a Memorandum of Understanding (MOU) between both councils detailing the terms of the strategic partnership between them and how that partnership is intended to work.
- 1.2 The councils' joint ambition is to secure a long-term sustainable future for both councils through collaboration in a Preferred Partner relationship (the "Partnership"). The councils recognise the similarity in their socio-demographics and operational scale and both see each other as a natural Preferred Partner.

2. Mutual Objectives and areas of commonality

- 2.1 By working in partnership, both councils believe that they can achieve more together than would be possible by acting alone.
- 2.2 Key areas of common ground for the Partnership are:
- a. Securing **greater financial sustainability** for both councils;
 - b. Building more **resilience** into both councils;
 - c. Working together to be more **entrepreneurial and ambitious**;
 - d. Working collectively to **overcome challenges, and maximise opportunities**;
 - e. Greater scope to **retain and develop the talented staff** we have across our two councils;
 - f. Achieving **efficiencies, improved purchasing power and economies of scale** which the partnership offers;
 - g. Acting with a stronger voice to **exert more influence on a regional and national level** in order to ensure that the councils thrive in a changing local government sector.

3. Vision for the partnership

- 3.1 The vision of the councils is that the Partnership will be:
- a. An enduring partnership between two sovereign councils, with a unified officer team that delivers high quality outcomes for our communities, operating a one culture ethos;
 - b. A partnership with greater combined capacity to manage change and strive for continuous improvement;
 - c. A partnership that retains 'local identity' for our residents and has the scale to make tangible investments and improvements for the wellbeing of our communities;
 - d. A well-resourced and fully integrated, council officer team delivering for both councils with built-in resilience, focussed on improving front-line services and effective back-office functions;
 - e. A **people first** partnership recognising that its strength comes from the talents our people bring through a depth of skills & experience developed further through collaboration and creativity;
 - f. An equitable partnership that brings financial sustainability and organisational resilience to both councils while balancing risk.

4. Partnership Ambitions

- 4.1 The councils aspire for the Partnership to be one that is recognised as one that applies sector best practice and delivers best value for money services that positively impact on their respective geographies.
- 4.2 They want to create a reputation that gives other councils and organisations the confidence to do business with the partnership and generate income.
- 4.3 The councils want to use their collective skills to promote investment in their communities through developing a culture which is proactive, innovative and which focusses on growth and opportunity.
- 4.4 Consequently, the top five strategic objectives for the Partnership are:
- a. Delivering financially sustainable, high-quality services that are valued by our community;
 - b. Leading the way to improve our environment by acting locally, contributing globally;

- c. Providing high quality, sustainable housing to meet the needs of our community;
- d. Improving the quality of life, health and wellbeing of our residents;
- e. Creating opportunities for economic growth and improved connectivity in which businesses can flourish.

5. Principles of partnership and scope of collaboration

- 5.1 The Partnership should support the creation of a new unified organisational teams with one culture through a single senior management team, driving efficiency through organisational development. Accordingly, each council will seek to align its internal operational structures and services wherever possible.
- 5.2 In order to be successful, the councils believe that the Partnership must go beyond shared management and shared services and be strategic in intent. On that basis, each council will seek to harmonise our approach wherever possible (but ultimately each council will be able to set its own policy for which services are to be delivered and how). Each council will continue to be able to set its own corporate plan, using a common template and simple language, seeking wherever possible to harmonise ambition, portfolios, and functions whilst avoiding duplication of resource.
- 5.3 Wherever possible, the councils will seek to harmonise or jointly commission grant aid and other funding bids but that will not inhibit the ability of either council to independently commission grant aid such they wish to.
- 5.4 The councils believe that the whole community in each geography must be at the heart of all decisions and the Partnership must deliver services that feel local to them.
- 5.5 There are some fundamental “red lines” which exist and which will continue to underpin the Partnership going forward. These fundamental principles are as follows:

Corporate governance models remain unchanged	The Partnership is not a merger of the two councils nor is it a take-over by one council of the other. Both councils retain their own political autonomy, accountability, and local identity. There will be no change in the name of either of the councils.
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	<p>Each council will retain its own constitution, setting out how it makes decisions, provide for effective scrutiny and delegate authority.</p> <p>Each council will maintain its own fiscal independence, continuing to set its own budget, council tax and publish its own accounts.</p>
<p>Local democracy remains sovereign</p>	<p>Each council will continue to speak up for its own residents first and foremost, even where there is an apparent conflict of interest between the councils but will always strive to secure an agreed approach wherever possible.</p> <p>Nothing within the Partnership will stop the councils developing local ideas about how to best support their local communities.</p> <p>A power of veto will exist for each council to ensure that neither sovereign council will be forced to adopt a policy, accept a cost risk or change a priority that its political decision makers are not willing to support.</p>
<p>Neither council should be financially disadvantaged by the other</p>	<p>The costs of changes and the benefits achieved from change will be attributed and shared to the satisfaction of both councils.</p> <p>No council will be obliged to break an existing contract.</p>

6. Prioritisation of focus

6.1 Immediately following the formal agreement of both councils to proceed to take the Partnership forward, the initial focus of the partnership should be on the following:

- a. Communication within the two organisations and stabilisation of their respective workforces;
- b. Delivery of any obvious improvements in services and outcomes as “quick wins”;

- c. Integration of back office corporate functions so that the enablers for the creation of one officer team and one organisational culture are in place;
 - d. Review and wherever desirable alignment of strategic policy frameworks (subject always to individual council autonomy) together with review of sequencing of decision-making timetables to ensure a collaborative approach to partnership leadership and decision making in the longer term
- 6.2 This work should then be followed by detailed service reviews, prioritised in line with partnership goals and organisational capabilities. Each service review will be fully assessed to ensure maximum value and positive public impact. Implementation will embed the **one team one culture** principle set out in this Heads of Terms.
- 6.3 The Partnership should, at the same time as this work, begin to promote itself as a joined-up voice at regional level on regional issues.

7. Aligned leadership and governance arrangements

- 7.1 As political leaders the Leaders personally commit to:
- a. Lead by example;
 - b. Communicate as openly as possible;
 - c. Maximise opportunities for collaboration;
 - d. Be strategic in our thinking;
 - e. Maintain pace and momentum of change and improvements;
 - f. Develop common policies and frameworks based on an understanding of each councils' priorities and synergies;
 - g. Align our existing decision-making and governance arrangements to support the partnership;
 - h. Focus our attention on what we have in common rather than what divides us and use that strength to drive for results;
 - i. Continuous open dialogue, while being open and honest on our wants and needs from outset;
 - j. Building the internal capacities of our staff to lead the transformation.
- 7.2 The councils will adopt a simple informal governance arrangement that provides both strategic oversight and clear leadership and scrutiny.

Signed by Cllr Simon Wootton Leader, Rochford District Council	Signed by Cllr Chris Hossack Leader, Brentwood Borough Council

Dated

2022

Job description**Appendix B**

1. **Job title:** Joint Chief Executive (Head of Paid Service)
2. **Reports to:** Brentwood Borough Council and Rochford District Council
3. **Responsible for:** Directly: Leadership Team members
Indirectly: all staff across both councils (approx. 400 staff)
4. **Location:** Based at both Brentwood and Rochford Council offices
5. **Grade and salary:** Joint Chief Executive local grade. Salary range £140,000 to £160,000 plus fee for Returning Officer role(s).

6. Job context

Working for two high performing autonomous councils you will be committed to making the area one of the best places to live, work and do business in the country.

You will deliver our ambitions for place shaping, economic and sustainable housing growth and exceed expectations of our stakeholders.

This post involves the leadership of one integrated management and staffing structure for two councils in Essex in order to develop innovative and sustainable partnerships across all sectors and boundaries to deliver efficient and effective services for both authorities. The further challenge is to create, promote and deliver a shared vision across all communities and stakeholders for a strong and economically vibrant place based identity.

7. Job purpose

- Act as the Head of Paid Service for each council, working with elected members and Management Team to provide leadership, vision and strategic direction for both councils.
- Deliver the strategic aims and objectives of each council, ensuring value for money for residents, striving for continuous improvement and providing high quality services, that are valued by our community, in accordance with statutory requirements and each councils' policies.
- Develop and lead an Organisational Development programme based around outcomes for people and place which supports the skills and behaviours required to establish a shared culture of service transformation and efficiency; including the development and implementation of a new joint officer team.
- Develop a well-resourced and fully integrated, modern council officer team, delivering for both councils, with built-in resilience, focussed on improving front-line services and effective back-office functions

- Drive a commercial / business focus for the councils and identify opportunities for income streams and alternative delivery models, while recognising the importance of economic development for the area's vitality, vibrancy and prosperity.
- Oversee a shared communication strategy which promotes a positive image of each council to external and internal stakeholders and which maintains each councils' identity while also promoting a shared vision.
- Establish and develop a partnership that retains 'local identity' for our residents and has the scale to make tangible investments and improvements for the wellbeing of our communities
- Establish and develop successful internal and external partnerships and relationships.
- Actively use the Joint Chief Executive's role as an ambassador for both councils, at regional and national levels to encourage inward investment from private and public sectors.

8. Main duties

8.1 Leadership and management

- a) Inspire and lead the service transformation for collaborative working, income generation and commercial activity and secure the long-term financial resilience of the two councils.
- b) Fulfil the role of Head of Paid Service to each council, providing leadership and direction and ensuring efficient, economic and effective corporate management, including policy development, implementation, and deployment of resources.
- c) Develop and maintain an entrepreneurial approach to income generation, partnership working across organisational boundaries and in the wider economy.
- d) Developing new relationships with other public and voluntary sector bodies to improve outcomes for our place e.g. in the health and wellbeing of our residents.
- e) Restructure, lead, motivate and develop a joint senior management team and one joint officer team structure to ensure optimum performance and strong leadership across both councils; ensuring that modern technology fully enables flexible and agile working practices across both councils for staff and members.
- f) Create a culture of customer focus and continuous improvement which learns from the private sector by using business methods and technology where appropriate, as well as effective self-regulation.
- g) Ensure each council is commercial in its approach to service delivery and provides value for money and valued services within a challenging financial environment.

- h) Ensure a strong culture of effective performance, using tools such as systems thinking and other change management tools alongside engagement and empowerment of staff to deliver excellent services, and to achieve the aims and objectives of both councils.
- i) Ensure that mutually supportive and resilient relationships are developed and maintained between each council, ensuring that the aims and objectives of each are balanced and delivered to a high standard.
- j) Act as principal advisor to each council on matters of strategic and general policy.
- k) Ensure that both councils meet their statutory obligations including health and safety and equal opportunities. Promote a culture of fairness, equality and respect.
- l) Act as controller designate for emergency planning across both authorities.

8.2 Member relations

- a) Establish and maintain effective working relationships with the Leaders, all political groups and members; working with them to, develop constructive and effective working relationships, supporting member development and a positive productive interface between members and staff across both councils.
- b) Work with a strong sense of political understanding and sensitivity which acknowledges the different political framework of each council whilst encouraging closer working between each council's members to ensure a coherent vision for Brentwood and Rochford.
- c) Promote a culture of political awareness among staff that helps translate political will into appropriate future plans and outcomes.

8.3 Partnership and community working

- a) Ensure that internal and external partnership working, engagement and consultation is actively encouraged in the development of policies and strategies, and in the delivery of services.
- b) Review the way services are commissioned and delivered and support the building of community capacity so that local communities are well placed to shape and/or deliver services.
- c) Develop and maintain constructive relationships for both councils with other local authorities, central government, NHS bodies, the wider health economy and external partners (including the business and industrial sector), community and voluntary organisations to deliver improved outcomes for residents and businesses.

- d) Influence key organisations regionally and nationally to shape policy/strategy and enable each council to deliver its individual priorities alongside Brentwood and Rochford as a whole.

8.4 Other responsibilities

- a) Undertake the role of Electoral Registration Officer and Returning Officer for elections.
- b) As a term of employment you will be required to be involved in Emergency Planning Services. The councils will delegate tasks to you as appropriate within the emergency planning arrangements. It is expected that you will participate in training exercises and emergency planning responses.
- c) Operate as required between the main offices of each council.

Additional information

This post is designated as being politically restricted in accordance with the terms of the Local Government and Housing Act 1989.

Person specification

1. **Post:** Joint Chief Executive
2. **Reports to:** Brentwood Borough Council and Rochford District Council
3. **Key skills and behaviours**
 - a) Ambitious, visionary and creative, with excellent strategic transformational leadership, management and business skills.
 - b) Resilient, confident, resourceful, motivated and determined, with a high standard of personal integrity and professional conduct.
 - c) Highly developed entrepreneurial, commercial and business acumen to drive service improvement and ensure the financial resilience of the two councils.
 - d) Ability to translate the strategic priorities of the two councils (e.g. economic and housing growth, health and wellbeing) into tangible benefits for the place and for residents.
 - e) Ability to provide the direction necessary and to model appropriate behaviours to manage the interface between Councillors and staff while engaging and empowering them to develop the policies and relationships which will fulfil the objectives of each council individually and jointly.
 - f) High level of communication, diplomatic and networking skills; visible and approachable with highly developed interpersonal skills, and a proven ability to persuade, influence and relate effectively with stakeholders, staff and Councillors in a variety of contexts and situations.
 - g) A successful track record of building and enhancing partnerships with a wide range of organisations and individuals, working across organisational and sector boundaries to embrace collaborative working and drive mutual benefits.
 - h) A high degree of self-awareness and political sensitivity and an ability to command respect, trust and confidence in working with Councillors, staff, partner organisations and communities.
 - i) Ability to recognise and deal appropriately with a wide range of issues which require sensitive handling because of their impact on others, media sensitivity or importance to stakeholders.
 - j) Ability to work in partnership with all elected members with impartiality, recognising the political impact and importance of issues.
 - k) Ability to give unambiguous advice, often in difficult circumstances, and to take tough decisions.

- l) Strong time management skills enabling successful management of two distinct and separate political organisations and to deal with the relationships, demands and priorities of both council Leaders.
- m) Proven success in providing high level, balanced advice and guidance on strategic issues in a highly pressurised environment.
- n) A personal belief and commitment to the concept and value of public service, local democracy and partnership working.
- o) Ability to lead the design of a new organisational structure that is fit for the future context. With a commitment to agile and flexible working practices for self, staff and councillors.
- p) Evidence of relevant and continuing professional and senior leadership/management development and self-development.

4. Experience

- a) Demonstrable evidence of high performance and positive achievement, including evidence of strong and effective leadership, an ability to empower and delegate, and team building skills. This will include experience of operating within a large, multi-functional organisation.
- b) An understanding of new delivery models and preferably some experience of commissioning services from private, voluntary and social enterprise sectors. This will include a commercial/entrepreneurial approach to the business of both councils.
- c) Experience of successfully driving sustainable growth (including housing and economic growth) and prosperity across local and regional areas.
- d) Proven ability to secure good working relationships between elected members, or their private sector equivalent, and staff.
- e) A track record of successfully managing and delivering effective organisational change and translating organisational ambitions into demonstrable outcomes within a demanding and politically sensitive environment.
- f) Ability to formulate, implement and monitor strategic plans to achieve agreed objectives and advance both council's ambitions at regional, national and, where appropriate, international levels.
- g) Proven success in using a strong intellect along with an ability to empower, motivate and engage staff at all levels towards a common vision, often within challenging organisational circumstances.

- h) Ability to inspire senior managers, staff, elected members, communities and partners towards the achievement of goals.
- i) Successful history of shaping and delivering service outcomes around the needs of users while ensuring that value for money and efficiencies are in line with political and community expectations.
- j) Experience of successful partnership working with a wide range of communities, partner organisations, businesses, private sector service providers, public agencies, voluntary bodies and statutory authorities, with a track record of translating partnership working into tangible benefits for the councils and the place.
- k) Demonstrable track record of influencing internal and external stakeholders to drive up levels of performance and ensure there is the capacity and ability to respond to the requirements of the Localism Act.
- l) Some experience of working across separate political organisations would be welcome.
- m) Experience of leading, implementing, sustaining and evaluating major change agendas that have resulted in significant culture change and improved outcomes.
- n) Experience of promoting organisational profile and acting as an ambassador.



East of England
Local Government Association

Brentwood and Rochford Councils pay benchmarking report

1. Introduction

Brentwood and Rochford councils have separate staff groups and serve both councils as independent sovereign councils.

Both councils are ambitious for their “places” and are delivering an ambitious and forward focussed agenda.

A new shared arrangement around a shared Chief Executive has recently been put in place. This arrangement is likely to become permanent with a move to a shared senior team then moving to a shared staff group longer term.

The councils want to attract recruit and retain the very best staff, and this is critical to their success especially in delivering on their aspirations.

The council will want and need the best possible staff to deliver the agenda, not just in terms of recruitment but retention too.

2. The shared senior team

It is proposed to move to a three Director model reporting directly to the Chief Executive and working across both councils.

There are currently four roles at the two councils although one post is currently vacant.

The proposed configuration of the roles is;

Strategic Director- Resources, Assets and Place

Strategic Director- Customer and data insight, Partnership and Projects and

Strategic Director – Housing, Environment and Communities and Health

The current recruitment market is incredibly competitive, given the changes in working practices during Covid, hybrid and agile working means that staff can now choose to work almost anywhere and in any industry, and this presents both opportunities and threats.

There is the ability to recruit from across wider industry and geographical areas, but also the ability for existing staff to consider roles in other places too, without having to relocate.

The two councils have a good record of recruiting staff when the salaries offered have been competitive and have been less successful when the salaries offered fall short of the market expectations. There is no doubt that salary will play a role when competing for top talent, especially within the public sector.

It will be important to understand the current market including pay and reward arrangements across local government, in order to ensure that Brentwood and Rochford are able to recruit and retain the key staff required to deliver the two councils’ aspirations and objectives and to be the best that they can be for their communities.

A balance must be struck between pay that attracts and retains high calibre staff and good value for the public purse.

Recruiting and retaining the very best staff has a direct impact on outcomes, failure to do so will undermine the organisations’ ability to deliver for residents. It is especially unhelpful if key roles cannot be filled or become vacant as the loss of key staff will impact on the ability to deliver key outcomes.

3. Benchmarking

There are 39 Districts/Boroughs in the East of England, the councils vary in size (geographically and population) and have differing characteristics, e.g., rural/urban mix, proximity to London, Coastal or Port authority responsibilities and differing levels of economic or social challenge. All of these things can influence recruitment and retention and therefore salaries offered.

There are some issues to consider when benchmarking salaries. Whilst every council must have a Head of Paid Service (usually included in a Chief Executive or Managing Director role) and two statutory officers (Monitoring officer and Section 151 officer) the exact configuration of post below the Head of Paid Service differs across councils.

The number of officers at tier two; usually called Director and at tier three, variously called Assistant Directors/Heads of Service can be quite different.

The configuration and content of roles at tiers two and three can also be significantly different.

It is unlikely that roles at tiers two and three will have direct comparators at other councils, except for the level at which they operate.

In order to understand the current market EELGA has undertaken benchmarking into pay at Chief Executive, tiers two and three for similar councils and for the types of roles that exist in Brentwood and Rochford.

EELGA has recently surveyed councils on salary levels at tiers 1 to 4. This historical data is contained in a report submitted to the region's Chief Executives however evidence suggests that senior salaries are being reviewed across the region.

The data that has been used for benchmarking is current published data for councils according to their pay policies and information about role content provided by councils directly to EELGA as part of a research project into senior pay across the region.

Particular attention has been paid to shared arrangements and to District/Borough councils in Essex.

4.1 Shared arrangements

The proposed shared arrangement at the two councils creates an additional dimension to roles at a senior level. Supporting two sovereign councils with two (currently) separate teams is more complex both practically and politically and will need to be reflected in the senior roles.

The additional dimension of the geographical distance between the two councils also introduces further complexity.

Whilst there are shared services across councils for a wholly shared workforce, specific service areas or for individual shared posts, there are no other district/borough in the East of England that have the complexity of a newly shared Chief Executive across geographically distances areas and introducing a shared team.

Four "pairs of councils" have previously set up shared arrangements, all of which have wholly shared workforces and adjacent geographical boundaries.

Babergh and Mid Suffolk have a wholly shared workforce as have South Norfolk and Broadland. In these cases, as with Brentwood and Rochford they serve two sovereign councils.

Both East Suffolk (Suffolk Coastal and Waveney) and West Suffolk (Forest Heath and St Edmundsbury) which had a previously shared workforce have now formed a single councils from the previous shared

arrangements, and as the salaries were set when the sharing was in place, they still reflect the additional complexities of shared arrangements.

As all of these comparator authorities are in Suffolk and Norfolk, the salary levels will be lower than might be found in Essex where competition for talent within Essex, into Hertfordshire and in London typically means that salaries are higher than those in Suffolk and Norfolk.

Salary levels for shared arrangements are shown in the table below.

Table one

Council	Chief Exec/MD	Directors	ADs (or equivalent)	Total number in senior team
Babergh/Mid Suffolk These salaries are currently under review	£118,767- £138,202	£82,170- £96,804 (1 Director post)	£59,658 to £74,292(9 posts, including 1 post 50% funded by Health) Additional payments for MO, S151 and AD Assets and Investments.	11
Broadland/South Norfolk	£140,000- £160,000	£80,000- £100,000 (3 Director posts)	£61,200, - £80,999 (8 Assistant Director posts)	12
East Suffolk	£153,615.	£96,215 - £105,022. (2 Director posts)	£63,956 - £75,080 £77,861 - £88,503 (13 posts - total including two partnership-shared roles)	14 + two shared roles
West Suffolk	£130,000 to £142,500.	£97,500- £106,875 (2 Director posts)	£78,000 -£85,500 (6 posts)	9

4.2 Chief Executive pay

The pay of the Chief Executive essentially provides a “ceiling” and caps the pay of staff at the levels below.

It is often used to determine pay at lower levels within the organisation by expressing senior pay as a percentage of Chief Executive pay which broadly equates to the “weight” of the role.

The Chief Executive pay for districts and boroughs in the region varies significantly. This is related to a number of factors; the size of the council often linked to population size. The complexity of the council; key features such as commercial activity, specific features such as ports/airports or coastal responsibilities and the affordability for the council in relation to market forces at play when the post was last recruited to.

In terms of Chief Executive pay in shared (or previously shared) arrangements Babergh/Mid Suffolk is the lowest (£118,767- £138,202) and no longer reflects the market. The most recent shared appointment in the region is at South Norfolk/Broadland at £140,000-£160,000. This salary was market tested after benchmarking at the point of advertising the role.

In Essex (district and boroughs) salary levels vary due to a number of factors; population size was once used to inform Chief Executive and Director salaries as part of a national formula. This is no longer used however long standing pay arrangements may still retain vestiges of this practice. The timing of the most recent appointment to the role and the market conditions at the time may have impacted on the advertised salary on appointment. The financial position of the authority can also have a bearing. Finally, the authority is free to set and review pay rates and will also set its pay policy on an annual basis.

It is worth noting that some salaries quoted in the benchmarking are based on flexible retirement/part time roles and will therefore not be comparable to full time costs. Also of note is that some salaries are currently under review.

The table below contains salary levels for Chief Executives/Managing directors in Essex. The detail is based on published data and does not include any recent pay awards or any pending changes to pay rates as a result of restructures or pay reviews.

Table two

Local Authority	Tier 1
Basildon	189804
Braintree	140754
Brentwood	125000
Castle Point	143200
Chelmsford	182160
Colchester	133189
Epping forest	143000
Harlow	138971
Maldon	90088
Rochford	124992
Tendring	135076
Uttlesford	122006

4.3 Director pay

Pay for the Directors can vary significantly both in shared arrangements and more widely regionally and nationally and again is sensitive to market conditions particularly on appointment. The title “Director” can relate to a functional, corporate or strategic role and again this may impact on salary.

Table one (above) shows the pay rates for Directors in shared arrangements as well as Chief Executives and tier three roles.

The table below (table three) shows pay for tier two in district/borough authorities in Essex. Again, caution is required as the roles described at tier two in authorities will differ in terms of responsibility, configuration of strategic/corporate/service responsibilities and the size, shape and range of the role and when pay was last reviewed or the organisation was last restructured. Authorities in Essex do not have shared arrangements of the type envisaged in Brentwood and Rochford of a shared senior team.

When setting pay for the new Brentwood and Rochford shared senior roles consideration will be needed of the additional complexity of a shared role. This usually requires an enhancement to salary beyond that paid to a Director, working for a single authority in recognition of the complexity of the role.

Table three

Basildon	146954
Braintree	111006
Brentwood	88492
Castle Point	102842
Chelmsford	125000
Colchester	115797
Epping forest	115000
Harlow	107181
Maldon	86812*
Rochford	96126
Tendring	99465
Uttlesford	96094

* Three Director/Head of Paid Service model.

4.4 Assistant Director pay

The Third tier (often called AD roles) are much more difficult to benchmark as tier three can be very different in each council. The numbers of tier three posts and the organisation of work make direct comparisons difficult.

In some councils tier three roles are wholly operational, especially where there are a larger number of posts at tier two, in others they are more corporate with a balance of cross cutting themes and operational responsibilities. Generally, the more corporate the role the higher the salary to reflect the higher level at which they operate.

In Brentwood/Rochford salaries will be dependent on responsibilities, for example where roles are more strategic with a corporate focus and responsibility across both councils these are likely to attract higher salaries than purely operational roles.

5. Recommendations on pay and reward

The benchmarking exercise has identified that Brentwood and Rochford will need to consider salaries carefully to ensure that they are set fairly and in line with the market. Whilst simultaneously providing good value for the public purse. Consideration will also need to be given to existing salaries for the current posts.

The Chief Executive at Brentwood is currently paid a spot salary of £125,000. This is the same level as a Director at Chelmsford.

The Managing Director at Rochford was paid £124,992

Strategic Directors at Brentwood are paid between £83,230 and £90,262.

The Director at Rochford is paid between £84,818 to £96,126.

For the new shared arrangements, the responsibilities of the roles change substantially to include both corporate and functional responsibilities across both councils. The recommendations below take this into account.

5.1 Chief Executive

The salary at shared arrangements are as follows;

West Suffolk is, £130,000 to £142,500, East Suffolk it is a spot salary of £153,615, South Norfolk/Broadland-£140,000 to £160,000. Babergh and Mid Suffolk are not included as these are currently under review.

Salaries for a Chief Executive for a single authority in Essex vary from the smallest £ 90088 (which relates to a Director post which also holds the statutory responsibility of Head of Paid Service) to the highest of £189804 at Basildon. Basildon has traditionally had higher rates of pay than the rest of Essex.

Taking both Maldon and Basildon aside, and Chelmsford (a City Council) salaries range from £122,006 (Uttlesford) to £143,200 (Castle Point).

The current Chief Executive at Brentwood is paid £125,000 with the previous MD at Rochford paid £124,992.

The closest comparator is likely to be the most recently appointed Joint Chief Executive at South Norfolk Broadland and therefore the recommended salary for the Chief Executive at Brentwood and Rochford is £140,000 to £160,000. With annual progression through a grade of three points (£140,000, £150,000 and £160,000) based on performance.

5.2 Strategic Director

Salaries for Strategic Director roles differ across the region, Broadland and South Norfolk have three Director roles but these are configured differently to those proposed at Brentwood and Rochford, both East Suffolk and West Suffolk have two Directors whilst Babergh and Mid Suffolk have only one Strategic Director.

The salary for Director roles at Broadland and South Norfolk is £80,000-£100,000, West Suffolk is, £97,500-£106,875, at East Suffolk it is £96,215 - £105,022 and at Babergh and Mid Suffolk it is £82,170-£96,804 , although this is under review.

Across districts and boroughs in Essex, salaries for tier two range from £86812 in Maldon to £146954 in Basildon. Taking these two extremes aside, salary levels range from between £96094 (Uttlesford and £115797 (Braintree)

The current Director salaries in Brentwood are £88,492 and in Rochford is £96,126.

it is recommended that the salary for the Strategic Director should be set at £100,000 to £120,000 with a scale of 3 points (£100,000, £110,000, and £120,000). This recommendation acknowledges the strategic nature of the roles , the operation across two councils, with two sets of members and more accurately reflects the responsibilities of the role.

5.3 Assistant Directors

The salary for roles at tier three should not be set until these have been developed as part of the shared arrangement. The size, shape and content of the roles will drive the salary level and can be compared with benchmark information available before the roles are offered as part of the restructure.

It is worth noting that EELGA is currently supporting a number of restructures across the region. In all cases tier three is proving the most difficult to recruit to; salaries are being adjusted to aid recruitment in response to the market.