

Meeting:	Employment Panel
Meeting date:	23 September 2026
Title of report:	Proposal to Re-designate the Head of Legal Post as Assistant Director of Law & Governance
Report by:	Councillor Thorpe, Leader and Cabinet Member of Finance and Corporate Services
Decision Type:	For Decision
Purpose:	To brief Members on the proposal to redesignate the current vacant Head of Legal post to Assistant Director of Law & Governance, reflecting the strategic importance of the role, the breadth of responsibilities undertaken by senior legal leaders in comparable authorities, and current recruitment market conditions.

Background

The Deputy Monitoring Officer (DMO) is a critical statutory role supporting the Council's governance framework, constitutional compliance, ethical standards, decision-making processes and risk management arrangements.

The Council has experienced challenges in recruiting and retaining a suitably qualified and experienced legal professional for Deputy Monitoring Officer role. This is particularly evident across unitary authorities, where increasing governance complexity, legislative change, regulatory requirements and a limited supply of experienced candidates have created strong market competition.

The Council's Head of Legal post is currently vacant, providing an opportunity to review both the structure and remuneration associated with the role to ensure it remains competitive and attractive within the current employment market.

Current Position

The current Head of Legal/Deputy Monitoring Officer role is evaluated within Chief Officer Band B, with a salary range of approximately £75,000 to £81,000 per annum. The role was advertised early 2026, however candidates could not demonstrate the required skills and experience.

Market benchmarking demonstrates that this salary range is now below prevailing rates for equivalent senior legal leadership positions within comparable unitary authorities.

There is therefore a material risk that the Council will encounter difficulties in recruiting a suitably qualified candidate if the role continues to be advertised at the current grade and salary level.

Market Benchmarking

A review of current recruitment activity within comparable local authorities highlights a significant upward movement in salaries for Deputy Monitoring Officer and senior legal leadership posts.

Comparator Authorities

Westmorland & Furness Council

- Deputy Chief Legal & Monitoring Officer
- Original salary range: £78,536 to £81,330
- Initial recruitment campaign unsuccessful
- Members approved a £10,000 market supplement
- Revised salary package: £81,049 to £83,933 plus £10,000 market supplement
- Effective remuneration: approximately £91,000 to £94,000

Peterborough City Council

- Head of Service, Legal Services (Deputy Monitoring Officer)
- Advertised salary range: £80,217 to £97,576

Flintshire County Council

- Legal Services Manager & Deputy Monitoring Officer
- Remuneration aligned to upper unitary authority legal leadership markets of approximately £80,000 to £90,000+

Southend City Council

- Head of Legal Services & Deputy Monitoring Officer
- Advertised salary range: £79,807 to £89,823

Market Position Summary

Market Position	Salary Range
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Lower quartile unitary DMO roles	£78,500 - £81,000
Median unitary DMO roles	£81,000 - £85,000
Roles with market supplements	£90,000 - £95,000
Upper quartile/combined leadership roles	£95,000 - £97,500+

The evidence demonstrates that £80,000 now represents the effective minimum entry point for Deputy Monitoring Officer-level appointments within comparable authorities. Authorities seeking to recruit below this level have frequently required market supplements or have experienced unsuccessful recruitment campaigns.

Case for an Assistant Director of Law & Governance

A number of comparator authorities have broadened the responsibilities of their senior legal leadership roles beyond traditional legal services management to include wider corporate governance functions, democratic services, standards, information governance and constitutional oversight.

Given the strategic importance of governance within Bury Council and the increasing complexity of the Council's operating environment, there is a strong case for redesignating the role as Assistant Director of Law & Governance.

This approach would:

- Better reflect the strategic and corporate leadership responsibilities associated with the role.
- Align Bury Council's organisational structure with comparable authorities.
- Strengthen the Council's ability to attract high-calibre candidates.
- Recognise the significant statutory responsibilities carried by the Deputy Monitoring Officer.
- Provide greater resilience and leadership capacity across governance functions.

A role at Assistant Director level would generally attract a salary range of approximately £91,000 to £99,000, placing the Council in a more competitive position within the current market.

Financial Implications

The creation of an Assistant Director role would result in additional employment costs. However, these should be considered against:

- The risks associated with prolonged vacancies in statutory governance posts.
- Potential expenditure on interim appointments and agency support.
- Further recruitment campaign costs arising from unsuccessful appointments.
- The importance of maintaining effective governance and legal oversight.

Recommendation

Members are asked to:

1. Approve the redesignation of the vacant Head of Legal post to Assistant Director of Law & Governance, reflecting the strategic breadth of responsibilities and market expectations for senior legal leadership roles.

Conclusion

The current salary range attached to the vacant Head of Legal post is below the prevailing market rate for Deputy Monitoring Officer appointments in comparable unitary authorities. Evidence indicates that councils advertising below market median rates increasingly rely on market supplements and, in some cases, experience failed recruitment exercises.

Redesignating the role as Assistant Director of Law & Governance, would better reflect the strategic significance of the post, improve the Council's ability to attract and retain suitably qualified candidates and support the effective discharge of the Council's statutory governance responsibilities.