

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4203
Author:	Malcolm Townroe
Department:	Finance and Resources
Contact:	Malcolm Townroe (Job Title: Director of Legal and Governance, Email: malcolm.townroe@nottinghamcity.gov.uk, Phone: 01158764332)
Subject:	Creation of a Senior Solicitor Post in the Commercial, Employment and Education Legal Team
Total Value:	£185,051 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) For the Portfolio Holder to agree the budget required to enable the Senior Solicitor post to be established.2) For the Corporate Director of Finance and Resources to approve the establishment of a further Senior Solicitor post in the Commercial, Employment and Education Legal Team under Delegation 16.
Reasons for the Decision(s)	The Council has secured significant grant funding through the Transforming Cities Fund and the Future Transport Zones Programme, which will require further legal support. There is currently no resource available to deliver this requirement internally, so it is proposed to create a new Senior Solicitor post to support the legal work required. The post will be funded through the grant payment for an initial period up to June 2023. After that time, the need for the post will be further reviewed.
Other Options Considered:	To appoint external solicitors to undertake the work: this option was discounted due to the significantly higher cost of external provision.
Background Papers:	None
Published Works:	None
Affected Wards:	Citywide

Colleague / Councillor Interests:

None

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no crime and disorder implications arising out of the proposed decision.

Equality:

EIA not required. Reasons: The proposed decision does not relate to a new or changing policy, service or function.

Relates to staffing:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

12/05/2021

Advice Sought:

Legal, Finance, Human Resources

Legal Advice:

There are no legal issues arising from this report and the decisions to be taken.

The first decision is for the Portfolio Holder for Finance and Resources to take with regard to the allocation of funding. The proposed post is to be funded from the Transforming Cities Fund (TCF) as part of the Council's Future Transport Zone programme. The TCF was accepted by Executive Board on 16 June 2020. This report sets out why there should be an allocation of the funding to allow for a Senior Solicitor post to support the programme of work.

The second decision is for the Corporate Director for Finance and Resource (being the Corporate Director responsible for the Council's Legal and Governance function) to take in accordance with the Council's current scheme of delegation (Delegation 16).

Once a decision is taken, an appropriate recruitment in accordance with the Council's policies may take place.

Advice provided by Naomi Vass (Senior Solicitor) on 29/04/2021.

Finance Advice:

The successful bid from the Transforming Cities Fund (TCF) secured a total funding award of £161million to deliver a programme of public transport and active travel across the Nottingham and Derby city region, to March 2023. This will require a number of procurements and contractual arrangements being put in place, and additional legal capacity. The Senior Solicitor post within the Commercial, Employment and Education legal team will specifically support this work during this time period. This will, therefore, be funded from within the overall TCF and it has been confirmed by the Head of Service that this is within keeping of the fund conditions, and is within the overall financial plan for the TCF. The total value of the decision is the cost of this post to June 2023 only - after this time alternative funding would need to be found if the post is required to continue.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 30/04/2021.

HR Advice:

Management are proposing to create a new 1 full-time equivalent post of Senior Solicitor in the Commercial, Employment and Education legal team at GLPC grade J. A business case for recruitment is required with the support of the relevant Director and all requests should be submitted through the recruitment portal. All posts will be considered for redeployment and internal resource options should be considered first.

Management should be aware that the selected candidate should commence on a starting salary of Level One within the respective Grade, unless the appointed colleague is already in employment at the Council and on Level Two of the same grade, in which case the employee would be matched over at the rate of pay they currently receive. There will need to be a support and development plan for the new post holder once appointed in line with managing performance through the probationary policy. As the post is initially temporary until the end of June 2023, an appropriate exit strategy must be in place in order to terminate the contract in line with Council guidance in the event that the post cannot be made permanent at the end of the fixed term period. Any internal or external recruitment should therefore be to temporary contracts. Management will need to ensure appropriate timelines are in place to notify the affected employee and give appropriate notice. Any seconded employee will revert to their substantive post and any backfill arrangements terminated. The Council will have responsibility for all employment liabilities, including any exit payments that may be payable at the end of the funding period. If a decision is made to extend or establish the post on a permanent basis, further HR advice should be sought prior to any determination on staffing.

Advice provided by Matthew Hackney (Resourcing Consultant) on 30/04/2021.

Signatures

Sam Webster (PH Finance and Resources)
SIGNED and Dated: 05/05/2021
Clive Heaphy (Chief Finance Officer/CD for Finance & Resources)
SIGNED and Dated: 30/04/2021