

Notice of a public meeting of Staffing Matters and Urgency Committee

To: Councillors Aspden (Chair), D'Agorne (Vice-Chair),
Hook and D Myers

Date: Monday, 21 September 2020

Time: 5.30 pm

Venue: Remote Meeting

AGENDA

1. Declarations of Interest

At this point in the meeting, Members are asked to declare:

- any personal interests not included on the Register of Interests
- any prejudicial interests or
- any disclosable pecuniary interests

which they may have in respect of business on this agenda.

2. Exclusion of Press and Public

To consider the exclusion of the press and public from the meeting during consideration of the following:

Annex A to Agenda Item 9 (Exit Discretion) on the grounds that they contain information relating to individuals and the financial affairs of particular persons. This information is classed as exempt under paragraphs 1, 2 and 3 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

3. Minutes

To approve and sign the minutes of the meeting of the Staffing Matters & Urgency Committee held on 24 August 2020 (to follow).

4. Public Participation

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the committee. Please note that our registration deadlines have changed to 2 working days before the meeting, in order to facilitate the management of public participation at remote meetings. The deadline for registering at this meeting is **5:00pm on Thursday 17 September 2020**.

To register to speak please contact Democratic Services, on the details at the foot of the agenda. You will then be advised on the procedures for dialling into the remote meeting.

Webcasting of Remote Public Meetings

Please note that, subject to available resources, this remote public meeting will be webcast including any registered public speakers who have given their permission. The remote public meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we've made some changes to how we're running council meetings. See our coronavirus updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

5. Update on recruitment of of the Assistant Director (AD) Housing and Community Safety (Pages 1 - 16)

This report updates the Committee on the recruitment of the Assistant Director (AD) Housing and Community Safety.

6. Proposed CLG interim structure (Pages 17 - 28)

This report details the proposal to cover the interim vacancy for Corporate Director of Health, Housing and Adult Social Care.

7. Overview Timeline on Structural Changes (Pages 29 - 34)

This report outlines the proposed timeline for the activity being carried out in revising and implementing new structures at Chief Officer Level.

8. Work Plan

To consider the Committee's draft work plan for the municipal year 2019-20.

9. Exit Discretion (Pages 35 - 38)

This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of an employee on the grounds of redundancy.

10. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer

Angela Bielby

Contact details:

- Telephone – (01904) 551031
- Email – a.bielby@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550



Staffing Matters & Urgency Committee**21 September 2020**

Report of the Interim Head of Paid Service

Update regarding the appointment of Assistant Director Housing and Community Safety**Summary**

1. SMU agreed in January to set up an appointment subcommittee for the recruitment to the Assistant Director (AD) Housing and Community Safety. The post holder left the authority in February 2020.
2. The recruitment process was followed and the appointment sub committee appointed a candidate who was due to start with the authority on 7 September, however as a result of changes in personal circumstances the candidate withdrew prior to commencement.
3. The sub committee appointed by SMU in January met again to consider the options available for filling the post.
4. This report provides the detail on the three options considered by the sub-committee and its recommendation.
5. This report seeks approval to:
 - Agree with the recommendations of the sub-committee to recruit to the Assistant Director Housing & Community safety but to do so on an interim basis.
 - The interim opportunity to be advertised internally only.
 - Agree that the current established Appointments Sub-Committee continue with the process. That this committee delegates sufficient powers to the Sub-Committee enabling them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

Background

6. The report considered by the committee on 20 January 2020 provides a lot of information as to the background to the original post.

7. At this current time the corporate management team structure is in a transitional period. The Chief Operating Officer model is being implemented, as agreed by this committee on 24 August 2020.
8. A further report is being considered by the committee today following the resignation of the Corporate Director of Health, Housing & Adults Social Care. (CD HHASC)
9. This transitional period and additional measure of the resignation of the CD HHASC has influenced the discussion and recommendation.
10. A copy of the job description is attached at Annex A

Options and analysis considered by the Chief Officer Appointments Sub-Committee

Option 1 – To offer the post to the second candidate

11. If the job remains exactly the same, permanent AD, then the appointing committee can go back to the first interview process, as its within 6 months and offer to candidate number 2.
12. The panel considered this option however they felt that whilst the role is currently the same they are mindful of the SMU request for the Chief Operating officer to review the chief officer structure in coming months. In addition with the resignation of the CD HHASC, there is the proposal for this post to report into another Director post for an interim period. Due to the uncertainties the committee did it feel it appropriate to offer the next candidate as the role was not going to be exactly as advertised.

Option 2

13. The panel could consider going back out to external advertisement if they feel the time since last advert is significant enough to consider the market place again.
14. The HHR advised that due to the transitional state of the chief officers, ie the implementation of the Chief Operating Officer (COO) Model, the interim arrangements to cover the vacancy at corporate director and the planned review of chief Officers by the COO, it would not be the best time to attract candidates.

15. The panel considered this and agreed that it would not be the best time to recruit externally and for the same reasons as detailed above in paragraph 12.

Option 3

16. The third option is to recruit and appoint to an Interim AD for Housing and Community Safety. This would be a new recruitment and selection process, offered internally for expression of interest. Short listing carried out against the AD job description and as a panel, interview short listed candidates. The offer would be made on the performance at that interview only.
17. It is expected that the interim position will be initially for a 3 months period and no longer than 6 months. During this time the Chief Operating Officer will propose and consult on the permanent chief officer structure.
18. The panel felt that this was the most appropriate option and enabled internal staff the opportunity for development during this interim period.
19. This approach would enable the COO in their review to identify the permanent solution and report back to SMU within the overall structure.

Remuneration Package

20. Attached at Annex B are details of the pay package and Conditions of Service for the post of Assistant Director. The Committee is asked to confirm the pay package for this post which will be offered as part of the recruitment process. It is set at a job evaluated grade for Assistant Director with a salary of £73,488 to £81,643 with access to the standard set of Chief Officer Terms and Conditions. There are no other enhancements recommended for this role.

Appointments Committee

21. The council's Constitution allows for an Appointments Committee, including at least one member of the Executive, to interview applicants for a post and to determine who should be offered the vacant post.
22. It is requested that the Appointments Committee shall be made up of one member from each of the main parties. The details of the process for each post will be approved by the Appointments Committee.

23. The Chief Officer appointments sub-committee, which led the last process, would like to progress with this process, if agreed by SMU committee.
24. For information the appointments sub-committee was;
 - Cllr Craghill (Chair)
 - Cllr Waller
 - Cllr Pavlovic

Consultation

25. Consultation has taken place with the Corporate Management Team as to the need for this appointment. It is requested that the committee now confirm their nominations to participate in the Appointments Committee.

Council Plan

26. Making an appointment to these posts will contribute to delivering the Council Plan and its priorities.

Implications

27. The following implications have been considered:
 - **Financial** – The Assistant Director post is within the pay range £73.5k to £81.6k. Including on costs this totals £96.4k to £107.2k for a full year. The cost of the post and associated recruitment costs will be managed within existing departmental budgets.
 - **Human Resources (HR)** – The job description for the Assistant Director roles have been subject to the Council's established job evaluation mechanism and a grade established for the post. The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers.
 - **Equalities** - There are no equalities implications.
 - **Legal** – The Appointments Committee is created pursuant to S.102 (1)(c) of the local Government Act 1972 and its terms of reference are to exercise the functions of the Council in relation to the selection and appointment of the successful applicant in respect of the Assistant Director posts. The proceedings of the Appointments Committee are likely to be held mainly in exempt session due to the nature of the information that it will be considering.

In circumstances where the appointing committee agrees, without any member voting against, S.17 of the Local Government & Housing Act 1989 provides that the distribution of seats on a sub-committee need not comply with the political balance requirements contained in Part 1 of that Act.

The process of appointing officers of this level is regulated by the Local Authority (Standing Orders) (England) Regulations 2001. Amongst other things, these regulations require that an appointment committee must include at least one member of the Cabinet and further, that no formal offer of appointment may be made until all members of the Cabinet have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

- **Crime and Disorder** – There are not crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are no other implications.

Risk Management

28. The risk of no or delayed appointment could risk delivery against the Council Plan and its priorities.

Recommendations

29. It is recommended that Staffing Matters and Urgency Committee:

- Approve the filling of this post on an interim basis as recommended by the appointments sub-committee.
- The remuneration package for the Assistant Director posts at a job evaluated salary of £71,521 to £79,459.
- Establish an Appointments Sub-Committee consisting of three members, one from each main party (1 Liberal Democrat 1 Labour and 1 Green) to include a member of the Executive.
- The Appointments Sub-Committee be authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures

Reason: To allow an interim appointment to the Assistant Director posts to be made.

Contact Details

Author:

Trudy Forster
Head of HR & OD

Chief Officer Responsible for the report:

Ian Floyd - Interim Head of Paid Service

**Report
Approved**



Date 09/09/2020

Specialist Implications Officer(s)

Legal: Janie Berry – Director of Governance

Finance: Patrick Looker - Finance Manager

HR: Kay Crabtree, HR Manager (Performance and Change)

Wards Affected:

All



For further information please contact the author of the report

Annex:

A. Job Description –Assistant Director

B. Conditions of Service – Assistant Director



Role Profile

JOB TITLE: AD Housing & Community Safety

DIRECTORATE: Health, Housing & Adult Social Care

REPORTS TO: Director Health, Housing & Adult Social Care

DATE: March 2019

1 PURPOSE OF YOUR JOB

Provide sustainable, appropriate and safe housing options and environment for York residents.

2 DIMENSIONS

Revenue income	£74,409,000
Revenue expenditure	£74,856,000
5 year capital expenditure	£199,322,000
Direct reports	6
Indirect reports	292

3 PRINCIPAL ACCOUNTABILITIES

- Determine strategy and policy for all aspects of housing ensuring all statutory strategies and plans are provided as required.
- Develop housing delivery plans to ensure the housing needs of York residents are met and ensure housing options are available so that the council can meet its statutory duties in the housing of vulnerable people and reducing homelessness.
- Provide the strategic lead in developing Housing sites for general needs and supported housing and lead on the council's housing enabling role ensuring that the authority maximise on the affordable element of new developments in the city
- Regulate and assure safe standards are maintained in all housing tenures.
- Provide a neighbourhood enforcement service to facilitate safe environment for residents and communities where people wish to live.

- Provide the Strategic lead on managing Anti Social Behaviour in the city .
- Maintain the council's housing assets in safe and fit for purpose condition.

4 JOB CONTEXT

The job role is responsible for the full range of housing activity from developing new provision; either directly built by the council or through other players in the housing sector, allocating council housing, maintaining the housing stock and enabling safe and pleasant environment for council tenants and communities. It has quite different functions and occupational roles and also multi agency services.

Some of the functions within the role operates within a statutory framework which the job holder is accountable for meeting. These include for example:

Production of strategies for:

- Homeless – 5 yr strategy
- Community Safety - 3 yr
- Tenancy Strategy 3 to 5 yr

Statute also sets a framework around various aspects of housing; eligibility for housing, rent rates, housing safety standards and enforcement (including the regulation and licensing of private landlords including housing of multiple occupancy).

There are also statutory responsibilities in relation to community safety and the role is responsible for the Safer York Partnership and the work carried out by this team.

The role has close links with Public Health, Adult Social Care and Planning as the work can both impact on outcomes for these areas or with planning to identify opportunities to work with the private housing sector on developments to support council aims.

The job holder sets the objectives for the service and is accountable for the delivery. They have the authority to make decisions within the Council's delegations. They can also make decisions without further reference for example on:

- Sale of council houses of value up to £500K
- Financial decisions up to £500k
- Financial decisions for the ICT project within the agreed project budget

The job holder proposes strategy and policy for appropriate sign off through council decision making routes. This requires regular contact with council members through working with the executive member, presenting recommendations and reporting progress/results to various council committees.

The job holder is a member of the decision making body 'Housing Delivery Board' for the delivery of new council property.

The role is part of the Directorate management team and the job holder contributes to the strategic and operational management to ensure achievement of both directorate and corporate aims and objectives.

This role is part of the emergency panning rota and the job holder is on call for out of hours emergencies.

This role is an Information Asset Owner and must carry out the responsibilities of an Owner as required and set out in the council's 'Information Governance/Data Protection Roles and Responsibilities Rules'.

Will deputise for the Corporate Director as required.

5 IMPACT & INFLUENCE

This role is responsible for delivering the housing provision and community safety for the council. It has a huge impact on York residents who need social housing and decisions and actions taken by the job holder directly impact on these end results.

Impact is both long and short term; strategies are in the main between 3 to 5 years, although the Local Plan and the Housing Revenue Account business plan are for 30 year period. This contrasts with the impact of housing adaptations and repairs which have immediate impact for tenants and on the housing stock.

The job holder is influential in delivering the right number and mix of housing using information provided from sources such as the Local Plan and Joint Housing Strategy (the strategy includes North Yorkshire and the East Riding). They must make decisions as what housing development the council can undertake, identify opportunities to buy further land and on whether existing council sites are still fit for purpose or can be re-generated or redeveloped; maximising and making best use of existing assets.

They are influential in generating additional provision with the external private developers by maximising the planning gain (percentage of affordable housing in developments). They also need to build influence with housing associations to mobilise them to take on development opportunities and increase the affordable housing stock in the city.

The role is influential in maintain standards of housing in the private sector both owner occupied and rented homes through the licensing and inspection regimes. This is fundamental in developing good quality, safe and affordable rental properties for York residents

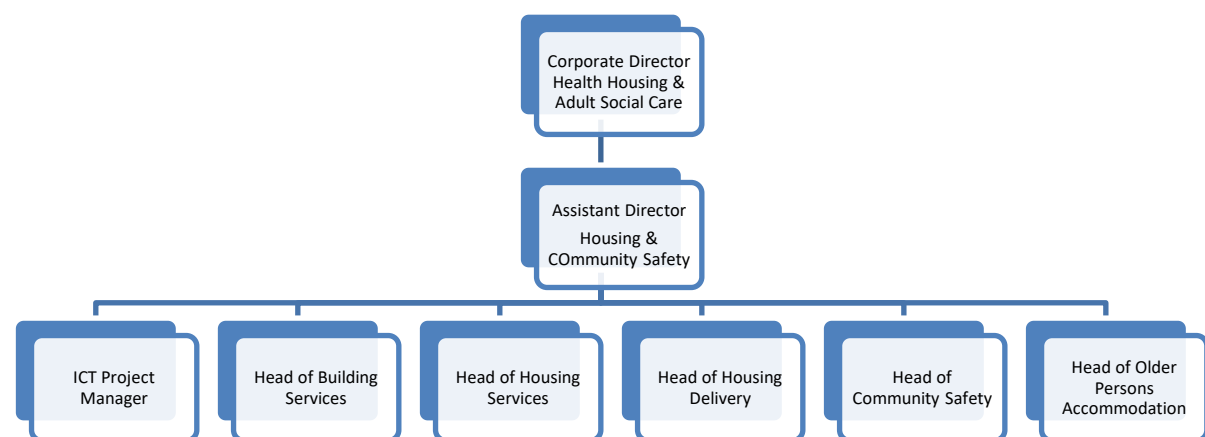
The effectiveness of the community safety function directly impacts on the quality of peoples lives by improving both the physical environment and social cohesion through the reduction of anti social behaviour. Raising awareness of the issues of Modern Slavery and Human Trafficking. Playing a coordination role in developing counter terrorism measure to protect residents and tourists in the City

Effective maintenance programmes; both long and short term for housing stock directly affects not only the quality of accommodation but minimising cost to the council of more major refurbishment.

There are also wider implications and impact on older people from this service as it can directly affect their ability to remain in the community for longer and delay or reduce the need for care services. This in turn directly impacts on the adult social care provision.

Delivery of the new integrated IT system will impact on the effectiveness and efficiency of the housing and building maintenance activity.

6 ORGANISATION



- Housing & building services ICT project – a £2 million project to consolidate all old housing and building services systems into one integrated system.
- Housing Delivery – development of new housing for the city including older peoples accommodation. With a pipeline of development worth in excess of £150m
- Housing services – allocation of council housing, management of tenants, hostels, travellers’ sites. Also licensing of private landlords, houses or multiple occupancy, aids and adaptations.
- Building services – repair and maintenance of housing stock and capital modernisation programme.
- Community safety - strategic direction for community safety and local delivery of community safety outcomes representatives from key voluntary and statutory agencies including City of York Council, North Yorkshire Police, North Yorkshire Fire and Rescue, Probation, Public Health, Office of the Police and Fire Commissioner and York CVS

- Head of Older Persons Accommodation – Identification of need and delivery of appropriate accommodation.

7 HARDEST MOST DIFFICULT PART OF JOB

The role is a mix of developmental work alongside delivery of very practical housing services and enforcement and requires different approaches and management demands. This requires the job holder to have the ability to move from long term strategic thinking to operational delivery often on a daily basis.

Strategic planning for housing needs is challenging due to the many variable factors and unpredictable environment that it operates within. This requires confidence to take decisions balancing risk with meeting targets.

Challenges exist in influencing the private sector to build the type of housing needed for both older people and to increase the affordable housing stock in the city.

There are challenges of leading diverse teams with different priorities and drivers to ensure that they work together effectively to deliver the results needed for the whole service not just their particular areas. This requires developing a whole team approach and supportive behaviours. .

A major challenge is the current programme of work to create a new integrated IT system for housing and building repairs. This intends to replace 27 existing systems but also will impact on working practices. Delivering a system within budget which meets all the different needs requires the ability to see the end result clearly, agree and monitor the programme and expenditure.

Bringing behavioural change to communities is difficult and whilst enforcement is required finding ways to engage the community and for them to take ownership is difficult and challenging. The job holder must direct multi agency teams to bring together cohesive approaches to improving behaviour in challenging communities both permanent and traveller sites.

8 KNOWLEDGE SKILLS & EXPERIENCE

The role requires considerable experience at senior level of leading and managing a large function. A background of working in the social housing field with comprehensive knowledge of the national and political context for Housing and Community Safety is required.

It requires high level of skill in both planning and delivery of results. It is a mix of strategy and operations requiring experience of both at a senior level and the mental agility to switch between both.

The job holder needs the ability to develop and deliver strategies to meet organisation objectives in a complex multi-functional organisation. They must be able to interpret complex information to develop plans, set priorities and problem solve. This requires the ability to analyse, draw conclusions, make decisions and manage risk.

The job holder needs to have vision and aptitude for long term planning and a willingness to make recommendations and decisions within fluid environments.

High levels of human relation skill are necessary, both in the leadership of a large service with diverse activity along with the ability to deliver results through others; many of which are outside the organisation and over who they have no direct control. The ability to build relationships and influence others is critical in this.

Experience of managing budgets and assesses is necessary including the ability to see opportunities to exploit and maximise exiting resources.

With the range of activity within the role the ability to take on, understand and retain large volumes and complex information is necessary.

9 ADDITIONAL INFORMATION

Conditions of Service
Assistant Director – Housing and Community Safety

This post is subject to the Schemes and Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities as supplemented by any local collective agreements negotiated on behalf of the employees and by the rules of the Council.

Health

Prospective employees must be cleared by the Occupational Health Service as medically fit for employment by City of York Council, and are advised not to give notice to terminate their present employment until clearance has been received.

Probationary period

Appointments from outside local government are subject to the successful completion of a six month probationary period.

Reporting line

This post reports to the Corporate Director (Health, Housing and Adult Social Care)

Targets

Objectives and targets will be agreed with the Corporate Director of Health Housing and Adult Social Care to reflect the Council's strategic priorities.

Salary*

The appointment will be made in the Assistant Director's grade range. The salary levels within the grade are as follows:

Point 4	£79,459
Point 3	£76 592
Point 2	£74 060
Point 1	£71 521

The starting salary will be determined by the Appointments Panel of elected Members.

Salaries are paid on the last working day of the month. The salary is indexed to the JNC cost of living pay awards currently effective from 1st April each year.

Annual leave

The annual leave entitlement is 30 days increasing by five days after five years continuous local government service, plus eight public holidays per annum.

Pension

Membership of the Local Government Pension Scheme will be automatically continued for all employees who transfer from another Local Authority, unless they gave notice that they no

longer wish to contribute. Membership of the scheme is automatic for new employees unless they state otherwise.

Car mileage for business use/Car parking

A mileage allowance of 45.0p per mile (up to 10,000 miles) is payable for business use.

Hours of Work

Working hours in this post will be subject to the needs of the service.

Whole time service

The postholder will be expected to devote his or her whole time to the work of the Council and not engage in any other business or employment without the prior knowledge and approval of the Council.

Sickness Absence

Any entitlements related to absence due to sickness or injury is as set out in the JNC for Chief Officers' agreement. Officers are entitled to receive sick pay for the following periods:

During 1 st year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2 nd year of service	2 months full pay and 2 months half pay
3 rd year of service	4 months full pay and 4 months half pay
During 4 th & 5 th year of service	5 months full pay and 5 months half pay
After 5 years of service	6 months full pay and 6 months half pay

Retirement

The normal retirement age of all Council employees, irrespective of gender, is 65 years.

Period of Notice

The written notice required to terminate employment in this post will be three months on either side.

Canvassing

Applicants for appointment must not canvas any Member or employee of the City of York Council in respect of their application. There is, however, no objection to any of the

aforementioned providing written references in respect of applicants. Applicants related to any of the above must disclose the fact.

Political Restriction

This post is politically restricted and is subject to the restriction of political activities imposed by the Local Government and Housing Act 1989, and as outlined in the City of York Council's Employee Code of Conduct.

Further Information

If you would like an informal discussion about the post, please contact Sharon Houlden, Corporate Director of Health Housing and Adult Social Care.

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Staffing Matters & Urgency Committee**21 September 2020**

Report of the Interim Head of Paid Service

Proposal to cover the interim vacancy for Corporate Director of Health, Housing and Adult Social Care**Summary**

1. The Corporate Director for Health, Housing and Adult Social Care has resigned from the authority, with her last day of employment being 18 October 2020. Therefore arrangements need to be identified to ensure the continued delivery of statutory services are provided to the councils residents.
2. Due to the ongoing process to appoint the Chief Operating Officer (COO), it is recommended that the council does not progress with a like for like replacement for the CD HHASC at this time, and that the COO has the opportunity, once confirmed in post by full Council, to be able to assess the structure they require to deliver the councils priorities.
3. This paper presents the interim proposal to cover initially from mid-October to mid-January, during which time SMU will receive a further report from COO on their proposed structure on a permanent basis.
4. This report seeks approval to:
 - Progress with the interim structure as proposed.
 - i. Interim Corporate Director of People
 - ii. Housing & Community Safety to move to Economy & Place
 - iii. Interim Director of Childrens
 - iv. Interim Director of Place
 - The interim Director opportunities to progress through chief officer recruitment and appointment process.

- The interim opportunity to be advertised internally only and limited to the Assistant Directors within the Directorate areas identified.
- Agree to set up two Appointment Sub-Committees to appoint to the interim Director roles. That this committee delegates sufficient powers to the Sub-Committee enabling them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

Background

5. The Corporate Director for Health, Housing and Adult Social Care has resigned from the authority, with her last day of employment being 18 October 2020. Therefore arrangements need to be identified to ensure the continued delivery of statutory services are provided to the councils residents.
6. Due to the ongoing process to appoint the Chief Operating Officer (COO), it is recommended that the council does not progress with a like for like replacement for the CD HHASC at this time, and that the COO has the opportunity, once confirmed in post by full Council, to be able to assess the structure they require to deliver the councils priorities.
7. With the backdrop of budgetary pressures the council is facing this is a great opportunity to take some time to consider the full chief officer and Head of Service structure as committed to through Staffing Matters & Urgency Committee.
8. This also gives the authority the opportunity for improved and more seamless services for residents, for example smoothing the transition into adult life for children with additional needs and breaking down silos between services for people within the community.
9. In addition the committee is considering a paper on the interim recruitment of the AD Housing and Community Safety. This is recommend to fill on an interim basis, again to allow the COO to consider the full permanent structure.
10. As a committee it was agreed on 24 August 2020 to progress with the Chief Operating Officer Structure for its Head of Paid Service position. This process is running concurrently and expected to report to full Council in October to seek approval for the appointment.

11. After that time the COO will formalise a proposal for SMU to consider during the winter.
12. Therefore this paper presents the interim proposal to cover from mid-October to mid-January, during which time SMU will receive a further report from COO on their proposed structure on a permanent basis.
13. After consideration on that permanent proposal, consultation with staff affected will commence and the process completed to implement.

Interim Proposal

14. A copy of the current and proposed structure is shown in annex A, and detailed below.
15. It is proposed that the CD HHASC is not replaced like for like on an interim basis.
16. That members of Corporate Management Team take on additional responsibility in covering the functions.
17. The Director of Public Health to report direct to the COO.
18. An interim Corporate Director of People is created, in essence amalgamating the Corporate Director of CEC and some aspects of the Corporate Directors HHASC. The current Director of CEC will take on these duties.
19. It is critical that during this interim period that the ongoing performance improvement within Childrens services is not affected and continues on its improvement journey with the vigour it currently has.
20. In addition it is important that the key priorities for Adult Social Care at this time is led forward. We are currently still in a pandemic and the winter planning is critical to support the services delivered to residents.
21. It is recommended that the Interim Corporate Director of People does not take on both statutory DAS and DCS roles and as such it is recommended to put in place an Interim Director of Childrens services to cover the DCS statutory functions and lead the Childrens Directorate. This Director role will not have responsibility for Community.

22. This allows the interim Director of People to have oversight and steer with their knowledge and experience within Childrens and allow the opportunity for the Interim Director of People to support and steer the Adults Social care teams. An independent scrutineer has also recently been appointed by the children and young peoples safeguarding partnership and consideration will be given to how this role can also ensure continued improvement
23. The interim Director of Childrens will be established through the conversion of one of the current Assistant Director's (AD) in Childrens, taking on the additional responsibility of the DCS.
24. The two current AD's (Childrens Specialist Services and Education and Skills) would be directly affected and can express interest in the new interim role. An appointments sub-committee would be established to appoint one of them as both are appropriately professionally qualified.
25. The AD for Community and Equalities is unchanged and remains reporting into the Interim Corporate Director of People.
26. The two Ad's within Adults Social Care and Commissioning would report direct to the Interim Corporate Director of People.
27. During the interim period the Corporate Director of People will also work with the LGA to undertake an assurance review which will consider proposed future structures and ensure these offer sufficient oversight of both statutory roles.
28. The Housing & Community Safety departments under the AD Housing (currently vacant) would be temporarily relocated within the Economy & Place directorate.
29. Due to the current vacant AD Housing & Community Safety it is proposed that a Director post is formed within the E&P Directorate.
30. The interim Director of Place* (*name may change dependent upon which AD is successful) will be established through the conversion of one of the current Assistant Director's (AD) in Economy & Place, taking on the additional responsibility of Housing and Community Safety.

31. The AD Housing & Community Safety would report into the Director of Place* role. Therefore on a day to day basis the Director would have overall responsibility.
32. An appointments sub-committee would be established to appoint the interim Director.

Budget Implications

33. A Director pay grade already exists within the Chief Officer Pay Structure, the additional duties will be assessed through job evaluation.
34. If two new interim Director posts are established then the starting salary will be point 1 of the grade and hence an annual salary of £90k (£122k including on costs). Converting an AD post to a Director will therefore cost £11k per annum, including on costs.
35. There is no pay grade to give additional duties to the Corporate Directors at this time and it is proposed that they take on the additional responsibilities, with the support of the Directors for no additional remuneration at this time, however this should be revisited at the end of 3 months if the additional responsibilities are to continue. During the interim period, market data can be established to provide evidence if any additional remuneration should be considered by Staffing Matters & Urgency.

Consultation

36. There are no roles at risk of redundancy however roles are affected where additional responsibilities are being placed. This allows development opportunities for staff. Some roles are affected by a change in line management only.
37. The Corporate Directors in CEC and Economy & Place are fully supportive of the proposals and are willing to take on the additional responsibilities as presented here on an interim basis, whilst the COO with the corporate management team can consider the whole structure.

38. The Interim Head of Paid Service is in the process of consulting with all staff directly affected through a consultation meeting attended also by the Head of HR.
39. At the time the paper has been published these consultation meetings have not finished and hence a further verbal update on consultation will be given to the committee.
40. The initial proposal was shared with all Chief Officer who have all had the opportunity to feedback. There have already been some changes made to the proposed structure following those consultation meetings.
41. The Trade Unions have be advised of the proposal and the initial consultation document shared. The trade unions will be involved in the job evaluation of the proposed new roles.

Timescales

42. The timetable below is provided for reference.

Dates	What
Wed 2 Sept	Paper shared to start consultation with Chief Officers
Wed 2 Sept	Paper and brief to Trade Unions
Fri 4 Sept – Fri 18 Sept	Individual meetings with staff directly affected
By Thursday 10 Sept	Written feedback by any other chief officer not directly affected
Friday 11 Sept	SMU paper published
Monday 21 Sept	SMU decision on interim structure
Tuesday 22 Sept	Communicate decision of SMU with all Chief Officers Strat process to appoint to Director positions through appointment sub committees
WC 5 October	Appointment sub committee
19 October	Interim structure commences for 3 months
Nov – Dec	COO to review structure
Jan 2021	Proposed permanent structure considered by SMU

Appointments Committee

43. The council's Constitution allows for an Appointments Committee, including at least one member of the Executive, to interview applicants for a post and to determine who should be offered the vacant post.
44. It is requested that the Appointments Committee shall be made up of one member from each of the main parties. The details of the process for each post will be approved by the Appointments Committee.
45. An Appointments Committee is required for both of the Interim Director posts.

Council Plan

46. Making an appointment to these posts will contribute to delivering the Council Plan and its priorities.

Implications

47. The following implications have been considered:
 - **Financial** – The Interim Director post is within the pay range £90k to £99.8k. As the Interim Director posts are being converted from an Assistant Director the additional cost for each post will cost £11k per annum including on costs. This additional cost can be accommodated within existing budgets on the assumption that the Corporate Director post is not filled and will generate a saving of £31k over the initial 3 month period proposed.
 - **Human Resources (HR)** – The draft additional duties for each of the two interim Directors will be finalised and will be subject to the Council's established job evaluation mechanism. The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers.
 - **Equalities** - There are no equalities implications.
 - **Legal** – The Appointments Committee is created pursuant to S.102 (1)(c) of the local Government Act 1972 and its terms of reference are to exercise the functions of the Council in relation to the selection and appointment of the successful applicant in respect of the Assistant Director posts. The proceedings of the Appointments Committee are likely to be held mainly in exempt session due to the nature of the information that it will be considering.

In circumstances where the appointing committee agrees, without any member voting against, S.17 of the Local Government & Housing Act 1989 provides that the distribution of seats on a sub-committee need not comply with the political balance requirements contained in Part 1 of that Act.

The process of appointing officers of this level is regulated by the Local Authority (Standing Orders) (England) Regulations 2001. Amongst other things, these regulations require that an appointment committee must include at least one member of the Cabinet and further, that no formal offer of appointment may be made until all members of the Cabinet have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

- **Crime and Disorder** – There are not crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are no other implications.

Risk Management

48. The risk of no or delayed appointment could risk delivery against the Council Plan and its priorities.

Recommendations

49. It is recommended that Staffing Matters and Urgency Committee:
 - Progress with the interim structure as proposed.
 - The interim Director opportunities to progress through recruitment and appointment.
 - The interim opportunity to be advertised internally only and limited to the Assistant Directors within the Directorate areas identified.
 - Agree to set up two Appointment Sub-Committees to appoint to the interim Director roles. That this committee delegates sufficient powers to the Sub-Committee enabling them to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.

Reason: To allow essential work to be covered by the vacancy of Corporate Director of HHASC.

Contact Details

Author:

Trudy Forster
Head of HR & OD

Chief Officer Responsible for the report:

Ian Floyd - Interim Head of Paid Service

**Report
Approved**



Date 09/09/2020

Specialist Implications Officer(s)

Legal: Janie Berry – Director of Governance

Finance: Debbie Mitchell – Interim Section 151 Officer

Wards Affected:

All

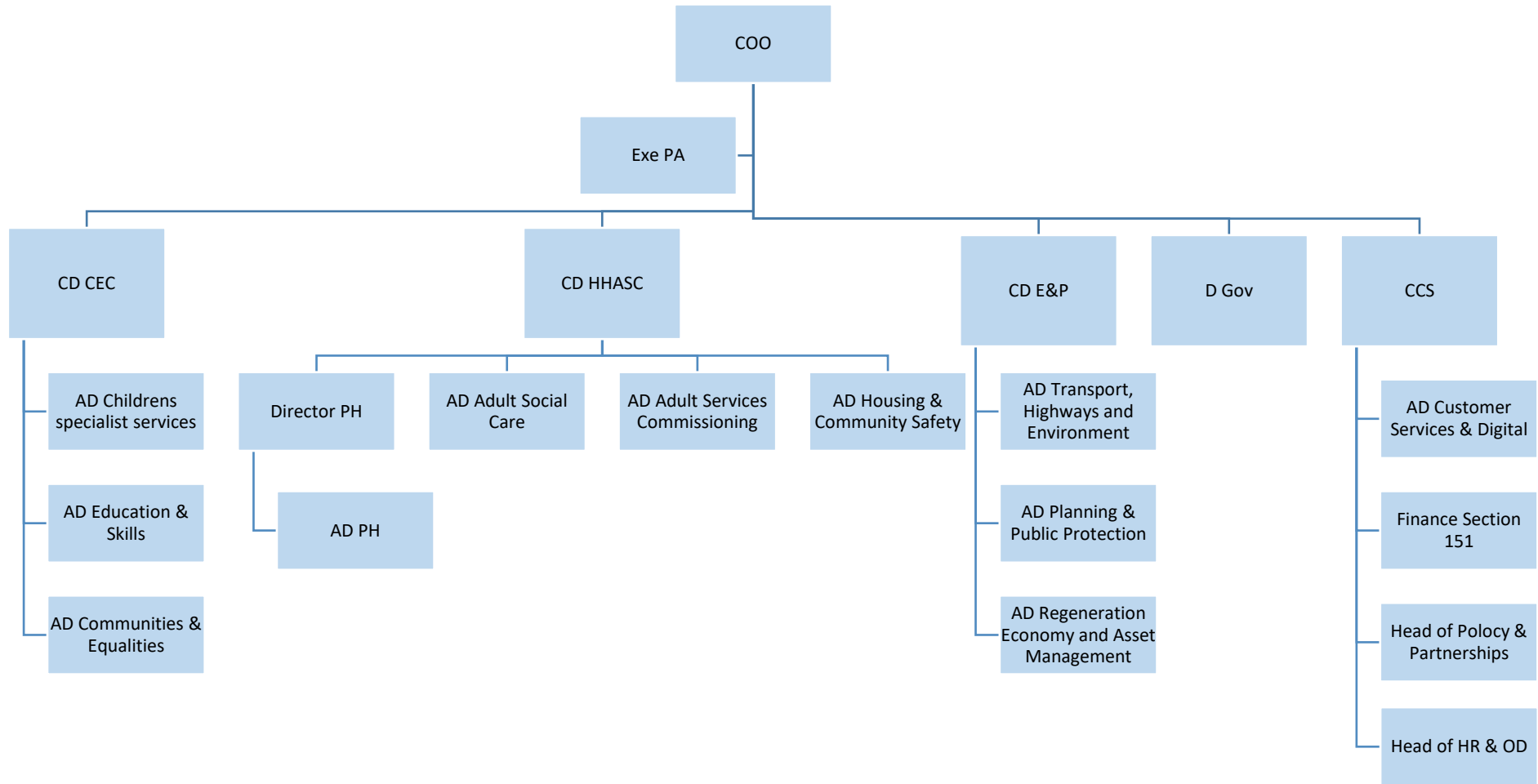


For further information please contact the author of the report

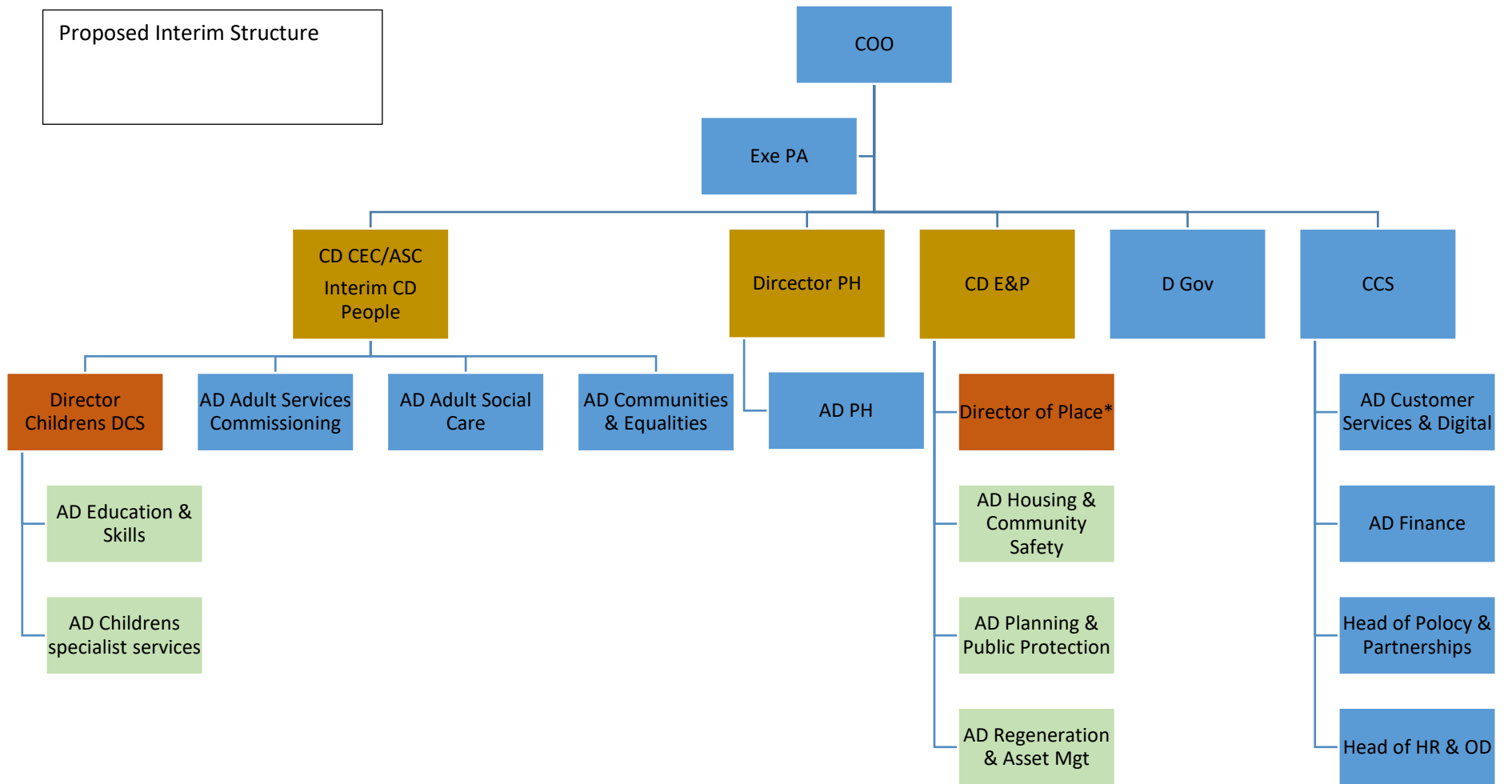
Annex:

A. Structure charts

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Proposed Interim Structure





Staffing Matters & Urgency Committee**21 September 2020**

Report of the Head of Human Resources & OD

Proposed Timeline for Chief Officer Structural Changes**Summary**

1. Staffing Matters & Urgency (SMU) committee in August requested visibility of the proposed timeline for the activity being carried out in revising and implementing new structures at Chief Officer Level.
2. SMU agreed to implement a Chief Operating Officer model to take on the Head of Paid service duties and as such has asked that the Head of Paid Service brings back to SMU a proposed structure for the Chief Officers.
3. This paper provides a timeline for the current purposed changes, both permanent and interim.
4. Please note that these could change due to any impact of the pandemic or as a result of any HR processes and activities that occur during consultation and implementation that cannot be seen in advance.
5. Recommendation:
 - i. Staffing Matters & Urgency committee are asked to note the content of the report.

Reason: To give member oversight of timescales to achieve a permanent Chief Officer structure.

Background

6. Staffing Matters & Urgency (SMU) committee in August requested visibility of the proposed timeline for the activity being carried out in revising and implementing new structures across Chief Officer's.

7. SMU committee, after detailed consultation and research and recommendations by the LGA, agreed to implement a Chief Operating Officer (CCO) model to take on the most senior officer role in the council. This role as Head of Paid service has a number of statutory duties, one of which is being responsible for the officer structure in the council.
8. SMU requested that once the COO is appointed they will consider the permanent structure required at Chief Officer Level and present this back to the committee.
9. There are multiple activities happening in parallel to achieve the outcomes already agreed by SMU, those decision put forward for consideration by SMU on 21 September and then to provide further structural options for consideration.
10. The multiple activities are listed below:
 - i. Chief Operating Officer Implementation (agreed 24 August 2020)
 - ii. Assistant Director of Finance (Section 151)
 - iii. Interim CLG structure to cover vacant Corporate Director HHASC
 - iv. Interim AD Housing & Community Safety
 - v. Permanent structure for Chief Officers
11. This paper provides a timeline for the current purposed changes, both permanent and interim.
12. Please note that these could change due to any impact of the pandemic or as a result of any HR processes and activities that occur during consultation and implementation that cannot be seen in advance.

High Level Timeline

13. The individual estimated time lines for each activity are shown below. However key milestones are:
 - I. COO appointment to be approved at full council, end of October 2020;
 - II. AD Director of Finance (Section 151) to notify at full council end of October 2020;
 - III. Interim CLG structure to be effective by 19 October 2020 and
 - IV. Interim AD Housing to be appointed by end of September 2020.

14. The consultation will commence for the permanent structure for Chief Officers late September, with proposal presented by the COO for consideration by SMU in December 2020. Once a preferred option agreed formal consultation with effected chief officers commences with an anticipated completion date 31 March 2021.

Individual Timelines

Chief Operating Officer Implementation

15. HR processes have commenced and staff affected are being consulted. It's anticipated that an appointments subcommittee will sit week commencing 28 September.
16. Full council will be asked to approve the appointment in its October 2020 meeting.

Assistant Director of Finance (Section 151)

17. Consultation with staff will commence week commencing 14 September. It is anticipated that HR processes will be concluded and an appointments subcommittee will sit early October.
18. Full council will be asked to note the allocation of section 151 duties to the AD Finance role in its October 2020 meeting.

Interim CLG structure to cover vacant Corporate Director HHASC

19. If the interim proposal is agreed as presented to SMU on 21 September, expressions of interest will be sought from eligible AD's by 29 September with an appointment subcommittee being held w/c 5 October 2020.
20. The Interim Director roles will be effective from 19 October 2020.

Interim AD Housing & Community Safety

21. Internal applicants have been invited to express interest with the appointment sub committee to be held week commencing 21 September 2020.

22. As its internal the start date for the appointment will be as soon as can be agreed for the release of the candidate. Expected no later than 19 October 2020.

Permanent structure for Chief Officers

23. It is expected that consultation will commence on a permanent structure week commencing 22 September 2020.
24. Consultation will continue and be led by the current interim Head of Paid service. The COO will then lead this process through, once appointed and report back to SMU.
25. It is hoped that a proposal will be presented in December 2020.
26. Depending on the proposal and decision at SMU, formal consultation with staff affected by the proposal will commence.
27. It is anticipated that the structure agreed will be implemented at the latest by 31 March 2021.

Consultation

28. This report is providing an overview of timeline from other reports presented to SMU, and hence no requirement for formal consultation on the contents of this paper.

Council Plan

29. Making an appointment to these posts will contribute to delivering the Council Plan and its priorities.

Implications

30. The following implications have been considered:
 - **Financial** – no implications on content of the report. Financial implications on the processes referred to in the report are contained in other reports.
 - **Human Resources (HR)** – no implications on content of the report. HR implications are contained within other reports.

- **Equalities** - There are no equalities implications.
- **Legal** – no implications on content of the report. HR implications are contained within other reports.
- **Crime and Disorder** – There are not crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are no other implications.

Risk Management

31. The risk of no or delayed appointment could risk delivery against the Council Plan and its priorities.

Recommendations

32. It is recommended that:
 - i. Staffing Matters & Urgency committee are asked to note the content of the report.

Reason: To give member oversight of timescales to achieve a permanent Chief Officer structure.

Contact Details

Author:
Trudy Forster
Head of HR & OD

Chief Officer Responsible for the report:
Ian Floyd - Interim Head of Paid Service

**Report
Approved**



Date 10/09/2020

Specialist Implications Officer(s)

Legal: Janie Berry – Director of Governance

Finance: Debbie Mitchell – Interim Section 151 Officer

Wards Affected:

All



For further information please contact the author of the report

Annex:



Staffing Matters and Urgency Committee**21st September 20**

Report of the Interim Head of Paid Service

Redundancy**Summary**

1. This report advises the Staffing Matters and Urgency Committee of the expenditure associated with the proposed dismissal of an employee on the grounds of redundancy.

Background

2. The background and detailed case surrounding each proposal are contained in the individual business cases to be circulated at the meeting as annexes to this report.

Consultation

3. All of the proposed redundancies have been subject to consultation in accordance with the Council's statutory obligations.

Options

4. The Committee has the power within the Council's procedures to approve discretionary enhancements to redundancy and/or pension payments. The Committee does not have the power to make lower payments. By law the decisions as to whether or not to make an employee redundant rests with the Interim Head of Paid Services or Officers nominated by him.

Analysis

5. The analysis of each proposal can be found in the respective business case.

Council Plan

6. Whilst the actions being proposed in the report are not material to the Council Plan they are consistent with the required outcomes of the Council's Organisational Development Plan.

Implications

- 7. The implications of each proposal can be found in the respective business case.

Risk Management

- 8. The specific risks associated with each proposal and how they can be mitigated is contained in each business case. In summary, the risks associated with the recommended option are financial, legal, operational and reputational.

Recommendations

- 9. Staffing Matters and Urgency Committee is asked to:
 - 1) Note the expenditure associated with the proposed dismissal of the employees on the grounds of redundancy detailed in the annexes.

Reason: In order to provide an overview of the expenditure.

Contact Details

Author:

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Head of HR
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Ext 3985

Chief Officer Responsible for the report:

Ian Floyd
Interim Head of Paid Service

Report Approved

Date 10/9/20

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A - Confidential Business Case

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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