

## Officer Decision Record – Executive Decision

**If Key Decision: Decision Ref. No.**

**B 041/22**

*If not a Key Decision write n/a above*

### OFFICER DECISION RECORD <sup>i</sup>

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

**Subject:** Appointment of two HCC Directors to the Board of HfL

**Type of Decision:** Executive

**Key Decision (Executive Functions only):** Yes

**Executive Member:** Resources, Education and LLL

**Portfolio (Executive Functions only):** Resources, Education and LLL

**Officer Contact:** Simon Newland

**Tel:** 01992 555728

**April 2020**

## 1. Decision

- (i) To agree to the appointment of Rachel Adler as a Council-nominated Director of Herts for Learning
- (ii) To agree to the appointment of Hero Slinn as a Council-nominated Director of Herts for Learning
- (iii) To note the resignation of Jo Fisher as a Director of Herts for Learning
- (iv) To note the resignation of Faisal Mir 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. For these purposes the Deputy Chief Executive is deemed to be the closest matching post to the post to which this responsibility was delegated in 2012.

### 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 another having experience of education. One of these Directorship roles was filled by Faisal Mir, who had a broad skill set and a professional finance qualification. He has now left the Council and resigned his role. The other role was filled by Jo Fisher, who has broad educational experience. In her new role, acting as a Council Director is no longer appropriate and she has resigned. The Council itself and CS in particular 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.

Two vacancies for HCC Directors have therefore arisen. It is proposed that Rachel Adler is appointed as replacement Director in place of Faisal Mir. Rachel has a professional background and qualification in finance. The role within HCC Childrens Services formerly held by Jo Fisher is now filled by Hero Slinn. This provides her with an appropriate perspective on the local educational landscape and it is proposed that she is appointed as a replacement Director in place of Joe Fisher. Officers have informally consulted HfL on these prospective appointments as a matter of courtesy, and the company is supportive.

It is necessary for HCC to appoint replacement Directors 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 HL to operate smoothly if there are not two HCC Directors.

## 3. Alternative options considered and rejected

To leave the positions vacant.

4. **Consultation** (see *Summary of Requirements below*)

**Was any Councillor consulted?**      **Yes** (*delete as applicable*)

**If yes:**

(a)    Comments of Executive Member Resources and Performance

        “Confirm my approval”

(b)    Comments of Executive Member Education and LLL

        “Support the proposals”

(c)    Comments of Director of Childrens Services

        “Content with the proposals”

5. **Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

None

6. **Following consultation with the Executive Member/Committee Chairman, I am proceeding with the proposed decision.**

Signed: .....

Title: ..... Deputy Chief Executive and Executive Director of Resources

Date: 25 August 2022

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.<sup>ii</sup>

## Summary of Requirements to Inform/Consult Councillors

<b>Significance of Proposed Action</b>	<b>Controversial</b>	<b>Relevant Councillor(s) to be Consulted</b>
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member and, where appropriate, Local Councillor <b>Non-Executive Functions:</b> Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	<b>Executive Functions:</b> Inform Lead Executive Member and Local Councillor <b>Non-Executive Functions:</b> Inform Local Councillor
Local	Yes	<b>Executive Functions:</b> Consult Lead Executive Member and Local Councillor <b>Non-Executive Functions:</b> Consult Local Councillor
General or County-wide	No	<b>Executive Functions:</b> Consult relevant Lead Executive Member (s) <b>Non-Executive Functions:</b> Consult relevant Committee Chairman
General or County-wide	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member (s) and the Leader of the Council <b>Non-Executive Functions:</b> Consult relevant Committee Chairman/Leaders all Political Groups