

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.

<b>Dates</b>	<b>What</b>
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:**

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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