

LONDON BOROUGH OF CROYDON

REPORT:	APPOINTMENTS AND DISCIPLINARY COMMITTEE	
DATE OF DECISION:	Thursday 21 November 2024	
REPORT TITLE:	Appointment to the post of Director of Housing, New Build & Estate Regeneration	
CORPORATE DIRECTOR:	Katherine Kerswell Chief Executive and Head of Paid Service	
LEAD OFFICER:	Katherine Kerswell Chief Executive and Head of Paid Service	
LEAD MEMBER:	Executive Mayor Jason Perry, Chair of ADC	
AUTHORITY TO TAKE DECISION:	Appointments of staff are a non-executive function of the Council and the Council's established practice is to report all director appointments to Members for decision.	
CONTAINS EXEMPT INFORMATION?	Yes	Details of the candidate(s) set out in the exempt/Part B appendices under paragraph 1 (information relating to any individual) and paragraph 2 (information which is likely to reveal the identity of an individual) and, in all the circumstances, the public interest in maintaining the exemptions outweighs the public interest in disclosing the information for the reasons set out in this report.
WARDS AFFECTED:	N/A	

1 SUMMARY OF REPORT

- 1.1 This report seeks the Committee's approval to agree the salary package and undertake the selection and appointment to the post of Director of Housing, New Build & Estate Regeneration.

2 RECOMMENDATIONS

For the reasons set out in the report Appointments and Disciplinary Committee is recommended to:

- 2.1 To note that the Chief Executive under delegated decision-making powers has amended the Market Supplement Policy to include provision for a special occupational scarcity allowance. To note that Full Council will note the variation and updating of the Pay Policy Statement 2024/25 noting provision for an occupational skills scarcity payment as set out in paragraph 3.3 of the report, agree:

- (i) the salary package for the post of Director of Housing, New Build & Estate Regeneration Grade 2, £115,000-£119,564, plus a special allowance payment of

up to £5,436 per year, a maximum of £125,000 per year total annual remuneration

- 2.2 Undertake the selection for and agree an appointment to the post Director of Housing, New Build & Estate Regeneration from the candidate(s) detailed in the Exempt/Part B Appendix attached to this report.
- 2.3 Note that any appointment will be subject to the appointment notification process set out in section 3.3 of part 4J of the Council's Constitution (Staff Employment Procedure Rules).

3. **BACKGROUND AND DETAILS**

3.1 **Job Purpose:**

As a member of the council's senior management team, the director will work collaboratively with other directors, corporate directors and the chief executive to deliver the Croydon Renewal Improvement Plan, The Housing Transformation Programme, and the Mayor's business plan. Reporting to the Corporate Director of Housing this role will primarily focus on leading the Housing new build and regeneration functions for the Council. The role will be responsible for the composition of the borough-wide housing regeneration programme, annual budget responsibility of circa £200million.

Designing, leading and recruiting for the newly created Housing Regeneration division.
Design and delivery of the multi-billion pound housing regeneration programme

The post holder will: -

- Lead and shape the Council's strategic development plan, including housing growth and renewal strategies
- Provide direction and oversight of the Council's multibillion housing-related regeneration projects and programmes, managing a multi-disciplinary division of highly technical experts.
- develop effective partnerships between the Council, local communities, stakeholders, landowners, developers and other government agencies in order to achieve the shared outcomes of the sustainable growth strategy.
- Lead for the Council on feasibility studies for the regeneration of council homes in liaison with colleagues across the organisation and key partners outside of the organisation e.g. GLA, residents.
- lead and direct the services within the directorate in order to ensure that they deliver effective and efficient services against agreed KPIs, that they set and achieve high standards of performance, that they provide best value and that the overall budgets are managed and controlled within the funding envelope agreed.

Localism Act 2011 and Pay Policy

- 3.2 The Appointments & Disciplinary Committee, established at the Annual Council Meeting in May 2022, has delegated responsibility for approving appointments beyond the threshold specified in statutory guidance issued by the Secretary of State under section 40 of the Localism Act 2011. The statutory guidance provides that elected Members

should be given an opportunity to vote before salary packages upon appointment at, or above, a specified threshold are offered for these purposes, the specified threshold is currently £100,000 as set by Government.

- 3.3** As set out in the Council's Pay Policy Statement, agreed by the Council on 28 February 2024, Director roles are placed on a grade and salary within the Croydon Chief Officer Grades 1 and 3 following evaluation of the post using the Hay job evaluation scheme with provision for incremental progression to the top spinal point of the grade. The Policy also provides that the salaries will be reviewed in line with national awards as determined by the JNC for Local Authority Chief Officers. The salary scale for the Director of Housing, New Build & Estate Regeneration is Grade 2, £115,000-£119,564 per annum plus a special occupational scarcity allowance payment to a maximum of £125,000 per year, based on pay benchmarking evidence from London Council's infinistats database, where £125,000 per year is the market median for London borough housing directors, and the advice of the executive search agents about the median market rate for the role.

The Appointments and Disciplinary Committee is asked to approve a contractual special occupational scarcity allowance of up to £5,436 per year for this role given the very competitive market for the role and on the advice of the executive search consultants. This aligns to the council's market supplement market policy being amended to include an occupational skills scarcity allowance. Under delegated decision-making authority the Chief Executive has approved a report recommending an amendment to the council's market supplement policy, and to be reflected in an updated version of the pay policy statement, to include (where objectively justified) an occupational skills scarcity allowance for very hard to fill roles. It is proposed that the Special Occupational Scarcity Allowance is a permanently applied additional payment, as opposed to a market supplement that is reviewed periodically and can be withdrawn, to ensure the council can appoint successfully, based on the advice of the executive search agent.

- 3.4** The amendments to the Pay Policy Statement are being reported to the next meeting of Full Council for final approval, as this reflects an amendment to the Pay Policy Statement which requires Full Council approval. Under the arrangements set out in the Council's Pay Policy Statement, the Director of Housing, New Build & Estate Regeneration proposed salary package would engage the Committee's discretion in accordance with the delegation to the Committee as set out in the Policy and as set out in recommendation 2.1. Therefore, a decision is required by the Committee to appoint at this pay level.
- 3.5** The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provide for a notification process to ensure that the Mayor and any other Cabinet Members have no well founded objections to the offer of appointment occurs before an offer of appointment is made to the selected candidate and these requirements will be complied with should members approve the above recommendations

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1** The only option recommended is to appoint on a permanent basis to this critical role. The role itself has remained vacant since inception in July 2024, with costly interim cover, not considered cost-effective, or sustainable, with day rates for interim cover being in the region of £850 to £950. This role has responsibility for delivering the borough-wide housing regeneration programme, therefore, the role will be crucial to retaining and maintaining a stable housing management team.

5. CONSULTATION

- 5.1** To ensure a high quality, rigorous recruitment process is undertaken and to satisfy ourselves that we have fully explored the relevant candidate field we are working in partnership with Starfish, executive search and selection agents who are conducting full executive search for this role. In addition to the search, the role was advertised in the MJ, 5 September 2024 edition and the recruitment process will include technical interviews from an independent expert in this field.

IMPLICATIONS

6.1 FINANCIAL IMPLICATIONS

There are no specific direct financial implications arising from this recruitment as salary costs and the associated on-costs will be met from existing budget within the Housing directorate.

6.2 Risks

The failure to recruit the right candidate is always a risk and may result in further costs to recruit should this happen. There are broader operational and delivery implications, particularly with savings targets and other directorate responsibilities.

- 6.3** Comments approved by Allister Bannin, Director of Finance (Deputy s151 Officer), 12/11/2024

6. LEGAL IMPLICATIONS

- 7.1** Under section 112 of the Local Government Act 1972, the Council may appoint such staff as it considers necessary for the proper discharge of its functions on such reasonable terms and conditions, including remuneration, as the Council thinks fit. Every appointment of a person to a paid office or employment by the Council is to be made on merit.
- 7.2** Section 112(2A) of the 1972 Act states that the Council's power to appoint officers on such reasonable terms and conditions as the Council thinks fit is subject to section 41 of the Localism Act 2011. Section 41 requires the Council to comply with its Pay Policy Statement for the relevant financial year when making a determination that relates to the remuneration, or other terms and conditions, of a Chief Officer of the Council.
- 7.3** In accordance with the requirements of sections 38 to 43 of the Localism Act 2011 the Council has approved a Pay Policy Statement. This Policy sets out the Council's approach to Pay Policy for 24/25 on the remuneration of its senior officers designated as Chief Officers. It provides that "Corporate Directors and Directors are paid salaries

aligned to the Croydon Chief Officer grades, as set out in Appendix 1a, with provision for annual incremental progression to the top of the grade. Salaries are reviewed in line with the national awards, as determined by the JNC for Local Authority Chief Executives and Chief Officers.

- 7.4** The Croydon Chief Officer numeration and grades for 2024/2025 were agreed in the Pay Policy Statement, this role is Director Grade 2 with a maximum salary of £119,564.
- 7.5** The Council does have a market supplement policy which is referred to in the Pay Policy Statement. However, for reasons set out in paragraph 3.3 of the report, it is proposed that the market supplement policy and the Council's Pay Policy Statement is amended to make provision for the payment of a special occupational scarcity allowance to Chief Officers in exceptional circumstances where payment can be objectively justified. Revision of the Council's Pay Policy Statement is a function reserved to Full Council.
- 7.6** In making pay decisions the Committee must not discriminate protected groups in its pay arrangements. The Committee must be satisfied that any differences in pay is due to a material factor is not related to any equality issues. Further that there is a legitimate aim, and there is sufficient evidence available to objectively justify the proposed difference in contractual terms and pay that are appropriate, reasonable and are necessary to appoint a suitable candidate successfully.
- 7.6** The function of appointment of a member of staff below deputy chief officer level must be discharged by the Head of Paid Service, or by an officer nominated by the Head of Paid Service. Appointment decisions concerning more senior officers can be made by officers or Members subject to statutory requirements, Council rules and established practices. The post of Director of Housing, New Build & Estate Regeneration is a Chief Officer position.
- Statutory Guidance ("Openness and accountability in local pay") issued under section 40 of the Localism Act 2011, which the Council must have regard to when preparing and approving its pay policy statement provides: "full council, or a meeting of members should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set.
- 7.8** The Council's pay policy statement provides that "The Appointments and Disciplinary Committee has delegated responsibility for approving appointments and decisions about remuneration packages for new appointments of £100,000 or more per year in accordance with the Localism Act 2011."
- 7.9** Staff Employment Procedure Rules at Part 4.J of the Constitution provides for a notification process to ensure that the Mayor and any other Cabinet Members have no material or well-founded objections to the offer of appointment and this process must take place before an offer of appointment can be made.
- 7.10** Approved: Principal Lawyer Corporate Law & Litigation for and on behalf of Stephen Lawrence-Orumwense the Director Legal Services and Monitoring Officer.

8. EQUALITIES IMPLICATIONS

- 8.1** The posts are senior posts within the Council, therefore post holders will have due regard to the Public Sector Equality Duties (PSED) as detailed:
- (i) Eliminate unlawful discrimination, harassment and victimisation
 - (ii) advance equality of opportunity between people who share a protected characteristic and those who don't.
 - (iii) foster or encourage good relations between people who share a protected characteristic and those who don't.
- 8.2** Senior members of staff are also responsible for the deliverables of the Equality Strategy 2020 -2024 within their service area. This includes ensuring that every strategy, delivery plan and staff appraisal has an equality objective linked to it.
- 8.3** As a member of the management team, the post holder will also have responsibility for the implementation of the Equality Strategy 2020- 2026 which includes the standards of the Chief Executive for London Council's Tackling Racial Injustice programme. This includes ensuring that both equality and race have measurable actions on personal development plans for the post holder.
- 8.4** The post holder will be requested to share equality monitoring data when in post.
- 8.5** Comments approved by: Ken Orlukwu, Senior Equalities Officer Date: 12/11/2024

9. HUMAN RESOURCES IMPLICATIONS

- 9.1** There are no additional human resources impacts.
- 9.2** Comments approved by Dean Shoesmith, Chief People Officer Date: 12/11/2024

CONTACT OFFICER: Katie Wallace, Head of Recruitment

10. APPENDICES TO THIS REPORT

Appendix 1: Role Profile

Exempt/Part B Appendices

Appendix 2: Candidates CVs (to follow)

BACKGROUND DOCUMENTS: none