

Report of the Director of Adult Services

Appointment of Acting Assistant Director of Adult Services Strategic Commissioning

Summary

1. This report seeks approval to establish an Appointments Sub-Committee for Chief Officer appointments and to delegate sufficient powers to that Sub-Committee to enable it to conduct the recruitment process, select and appoint an Acting Assistant Director of Adult Services Strategic Commissioning, subject to the requirements of the standing orders on appointment.

Background

2. The two previous Assistant Directors in Adult Services left the Council in July and August 2014 and interim arrangements were put in place to cover these leadership posts pending a wider review of the senior management.
3. A permanent appointment was made to one of these Assistant Director roles in July 2015 which has secured the leadership of operational services. The second Assistant Director post was held vacant pending the arrival of the new Director of Adult Services, who is now in post.

Chief Officer Post

4. Authorities in England are facing unprecedented challenges in adult social care due to rising demand, constrained funding and fundamental policy changes. The council needs to maintain momentum in our work to respond to the Care Act, the Better Care Fund and the wider service transformation agenda.
5. To help the council shape the detail of our response to this changing local and national policy agenda there is an urgent need for some short term additional capacity which will shape our longer term strategy. This work needs to happen prior to making any decisions about any permanent appointment.

6. It is proposed that an Acting Assistant Director of Adult Services Strategic Commissioning appointment is made on a fixed term basis until 31st March 2016.
7. During this period the person would be working with the Director of Adult Services, plus health and voluntary sector partners with a particular focus on delivering the following outcomes:
 - Develop a strategy for commissioning in Adult Social Care;
 - Support the development of the future operating model of Adult Social Care and the broader Council;
 - Develop options for the proposed integration of the commissioning structure in Health and Adult Social Care;
8. The detailed job description for this role would be agreed with the appointment committee.
9. The appointed person will need to have extensive experience of working in the Health and Adult Social Care Sector at a senior level (Director/Assistant Director), and have significant experience of leading and managing change.
10. The opportunity to take on these responsibilities could be seen as a development opportunity for existing senior staff in the council. However the required skill set is very specialist and therefore the opportunity needs to be advertised externally so that anybody with the required knowledge, skills and experience can apply.
11. The post will be advertised on City of York Council Jobs Website, which can be done without cost. The council would also promote the opportunity externally using social media channels and through links with external partners.
12. In view of the urgent need of this additional capacity it is proposed that the opportunity will be advertised on the 10th November with a closing date of 23rd November and that interviews are held as soon as possible after the application closing date.

Remuneration Package

13. The job description used for this role would be use the generic job description for Assistant Director's which has been job evaluated using the job evaluation scheme for senior roles in the Council and assigned a grade at Assistant Director level i.e. £68,197 to £75,766.

Appointments Committee

14. The Council's Constitution allows for an Appointments Committee, including at least one member of the Executive, to shortlist and interview applicants for a post and to determine who should be offered the vacant post.
15. It is recommended that the appointment sub-committee should consist of three members on a 1:1:1 proportionate basis. This would mean that there would be one Conservative, one Liberal Democrat and one Labour member on the appointment committee.

Consultation

16. Consultation has taken place with the Corporate Management Team.

Options/Analysis

17. The paper describes the required process for offering a chief officer post under a contract of employment. The only other option would be to not proceed with the recruitment to the post.
18. The only other potential alternative would be to go to the external consultant or interim market and fill the post on a contract for services basis on a temporary duration. However Council have recently decided to end to the use of interim consultants on medium/long term assignments at rates that are significantly above the Council's grading structure.

Council Plan

19. Making an appointment to this post will contribute to the continued delivery of the Council Plan and its priorities.

Implications

20. The following implications have been considered:
 - **Financial** – The salary cost will be managed from within the existing budget for the post and there will be no recruitment costs.
 - **Human Resources (HR)** – The job description for the post will be subject to the Council's established job evaluation mechanism and the grade established for the post and the agreed Council Pay Policy.

The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers. The appointment will be carried out in accordance with the Chief Officer recruitment protocols.

- **Equalities** - There are no specific 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 vacant post. 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 no 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

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

Recommendations

22. It is recommended that the Committee:
- i. Approve the filling of the post of Acting Assistant Director of Adult Services Strategic Commissioning.
 - ii. Advertise this opportunity on the CYC Jobs Website.
 - iii. Agree that an Appointments Sub-Committee is established and authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures. The sub-committee should consist of three members, *on a 1:1:1 proportionate basis*. This would mean that there would be one Conservative, one Liberal Democrat and one Labour member on the Appointment Committee.

Reason: To allow appointment to an Acting Assistant Director of Adult Services Strategic Commissioning to be made.

Contact Details

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**Report
Approved**



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2015

Specialist Implications Officer(s)

Legal: Andrew Docherty, Assistant Director, IT Democratic & Legal Services

Finance: Richard Hartle Head of Finance Adults, Children & Education

HR: Mark Bennett, Head of Human Resources & Organisation Development

Wards Affected:

All

For further information please contact the author of the report