

## **DECISION RECORD <sup>1</sup>**

<b>Subject: Appointment of Hertfordshire County Council's Director of Herts for Learning (HfL)</b>	
<b>Staff Contact: Simon Newland</b>	<b>Executive Members: Terry Douris and Ralph Sangster</b>
<b>Tel: 01992 555738</b>	<b>Portfolio: Resources, Education, L&amp;L</b>

### **1. Decision**

- (i) To agree to the appointment of Jo Fisher as a Council-nominated Director of Herts for Learning
- (ii) To note the resignation of Ben Jay as a Director of Herts for Learning

### **2. Reasons for the decision**

Cabinet on 16th July 2012 delegated to the Director Resources & Performance, in consultation with the Executive Member for Resources & Economic Wellbeing, the relevant Chief Officer and Executive Member, authority to undertake various actions in relation to companies, including appoint directors to companies of which the Council is a member. The decision above is pursuant to that delegation.

#### **Background**

The Council is entitled to appoint two Directors to Herts for Learning. There is benefit in at least one of these possessing financial skills and experience, and that role is filled by Faisal Mir who has appropriate financial qualifications. The other Directorship role has been filled by Ben Jay, who had a similar skill set but no direct involvement in education. In the past the company has benefited from a Board level-perspective on the local educational scene. CS itself also benefits from a degree of insight into the operation of Herts for Learning, within the constraints of commercial confidentiality and the personal responsibilities of Directors.

Following the resignation from HCC service of Ben Jay a vacancy for an HCC Director has arisen. It is therefore proposed that Jo Fisher is appointed as replacement Director. Jo's position as a member of CS Board and operations Director for Services for Children and Young People provides her with a perspective on the local educational landscape but without the conflict of interest that other more-directly involved CS staff might have. Officers have informally consulted HfL on this prospective appointment as a matter of courtesy, and the company is supportive.

It is necessary for HCC to appoint a replacement Director since the Articles of HfL are structured so as to provide HCC with various entrenched rights, and it is difficult in practice for the governance of HfL to operate smoothly if there are not two HCC Directors.

### **3. Alternative options considered and rejected <sup>2</sup>**

To leave the position vacant.

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### 4. Consultation

- (a) Comments of Executive Member Resources<sup>3 4</sup>

*No comment*

- (b) Comments of Executive Member Education and Skills<sup>5 6</sup>

*I approve of this change and the appointment*

- (c) Comments of Director of Children's Services<sup>7</sup>

*I approve of this change and the appointment*

### 5. Following consultation with, and the concurrence of the Executive Member, I am proceeding with the proposed decision.

Signed:

Title: DIRECTOR OF RESOURCES Date: 04/03/2020

### 6. Copies of agreed document to:

- All consultees
- hard & electronic copy (for public inspection both at County Hall and on Hertsdirect) Assistant Head of Member Services - Room 211 County Hall.

<sup>1</sup> for guidance see Chief Legal Officer's note "Taking Decisions"

<sup>2</sup> details of any alternative options considered and rejected by the officer at the time the decision was made

<sup>3</sup> record any conflict of interest declared by any Executive Member consulted. If an Executive Member declares a conflict of interest DO NOT PROCEED without seeking advice from the Chief Legal Officer

<sup>4</sup> If the matter has general significance for the Council and/or is, or is likely to be, controversial, then the officer shall consult the appropriate Executive Member before proceeding. In some cases it will be necessary to consult more than one Executive Member, and in some cases the Leader of the Council will need to be consulted

<sup>5</sup> record any conflict of interest declared by any Executive Member consulted. If an Executive Member declares a conflict of interest DO NOT PROCEED without seeking advice from the Chief Legal Officer

<sup>6</sup> If the matter has general significance for the Council and/or is, or is likely to be, controversial, then the officer shall consult the appropriate Executive Member before proceeding. In some cases it will be necessary to consult more than one Executive Member, and in some cases the Leader of the Council will need to be consulted

<sup>7</sup> If the matter has local significance, but no general significance for the Council and no controversial aspects, the officer shall consult or inform the local member in writing (or by e mail) and proceed. It is essential that all officers responsible for delivering services ensure that local members are kept well briefed on issues affecting their areas.