

Meeting of Urgency Committee

20 March 2007

Report of the Director of Learning, Culture and Children's Services

Management Re-structure of *Learning, Culture and Children's Services*

Summary

1. This report proposes a management re-structure of the Directorate of Learning, Culture and Children's Services and seeks approval for re-grading a number of posts that are subject to significant variations in the job description.

Background

2. When the Directorate of *Learning, Culture and Children's Services* was established in 2005, the responsibilities carried by the Assistant Directors remained largely unchanged. The Management Information Service (MIS) transferred to 'Resource Management', and a Training and Development Unit was established within 'School Improvement and Staff Development'. Frontline services stayed where they had always been, whilst attention was focused on reorganising the support services, such as Finance and HR, and on raising awareness of the implications of 'Every Child Matters'.
3. This approach was right for the time. It provided stability during a period of change and ensured that there was no decline in service quality. Over the two years that have elapsed since then, however, it has become increasingly clear that there is a need to review the way in which the directorate is organised. There are a number of reasons for this:
 - Provision for children with learning difficulties and disabilities (LDD) is currently split across two service arms. A recent government policy document makes clear that the provision of education and the provision of care for this most vulnerable group of children and young people should be more closely co-ordinated so that there is 'closer alignment of the work of these services at individual pupil level'.
 - The DfES takes a similar view of the services provided for schools to help them make provision for children and young people with learning difficulties and disabilities (LDD), arguing that there should be 'close alignment of the work of SEN/inclusion services at classroom and school level with LEA curriculum and school improvement services'. This is also the message of the National Strategies. In York, these services are currently managed by two different Assistant Directors.

- The decision in the Education and Inspections Act (2006) to dispense with School Organisation Committees and to enhance the powers and responsibilities of Local Admissions Forums, provides a strong incentive to bring school admissions and school organisation together under one Assistant Director and end any overlap between the two.
 - It is difficult to match the rapid pace of change in national policy on Childcare provision, Children's Centres, extended schools and the Youth Offer whilst these related services are spread across three service arms as they currently are in York.
4. The departure of Murray Rose to Darlington, and the impending retirement of Patrick Scott and Jenny Vickers provides the opportunity to rethink the organisation of the directorate and tackle some of these pressing issues. Mary Cousins, the manager of the Children's Trust Unit is also leaving, and this opens up further possibilities.

Principles.

5. The proposed reorganisation of the directorate is based on some key principles:
- The management structure for the directorate should support an unwavering focus on improving outcomes for all children and young people;
 - All services are equally committed to the vision statement for Children's Services which focuses on raising standards, safeguarding, inclusion, early intervention, and partnership working. None of these principles are the exclusive preserve of any particular service arm;
 - The commitment to improving outcomes for children and young people is matched by a similar commitment to improving the quality of life for adults, whether they be residents of York or visitors to the city;
 - In order to provide high quality outcomes for children and young people, the directorate will continue to be a direct provider of services, but will develop expertise and experience in commissioning where there is a clear advantage in doing so;
 - School Improvement and Safeguarding are the two main statutory responsibilities within children's services, and both need to be lead by senior officers with an appropriate professional background.

A new structure.

6. The proposed structure is based on 5 service arms, each led by an Assistant Director and each providing a way of grouping together services that benefit from sharing the same line management arrangements:
- *School Improvement and Staff Development* will deal with the provision of professional support for schools and other services, and be directly responsible for children and young people educated other than at school;
 - *Children and Families* will be responsible for meeting the needs of individual children and young people, particularly those most in need, and will take an overall lead in ensuring appropriate provision for disabled children and young people;

- *Resource Management* will be responsible for maintaining the full range of support services for the rest of the department, including schools, and ensuring fair access according to need;
 - *Lifelong Learning and Culture* groups together services that have as the main focus for their work, improvements in the quality of life for all the residents of the city, by providing a full range of adult learning, cultural and sporting opportunities;
 - *Partnership working and Early Intervention* will undertake some of the current responsibilities of the Manager of the Children's Trust and will co-ordinate voluntary and out of school provision for children and young people. The service arm will carry responsibility for developing and implementing the Children and Young People's Plan and the preventative strategy, and be the first point of contact with key partners including the PCT.
7. The current structure is shown in an organisation chart at Annex 1. the proposed new structure is shown at Annex 2. A brief account of the changes that will be taking place is provided below.

School Improvement and Staff Development.

8. The core business for this service remains schools and support for schools, though the decision to retain the Training and Development Unit within the service arm signals up a wider responsibility for workforce development and support for all services making provision for children and young people.
9. In order to acknowledge the increased span of responsibility for the Assistant Director, the post of Principal Adviser will be created from within the existing establishment to take operational responsibility within the Education Development Service. In addition the proposed structure sees the following changes:
- EDS to assume responsibility for all curriculum support for pupils with special educational needs, under the overall management of the Adviser for SEN, including the transfer of the Learning and Curriculum team from the Inclusion Support Service.
 - Behaviour support services to be reorganised to create a clearer distinction between services designed to maintain pupils in mainstream education (outreach support and the Bridge Centre), and provision for pupils who have been excluded from mainstream education or need work related learning (The PRU and the Bridge Centre).
 - The refashioned Behaviour Support Service (outreach support and the Bridge Centre) to take responsibility for Y6 pupils on the roll of the Westfield EBD unit and for Home and Hospital tuition where it is required for pupils excluded from school.
 - The PRU to take responsibility for all pupils educated other than at school who are not placed with other DfES approved providers.
 - The Ethnic Minority Support Services to be transferred directly from Access and Inclusion in their current form.

Children and Families.

10. The core business for this service arm remains the authority's responsibility for safeguarding children and young people. The decision to widen the span of responsibility to include services previously located within the former department of Education and Leisure is designed to support much closer working between services responsible for assessing and meeting the needs of the most vulnerable, including disabled children and young people.
11. The proposed structure sees the following changes:
 - The Assistant Director (Children and Families) to assume responsibility for the Educational Welfare Service,
 - SEN services to move to Children and Families (Educational Psychologists, SEN Admin, and the four specific disability support teams),
 - The Physical Disability and Medical team to take responsibility for Home and Hospital tuition where it is required for pupils not in school by virtue of their medical condition,
 - The newly created post of Head of Integrated Services to be established within Children and Families with a brief to establish improved multi-agency working between the existing disability services.

Resource Management.

12. The core business for this service arm remains the provision of support services across the Directorate, including traded services for schools. However, the decision to include the Access Team within Resource Management emphasises the role of the AD (Resource Management) in determining strategic priorities and ensuring that the resources are available to meet them, as it will bring together in one service arm responsibility for the provision of school places with responsibility for the placement of pupils in schools (admissions and exclusions).
13. The proposed structure sees the following changes:
 - The Access Team to move to Resource Management from Access and Inclusion and the Principal Education Officer to become Head of Access, assuming responsibility for maintaining the Education Otherwise Register and providing appropriate placements for all pupils of compulsory school age,
 - A new Extended Schools Unit to be established within LCCS finance,
 - ICT support for Children and Families to transfer from Housing and Adult Services (HASS) to Resource Management.

Lifelong Learning and Culture.

14. The core business for this service arm continues to be the provision of cultural services for all the residents of and visitors to the city. Although this includes children and young people, they are only one group of customers amongst many, and for this reason, the work of Lifelong Learning and Culture is significantly different from the other service arms.
15. The proposed structure sees the following changes:

- Early Years and Extended Schools to transfer to the new AD (Partnerships and Early Intervention)

Partnerships and Early Intervention.

16. Although this will be an entirely new service arm, it will build on the work of the Children's Trust, by maintaining and developing the capacity for early intervention in the lives of children and young people. The service will concentrate particularly on children and young people at Tier 2, in other words, those that are most at risk of slipping into the kind of crisis that requires expensive remedial services. The authority is committed to the view that services of this kind can only be provided in partnership and that these partnerships must be inclusive, involving the public, private, voluntary and community sectors. The key to success lies in making sure that provision is targeted, co-ordinated and sustained, and that services engage with known and named children and young people. The links between services will enable a common approach for all children and young people between the ages of 0 – 19, and bring into one service arm the co-ordination of childcare, leisure and cultural services for children and young people.
17. The proposed structure sees the following changes:
 - Early Years and Extended Schools to move from *Lifelong Learning and Culture*,
 - The Youth Service to move from *Access and Inclusion*,
 - Responsibility for the Children's Trust and Children's Centres to move from *Children and Families*,
 - The creation of a post with specific responsibility for the co-ordination of locality working and management of the planning and commissioning unit,
 - Connexions to be commissioned through the Children's Trust (YorOK) with the funding being channelled through the local authority.

Consultation

18. Following a meeting with the Executive Member, a consultation document on proposed changes in the senior management structure for Learning, Culture and Children's Services, was launched on the 5 February with a deadline for responses of 19 February.
19. 14 individual responses were received, though a number of these were either implicitly or explicitly submitted on behalf of others. In addition, meetings were held for Service and Group Managers (about 20 in attendance), all staff (about 50 in attendance) and the Joint Consultative Group (JCG) which represents headteachers and other stakeholders. The consultation paper was also discussed with staff side representatives at a meeting of the Joint Consultative Committee and UNISON has submitted a separate response.

Responses to proposals

20. The great majority of staff attending meetings or making individual responses were from the services most directly affected by the changes that are being

proposed (Access and Inclusion) and comment has almost exclusively been about the way in which the new structure will work, rather than whether it is desirable.

21. It was almost universally accepted, even by those services and service managers that are most likely to experience some disruption as a consequence, that the proposed structure represents a better way of managing the delivery of children's services. Responses ranged from the genuinely enthusiastic to rather more guarded and non committal expressions of support, with concerns being expressed for the position of those individual members of staff who might be most affected by the changes. One response expressed significant concerns about locating teaching staff within Children and Families, and argued that all school related services should be consolidated within the same service arm.

Key issues arising

22. The single issue that was raised most consistently by almost everybody who responded was that no structure could substitute for the need to work across service arms to promote cultural change. There was some concern expressed lest individual Assistant Directors should be thought to carry exclusive responsibility for school improvement, partnership working, early intervention or safeguarding. These are viewed as shared responsibilities with the need for clear procedures to be established for service and group managers across the directorate to work closely with each other. This point was made particularly about:
 - The need for EWOs to be actively engaged in School Improvement, working as part of the Behaviour and Attendance strand in the National Strategies (even though it is proposed that the service is placed with Children and Families),
 - The involvement of the Educational Psychology service and the school support teams for specific disabilities to be directly involved with schools and not just individual casework (even though it is proposed that the services are placed with Children and Families),
 - The need for clear referral routes to be established for hard to place pupils in order to ensure close working between the PRUs, SEN services and the new Young People's Service (even though the services will be located in three different service arms),
 - The role of the Behaviour Support Service in building the capacity of schools to manage the reintegration of pupils with challenging behaviour,
 - The need for clear links with the health service for the school support teams for specific disabilities, even though the AD (Partnerships and Early Intervention) is described as the first point of contact with the Health Service,
 - The need for LA links with the 14 – 19 strategy to be reflected in the work of the proposed AD (Partnerships and Early Intervention),
 - The extent to which the partnership working is shared across the department according to specific areas of responsibility (even though one AD has specific responsibility for partnership working).

23. Most respondents felt that the need for cross directorate working would be a priority whatever the management structure that is adopted for the directorate. Specific questions were raised, however, about the location of some specialist services within the structure:
- The proposed structure locates the Youth Offending Team within Children and Families because there is a significant overlap with the caseload of the social work teams. There is a case for placing it alongside the new Integrated Youth Service in Partnerships and Early Intervention because of the extent to which it works in partnership with Connexions on the preventative strategy,
 - In the new structure, it is proposed that the EWO service is located within Children and Families because school attendance is closely linked with issues of child protection. There is a case for the service being more closely linked with the Behaviour Support Service in School Improvement,
 - Potentially the most controversial aspect of the proposed structure is the proposal to split the existing Inclusion Support team between School Improvement and Children and Families. Whilst this is generally accepted, a number of particular concerns have been expressed. Decisions will be required about the line management of the specialist disability teams and about the position of the ASC (Autism Spectrum Condition) service which can be viewed either as a high incidence service (in which case it would be more appropriately placed in School Improvement) or a low incidence service (in which case it would be more appropriately placed in Children and Families),
 - The location of the Play Team within Early Years and Extended Schools is generally felt to make sense but there is a concern lest the links with Lifelong Learning and Culture are lost in the new structure,
 - It is generally accepted that the Home and Hospital service should be unified under one manager, but there is no agreement about whether this should be located within the Behaviour Support Service or the PD/M team,
 - The Joint Training Unit is currently located within School Improvement and Staff Development. It has been suggested that this should be a cross directorate resource located within Resource Management.
24. A number of proposals were made about how these particular issues of cross directorate working might be addressed:
- The role of the Lead Professional in casework is seen as vital,
 - It was suggested that the work of the Behaviour Support team might be re-focused to develop the role of the lead practitioner in co-ordinating education programmes for the most difficult to reach pupils,
 - The tasking meeting is seen as an essential safety net for the authority in monitoring and tracking individual targeted young people.
25. Two other concerns were raised which might best be addressed by adjusting the Job Descriptions for the new AD posts to make clear where responsibility lies within the Local Authority:
- Two responses enquired about responsibility for sustainability within the directorate

- One response commented that ‘it would be very unfortunate if the role of adult learning opportunities across the city were to be seen as subordinate to delivering cultural services and sport and leisure facilities/activities’.

Staff side representatives.

26. UNISON have responded as follows:
- We are concerned there may be a significant likelihood of a double restructure, as it is probable that any new Director would wish to review the directorate fairly soon after an appointment is made. This will create further uncertainty for staff and could damage morale.
 - There is an acknowledgement that the current structure may not have all services in the right place
 - Services should be kept intact and moved in their entirety so that staff uncertainty is kept to a minimum. The Management of Change guidelines necessarily mean extensive work by HR and causes stress to the staff involved when posts are deleted, created or changed within a structure.
 - The Job Evaluation process does not appear to have been taken into account by this proposal. It is already behind schedule, and the more changes there are increases the timescale.

Response to the consultation

27. The following alterations and amendments are proposed to the structure outlined in the consultation paper:
- The EWO service to move to Children and Families as planned, but to act as a bridging service between the two service arms and the AD (School Improvement) to establish a way of ensuring that there is consistency in implementation of the National Strategies;
 - SEN services, including the Educational Psychology Service to move to Children and Families as planned but to retain a clear link with schools and contribute towards school improvement;
 - Referral routes to be mapped for hard to place pupils and protocols to be agreed;
 - Referral routes to be mapped for children in need and protocols to be agreed;
 - The Behaviour Support service and the Pupil Support Service to develop a model for reintegration plans for pupils who have been permanently excluded from mainstream education which include a clear role for the BSS in reintegration support as well as prevention;
 - The YOT to remain with Children and Families as planned but this decision to be reviewed should there be concerns about any difficulties of working collaboratively with the new Young People’s Service;
 - The Autism Spectrum Condition (ASC) service to move to Children and Families as planned, but a member of the Learning Support team in School Improvement to take a responsibility for ASC in mainstream schools and to ensure close working with the ASC service;
 - Home and Hospital support to be provided by the Behaviour Support Service for pupils who have been excluded from school and by the

- Physical Disability/Medical team for children not in school by virtue of their medical condition,
- The Job Descriptions of the AD's to be revised to reflect responsibility for links with the Health service, for sustainability, for the 14 – 19 strategy and for Adult Learning.

Options

28. Members have four options:
- Option 1: To retain the current structure on a temporary basis until the appointment of a new Director of Children's Services.
 - Option 2: To adopt the proposed structure as shown in Annex 1.
 - Option 3: To modify the proposed structure.
 - Option 4: To request officers to develop an alternative structure based on different principles from those outlined in paragraph 5 above.

Analysis

29. *Option 1* would provide continuity for the organisation in the short term and would leave open an opportunity for the new director to shape the management structure and make new appointments. However, it does have a number of drawbacks, the most significant of which are:
- The loss of an opportunity to make necessary structural change,
 - A prolonged period of organisational uncertainty until the intentions of the new director become clear,
 - The difficulties of having an interim manager in a key post during the period immediately prior to the Joint Area Review (JAR),
 - The high cost of employing interim managers for an extended period of time.
30. *Option 2 would* establish a structure that is fit for purpose, and would put the directorate in a better position to meet the savings target that is included in the budget for 07/08. However, it would require a significant number of changes to the establishment, including the loss of four posts, only two of which are currently vacant.
31. It is proposed that the following four posts are deleted from the structure:
- Assistant Director (Access and Inclusion)
 - Manager (Children's Trust)
 - Head of Inclusion
 - Head of Inclusion Support Service
32. The table below shows how the work currently undertaken by these staff would be re-distributed amongst existing and new post holders.

School Improvement and Staff Development	
Principal Adviser	A post created from within the existing establishment of the Educational Development Service (EDS) in order to provide additional management capacity to compensate for the increase in the range of responsibilities carried by the AD (School Improvement and Staff Development).
Head of the Bridge Centre	The re-grading of an existing post in order to reflect the increased responsibility for the Outreach service providing behaviour support and the Home and Hospital tuition provided for pupils educated other than at school.
The Deputy Head (PRU)	The re-grading of an existing post in order to reflect the new responsibility for placement of all children and young people educated other than at school.
Higher Level Teaching Assistant (PRU)	A new appointment to cover the responsibility currently carried by the Head of Inclusion for the placement all pupils not in mainstream education.
Curriculum manager (PRU)	A post created from within the existing establishment of the PRU to take responsibility for curriculum development to provide full time education for all pupils educated other than school.
Children and Families	
Co-ordinator (disability support)	A post created from within the existing establishment of the disability support services to co-ordinate the work of the specialist disability teams and provide line management.
Resource Management	
Head of Access	The re-grading of an existing post to take responsibility for all children and young people on the EO register.
Partnerships and Early Intervention	
AD (Partnerships and Early Intervention)	A new post to take responsibility for functions previously shared between the AD (Access and Inclusion) and the Manager of the Children's Trust Unit
Manager (Children's Trust Unit and Localities)	A new post to take responsibility for line management of the Commissioning Unit and the co-ordination of work in localities to ensure that services are delivered in communities.

33. *Option 3* offers the opportunity for members to make specific proposals about the structure of the department. Members should be mindful that changes in one part of the Directorate are likely to have an impact across other services and service arms, and that the structure needs to be understood as a whole, not as a collection of discrete units.
34. If selected, *Option 4* would require a clear steer from members about changes to the principles that should inform the management structure. A major change of direction now would have a number of disadvantages, the most significant of which are:
- The loss of time and the difficulties that this would create for the recruitment to the vacant Chief Officer posts,
 - Damage to staff morale by creating further uncertainty during a period of change,
 - A lack of continuity in maintaining clear lines of accountability following the departure of a number of senior officers in the directorate.

Corporate Priorities

35. The restructure proposed in this report is designed particularly to improve the organisational effectiveness of the city council and the Directorate of Learning, Culture and Children's Services. It addresses the following specific priorities:
- Improve our focus on the needs of customers and residents in designing and providing services
 - Improve leadership at all levels to provide clear, consistent direction to the organisation
 - Improve the way the council and its partners work together to deliver better services for the people who live in York
 - Improve efficiency and reduce waste to free-up more resources

Implications

Financial (Contact – Head of Finance for LCCS).

36. Annex 4, which remains confidential, sets out the detailed financial implications of the new structure proposed in Option 2. The table below summarises this information.

	2007/08 £	2008/09 £	Max Cost £
Posts Deleted	(198,570)	(245,630)	(245,630)
New Posts Created	109,430	150,050	158,910
Existing Posts Amended	26,440	36,360	56,520
Saving From Staffing Changes	(62,700)	(59,220)	(30,200)
Less Estimated Recruitment Costs	23,000		
Net Saving to LCCS Budgets	(39,700)	(59,220)	(30,200)

37. The table above shows that in 2007/08 the net saving against LCCS budgets of the proposed staffing structure and arrangements set out in Option 2 is estimated at £40k (rising to £59k in 2008/09). This will contribute towards the £90k management saving that the directorate is required to deliver in 2007/08.
38. It should also be noted that the maximum cost of the new structure (if all staff have reached the top of their respective grades) only generates a saving of £30k when compared to the maximum cost of the existing structure. Although it would be unusual for this situation to arise in practice, if it did further savings may be required to maintain costs within budget.
39. As Options 3 and 4 would be subject to further unknown changes in the proposed staffing structure costings are not available. For Option 1 no budget saving would be generated in 2007/08 against the directorate's £90k target. In fact Option 1 is likely to result in significant unbudgeted additional costs whilst employing interim managers for an extended period of time.

40. Option 2 involves the loss of four posts, two of which are filled, which means that there are redundancy costs associated with its implementation. The Council holds a corporate budget to pay costs which arise under the Council's redundancy and early retirement policies. The costs of approved restructures are met from this corporate budget.
41. A full report from the Pensions Officer is included at Annex 5 (Confidential) but in summary there would be one-off costs of £93k in 2007/08 followed by an on-going liability of £3k per year. This can be contained within the corporate budget in 2007/08 but would reduce the uncommitted balance available to £437k.

Human Resources (HR) (Contact – Head of HR for LCCS)

42. In relation to the new or revised posts that have been created by this restructure, the proposed grades have been benchmarked or evaluated by reference to the appropriate procedures for the relevant pay and conditions.
43. The new Chief Officer post of *AD (Partnerships and Early Intervention)* has been evaluated under the Council's scheme for these posts. Contingency funding has been included in the budget in order to make provision for the remaining posts to be regraded as appropriate.
44. The two posts to be paid on APT&C grades (*Head of Access and Head of Children's Trust Unit and Locality Planning*) have been benchmarked against other posts from within the Council and Directorate which have comparable duties and responsibilities. This is current practice pending implementation of the Council's revised pay and grading arrangements. The benchmarking exercise supports the proposed grades set out in this report. Both of these posts will be subject to Job Evaluation process in due course.
45. The post of *Principal Adviser* will be paid on Soulbury Pay and Conditions and has been evaluated with regard to the national terms and conditions which govern payments to Advisory staff. Some informal benchmarking against other Local Authorities has also been carried out which confirms that the proposed grade Soulbury 20 – 23) is appropriate.
46. The remaining posts in the new structure are subject to Teachers' Pay and Conditions. It is proposed that a TLR post (level 2a) is included within the management structure for a *Curriculum Manager* at the Pupil Referral Unit. For the remaining posts, all of which are graded on the leadership spine, it is proposed that a full review of rewards and responsibilities is carried out in line with the requirements of the School Teachers Pay and Conditions Document. This group of staff includes the *Head of the Behaviour Support Service*, the *Assistant Head of the PRU*, and the *Co-ordinator (Disability Support)*. As a contingency, sufficient funding has been included in the budget (Para 33) to cover the cost of an additional increment to reward increased responsibilities.

47. The restructure will be managed in line with the Councils 'Change Management' HR policy, including arrangements for the management of redundancies.

Equalities

48. There are no implications

Legal

49. There are no implications

Crime and Disorder

50. There are no implications

Information Technology (IT)

51. There are no implications

Property

52. There are no implications

Other

53. There are no implications

Risk Management

54. The risks associated with the decision to restructure the directorate at this time are outlined in the analysis of the options available to members.

Recommendations

55. The Urgency Committee is recommended to approve Option 2.

Reason: In order to provide a new management structure for *Learning, Culture and Children's Services*.

Contact Details

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Report Approved **Date** 3 March

Specialist Implications Officer(s)

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

All **Yes**

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex 1: Current organisational structure for LCCS
Annex 2: Proposed structure for LCCS
Annex 3: Job Description for new and significantly altered posts.
Annex 4: (Confidential) Financial Implications: detailed analysis
Annex 5: (Confidential) Report of the Pensions Officer