

ONCHAN DISTRICT COMMISSIONERS
RESPONSE TO FREEDOM OF INFORMATION REQUEST

Date received:	23 rd July 2018
Subject:	Staff minutes from 2018 relating to the recruitment of the Chief Executive/Clerk to Onchan District Commissioners.

1. **Please provide copies of all staff minutes from 2018 relating to the recruitment of the Chief Executive/Clerk to Onchan District Commissioners.**

Staff minutes 2018.

Date:	
27 th June 2018	Appendix 1
14 th June	Appendix 2
11 th June	Appendix 3
21 st May	Appendix 4
23 rd April	Appendix 5
19 th March	Appendix 6
5 th February	Appendix 7

The minutes are redacted to take out other information which is not relevant to the Freedom of Information Request.

The redaction regarding salary spinal points falls under Section 20 (2)(b) – Information accessible to applicant by other means.

For ease of reference, Section 20 of the Freedom of Information act 2015 is detailed below:

20 Information accessible to applicant by other means

- (1) *Information is absolutely exempt information if it is reasonably accessible to the applicant, whether free of charge or on payment, other than by requesting it under section 9(1) (requests for information).*
- (2) *Without limiting subsection (1), information is taken to be reasonably accessible if —*
 - a) *it is available in public libraries or archives;*
 - b) *it is available on the internet or from any other reasonably accessible source;*
 - c) *it is made available under a publication scheme; or*
 - d) *the public authority that holds it, or any other person, is obliged by or under any enactment to supply it to members of the public on request.*
- (3) *Information is not reasonably accessible merely because it is made available voluntarily by a public authority, otherwise than under a publication scheme (if any).*

Date Response approved for issue:	9 th August 2018	Date response returned:	10 th August 2018
Approved by:	Chairman		

APPENDIX 1

Staff Minutes -ODC 27.06.18

STRICTLY PRIVATE AND CONFIDENTIAL STAFF MINUTES

Minutes of the extra-ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Meeting Hub, Onchan Hub, School Road, Onchan, on Wednesday 27th June 2018 at 6.30 p.m.

Present:	Mr. M. Macfarlane	(Chairman)
	Mr A. Allen	(Vice-Chairman)
	Mr D. Crellin	(Lead Member for Environmental and Technical Services)
	Mr C. Quirk	
	Mr R. Turton	(Lead Member for Finance and General Purposes)
Apologies:	Mr J. Cherry	(Lead Member for Properties and Amenities)
	Miss K. Williams	

The Chairman stated he had some urgent points of discussion which have arisen and asked if Members would support an item being added to the agenda with the title of 'Functions to support staff absences'.

It was proposed by the Chairman, seconded by Mr Turton, and unanimously **RESOLVED that an additional item titled 'Functions to support staff absences' be added to the meetings.**

C18/06/04/01

CHIEF EXECUTIVE/CLERK RECRUITMENT

The Chairman recapped the process used for the Chief Executive/Clerk Recruitment and invited comment from Members regarding the process and the best way forward to re-advertise the role.

Following a discussion regarding the process, the following comments from Members were noted: -

- Once Members had a further understanding of the process they felt it worked well;
- In answer to a question about the role profiling task and what value it adds to the process, the Vice-Chairman explained it was tool used by HR professionals to cross-check candidates as part of the decision-making process: -
 - Members were unable to see the value and felt a face-to-face interview should give the interview panel the same;
 - Members present from the previous interview panel confirmed they would be content to exclude that part in the forthcoming process given Members feedback.
- A Member expressed a view that it was good to have Members of the Board on the panel as they understand the Boards requirements;
- A Member expressed a view that applications should be returned in a secure fashion similar to the previous process.

Following a discussion regarding the Contract to be issued to a successful candidate, the following comments from Members were noted: -

- A Member felt the successful post-holder should be appraised by the Chairman and Vice-Chairman each quarter in the first 12 months of employment;
- Consideration was given for the Authority's lawyer to review the contract. The Vice-Chairman confirmed the contract has been updated recently with input from a HR professional.

The Chairman stated a recommendation from the Interview Panel was to increasing the spine points for the post in order to attract a range of suitable candidates.

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STAFF MINUTES**

Members discussed the recommendation and the following pointers were noted: -

- A Member suggested having a singular spine point rather than using a ladder scheme and asked if this suggestion could be researched to see if it was possible. A further Member suggested having just two spine points meaning the successful post-holder would have an increase after 12 months. Members agreed with researching this suggestion and bring it back to the Board;
- The Chairman informed Members of a pending salary increase for the spine points is currently in negotiation;
- A Member commended that increasing one post-holder spine points could lead others to request similar. Members felt this particular post, if increased, has good reason to find a suitable candidate and that the post of Chief Executive/Clerk carries additional responsibilities.

It was agreed by Members present that: -

- Previous applicants need not apply when the post is re-advertised;
- The same process and questions may be used with the exclusion of the role profiling task;
- Members to have an opportunity to review the questions prior to the interviews;
- Interview panel to be confirmed by the Board;
- Deadline between the advert being published and closure for applicants shall be 21 days.
- Following any appointment, the successful post-holder shall be appraised by the Chairman and Vice-Chairman each quarter in the first 12 months of employment;
- Options regarding lifting the spine points shall be explored further in a bid to find suitable candidates to take the Authority forward and that further research be conducted in relation to whether a singular or two spine point system can be attached to a post.

C18/06/04/02

FUNCTIONS TO SUPPORT STAFF ABSENCES

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[illegible]

Meeting closed at 20.10 p.m.

APPENDIX 2

Staff Minutes -ODC 14.06.18

STRICTLY PRIVATE AND CONFIDENTIAL STAFF MINUTES

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Thursday 14th June 2018 at 6.15 p.m.

Present: Mr. M. Macfarlane (Chairman)
Mr A. Allen (Vice-Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr C. Quirk
Mr R. Turton (Lead Member for Finance and General Purposes)

Miss K. Williams

C18/06/01/02

FINANCE AND GENERAL PURPOSES

1. Chief Executive/Clerk Recruitment

The Vice-Chairman confirmed the interviews had taken place as scheduled for the three candidates and that the interview panel held a lengthy analysis following the interviews which concluded at 9.30pm that evening.

The Vice-Chairman confirmed the decision of the interview panel was that none of the candidates were successful in meeting the standard expected to take the Authority forward and therefore no recommendation of appointment is made.

The interview panel recommend: -

- That the Board review the salary offered for the post to attract a range of suitable candidates to apply. It is felt that a salary offered [REDACTED] could be of benefit to the Authority.
- The post be re-advertised and that previous applicants need not apply.

The Chairman stated that while it was disappointing that a recommendation was not able to be made on this occasion he felt it was a robust and fair process with no less than 13 questions, a presentation and profiling for each candidate. The Chairman thanked the Vice-Chairman for his many hours of good work throughout this process.

After a discussion regarding the decision and recommendations, the following points were noted: -

- Members should review the advert to make sure it is fitting and attractive to the candidates the Authority is attempting to attract;
- Review the time between publication and closing date for the applications to ensure there is suitable time for candidates to review and complete the application;
- Members felt an extraordinary meeting should be held for a review of the process including the advert and recommendations of the interview panel.

Meeting closed at 8.10 p.m.

APPENDIX 3

3.2

Staff Minutes -ODC 11.06.18

STRICTLY PRIVATE AND CONFIDENTIAL STAFF MINUTES

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 11th June 2018 at 6.45 p.m.

Present: Mr. M. Macfarlane (Chairman)
Mr A. Allen (Vice-Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr C. Quirk
Mr R. Turton (Lead Member for Finance and General Purposes)

Miss K. Williams

In Attendance: Ms A.S. Dentith (Senior Administrator)

C18/06/01/08

FINANCE AND GENERAL PURPOSES

1. Chief Executive/Clerk Recruitment

The Vice-Chairman advised that one candidate had withdrawn their application. The three remaining candidates would be interviewed on Wednesday 13th June 2018.

In answer to question, the Vice-Chairman advised that the advice from the H.R. Professional is as follows:-

- It is not an acceptable practice to have observers, and could be very daunting for the candidates. The 'observers' would have no input into the interview process and no input into the outcome of that process.
- A resolution of the Board decided on the number on the interview panel, and any increase to panel members (not 'observers') would require overturning.
- Unsure of what benefit would be gained in permitting 'observers' to attend. 'Observers' at interview could lead to a perception, real or otherwise, of interviewees that there has been some 'influence' in respect of any decision that may be reached. This could be tested at any potential tribunal should any interviewee seek to bring a claim to the Employment Tribunal.
- It is, respectfully, suggested that Members should have trust in the Interview Panel, who are aiming to ensure the whole process is fair and transparent and is being dealt with in accordance with the agreed interview process. However, because it has occurred previously does not provide a valid reason for it being permitted in this process or any future interview processes. This would take the Authority outside of the interview process that had been agreed and could result in the process being 'flawed'.

The Vice-Chairman stated that the H.R. Professional clearly did not support 'observers' being in attendance, and would not be willing to continue participating in a process that was not being operated in accordance with the agreed procedure.

Members expressed disappointment, and the Chairman stated that this was the H.R.'s professional opinion and sought the Board's views.

A Member stated that they were not happy with the advice, but the Board had made a decision to appoint an interview panel, if observers were to be present, it should have been decided at that time.

Meeting moved to In Public at 7.09 p.m.

APPENDIX 4

3.1

Staff Minutes - ODC 21.05.18

STRICTLY PRIVATE AND CONFIDENTIAL STAFF MINUTES

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 21st May 2018 at 7.00 p.m.

Present: Mr. M. Macfarlane (Chairman)
Mr A. Allen (Vice-Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr C. Quirk
Mr R. Turton (Lead Member for Finance and General Purposes)
Miss K. Williams

In Attendance: Mr T.R. Craig (Deputy Clerk)
Ms A.S. Dentith (Senior Administrator)
Mr R. Phillips (Acting District Surveyor)

The Deputy Clerk and Acting District Surveyor left the meeting.

C18/05/03/17

FINANCE AND GENERAL PURPOSE MATTERS

1. Chief Executive/Clerk Recruitment

Vice-Chairman reported:

- 16 expressions of interest.
- 4 applications submitted.
- That there are two stages which the applicants have to have completed before coming to interview.
 - Online personality profiling.
 - Candidates have to prepare a 15 minute presentation:-
"Explain the relationship between local authorities and central government. Show how you would manage internal change versus government directive."
- Interviews have been programmed:-
 - 3 on 24th May 2018
 - 1 on 13th June 2018.
- Any recommendation by the Interview Panel will be presented to the Board of Commissioners for approval.
- If approved by the Board, the appointment of the Chief Executive/Clerk will then be subject to the approval of the Department of Infrastructure.

C18/05/03/17

SUSPENSION OF STANDING ORDERS

It was proposed by Mr Cherry, seconded by Mr Turton, and unanimously **RESOLVED that Standing Orders be suspended till 10.15 p.m. in order to complete the business on the agenda.**

C18/05/03/18

FINANCE AND GENERAL PURPOSE MATTERS continued

1. Chief Executive/Clerk

Members expressed a strong opinion that the Board of Commissioners had not had an opportunity to review any applications and indicated that they had previously been invited to observe the interview process on the appointment procedure for the same post previously.

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Members felt disappointed that there was such a big gap between interviews and felt it unfair to those who would undertake the interview in May to wait until the next Board meeting in June for a decision.

In answer to question, the Vice-Chairman advised that all applicants were Isle of Man residents and no relocation package had been offered.

After discussion, it was agreed that all interviews should be carried out on the same day and that date being 13th June 2018.

A Member felt strongly that credentials should be circulated and felt that the Board had been excluded from the process and it felt rushed.

It was agreed that, where possible, information on the applicants for interview would be available for review by Members should they desire.

It was further agreed that any recommendation by the Interview Panel would be considered at the extraordinary meeting of 14th June 2018.

There being no further business, the meeting closed at 10.15 p.m.

APPENDIX 5

3.3

Staff Minutes -ODC 23.04.18

STRICTLY PRIVATE AND CONFIDENTIAL STAFF MINUTES

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 23rd April 2018 at 7.01 p.m.

Present: Mr. A. Allen (Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr M. Macfarlane (Vice-Chair and Lead Member for Finance and General Purposes)
Mr C. Quirk
Mr R. Turton
Miss K. Williams

Apologies: Ms A.S. Dentith (Senior Administrator)

The Deputy Clerk and Acting District Surveyor left the meeting at 9.35 p.m. and the Vice-Chairman took the minutes.

C18/04/02/18

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

2. Chief Executive/Clerk Recruitment

The Chairman stated that Members had previously discussed various aspects of the interview panel, job function and title. The Chairman hoped all Members have now received and had the opportunity to review the relevant documents.

Members discussed how to take the recruitment forward and it was suggested to review the following points: -

- Interview panel members;
- Job title and functions;
- Pay scale.

Members discussed the need for professional HR assistance with the recruitment and to help guide the Board throughout the process. Members were in support to continue with the appointed Independent professional.

Members discussed the interview panel, who should be involved and the previous discussion regarding 3 Members being involved. The Chairman recommended the Chairman, Vice-chairman and Independent professional should make up the panel and lead the recruitment process.

It was proposed by [REDACTED] and unanimously **RESOLVED** that the recruitment process be carried out by the Chairman, Vice-Chairman and Independent professional.

Members discussed the job title and previous discussions about whether or not it should be changed.

It was proposed by [REDACTED] and **RESOLVED** that the status quo remain for the job title being Chief Executive/Clerk.

For: [REDACTED]

Against: [REDACTED]

The Chairman reminded Members that the pay scale was set by the Department of Infrastructure and a discussion took place where it was suggested that Members vote on the pay scale as a formal record.

It was proposed [REDACTED] and unanimously **RESOLVED** that the recommended [REDACTED] is assigned to the position of the Chief Executive/Clerk.

The Deputy Clerk returned to the meeting at 9.46 p.m..

APPENDIX 6

3.2

ODC 19.03.18

STAFF MINUTES PRIVATE AND CONFIDENTIAL

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 19th March 2018 at 7.00 p.m.

Present: Mr. A. Allen (Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr M. Macfarlane (Vice-Chair and Lead Member for Finance and General Purposes)
Mr C. Quirk
Mr R. Turton

Apologies: Miss K. Williams

In Attendance: Mr T.R. Craig (Deputy Clerk)
Ms A.S. Dentith (Senior Administrator)
Mr R. Phillips (Acting District Surveyor)

C18/03/02/17

BUSINESS ARISING NOT REFERRED TO IN THE MINUTES

1. C18/03/01/04(1) - Chief Executive/Clerk Recruitment

Deputy Clerk and Acting District Surveyor left the meeting.

The Chairman informed Members that he and the Vice-Chairman had met with an Independent HR Professional to discuss preparation of associated documents and the recruitment process.

Advice had been given, and the Chairman informed Members:-

- Interview panel of two members of the Board plus the Independent would be sufficient;
- The job description had been reviewed by the Chairman, the Vice-Chairman and the Independent which was similar to the current job description with some updates to align the role with current expectations.
- Advert has been drafted to encourage a wider range of applicants and not be restricted to those with Local Government experience and is ready to be approved.
- Closing date for applications would be 3 weeks from the advert being made public.

Members discussed the advice given in relation to the title, functions and job description of the role. A Member requested that the job description be circulated and further discussion takes place at the next meeting.

In answer to a question, the Chairman confirmed the salary spine points would remain at [REDACTED]

The Chairman commented that this should not be rushed, but also should not be approached in a tardy fashion as the risk is, we could lose the impetuses on this to recruit a valuable member of the Authority.

It was agreed that all relevant papers will be circulated to the next meeting of the Board, and a decision will be made at that meeting.

The Deputy Clerk and Acting District Surveyor returned to the meeting at 8.55 p.m.

There being no further business, the meeting closed at 10.15 p.m.

APPENDIX 7

3.2(P)

Staff minutes - ODC 05.02.18

**PRIVATE AND CONFIDENTIAL
STAFF MINUTES**

Minutes of the ordinary meeting of the **ONCHAN DISTRICT COMMISSIONERS** held in the Boardroom, Hawthorn Villa, 79 Main Road, Onchan, on Monday 5th February 2018 at 7.05 p.m.

Present: Mr. A. Allen (Chairman)
Mr J. Cherry (Lead Member for Properties and Amenities)
Mr D. Crellin (Lead Member for Environmental and Technical Services)
Mr M. Macfarlane (Vice-Chair and Lead Member for Finance and General Purposes)

Mr C. Quirk
Mr R. Turton (from 7.35 p.m.)
Miss K. Williams

In Attendance: Mr T.R. Craig (Deputy Clerk)
Ms A.S. Dentith (Senior Administrator)

Apologies: Mr B.T. Price (District Surveyor)

C18/02/01/20

CONSIDERATION OF ANY REPORT FROM THE CLERK OR OTHER OFFICER

[illegible]

2. Appointment of Clerk

The Chairman advised that he had wished to speak with the Authority's Legal Advisors, to see if the appointment of a new Clerk can be progressed.

A Member made comment with regard to promoting internally as the appointment would not break any law. If the Department of Infrastructure refused the appointment then they would have to give the reasons.

The Deputy Clerk stated that there is no statutory requirement that the position should be advertised. However, there is a statutory obligation to have the appointment of the Clerk approved by the Department.

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The Deputy Clerk informed Members that the Department of Infrastructure have stated quite categorically that they would not approve an appointment to the position of Clerk without following the due process.

The Vice-Chairman and Members felt that it is correct that the process has to be transparent.

Matter to be brought back to the Board following the advice received from the Authority's Legal Advisors. The job description, person specification, copy of the proposed contract to also be circulated.

[illegible]

**PRIVATE AND CONFIDENTIAL
STAFF MINUTES**

[illegible]

There being no further business, the meeting closed at 10.15 p.m.