

**APPOINTMENTS FOLLOWING CHANGES TO THE
SENIOR MANAGEMENT STRUCTURE**

Purpose of the Report

1. The purpose of this report is to present the Officer Appointments Committee with proposed candidates recommended for appointment into the following posts on the grounds of suitable alternative employment:
 - Director of Ageing and Living Well
 - Director of Wholelife Pathway / DASS
 - Director of Procurement and Commissioning

Background

2. Last year a review was undertaken at tier 1 of the structure and resulted in a move to a single Chief Executive model, agreed by Cabinet on 9 June 2020 and implemented on 22 June. This was followed by the appointment of Corporate Directors for Place, People and Resources and the re-shaping of the Corporate Leadership Team.
3. Further changes to the senior structure were postponed due to the need to focus on the pandemic response, however further changes to the senior structure have been now been agreed to ensure that it supports the policy and strategic direction given by the Leader and Cabinet, as well as the delivery of the new business plan.
4. These proposed changes also took into consideration demands on services and lessons learnt from the way we have worked and delivered services to support our communities during the pandemic
5. Consultation on the changes to the senior management structure took place on 28 September 2021 and, following a period of feedback and review, a final structure was confirmed on 21 October 2021 (see Appendix 1 – confirmed senior management structure).
6. This new structure resulted in a number of deleted or significantly changed posts at Director, Assistant Director and Head of Service levels, as well as some new posts within the structure.

Main Considerations

7. The Appointments Policy for Chief and Senior Officers outlines the process for appointing to roles following changes to a structure and contains the criteria for ownership of a role in the new structure, and for redeployment where a suitable alternative role is identified.
8. The criteria for ownership of posts when there is a re-structure means that ownership can only apply where a role is exactly the same as the current role.
9. Because of the changes to the structure, there was a significant change in duties and responsibilities in relation to the existing posts of:

- Director of Adult Care Operations – Access and Reablement
- Director of Adult Care Operations – Learning Disabilities and Mental Health
- Director of Commissioning

which meant that the postholders currently in these positions did not own a role in the new structure and were therefore displaced.

10. Where there is no ownership of a role in a new structure, and an employee is displaced, steps to identify roles that are suitable alternative employment are taken. Suitable alternative employment applies where a post in a new structure requires similar skills and knowledge to the employees' current role. Where suitable alternative employment is identified and agreed with the employee, a process of redeployment takes place.

11. The three new posts have been confirmed as suitable alternative employment for the displaced postholders and this has been agreed with the employees concerned. As a result, a recommendation to redeploy the affected employees is outlined in the part 2 confidential reports which are available in appendices 2, 3 and 4. These posts are:

- Director of Ageing and Living Well
- Director of Wholelife Pathway / DASS
- Director of Procurement and Commissioning

12. The role descriptions for the posts identified as suitable alternative employment are attached at appendices 5, 6, and 7.

13. Note that the Director of Wholelife Pathway will have the responsibility of DASS, however this statutory designation will be proposed for approval by Council when they meet in February 2022.

Overview and Scrutiny Engagement

14. No engagement is required as the recommendations in this report are a staffing matter.

Safeguarding Considerations

15. There are no safeguarding considerations because of this recommendation.

Public Health Implications

16. There are no public health implications because of the new senior management structure.

Environmental and Climate Change Considerations

17. There are no environmental or climate change impacts because of the new senior management structure.

Equalities Impact of the Proposal

18. There is no equalities impact because of the new senior management structure. The council has in place robust policies and procedures to support change to structures all of which have been subject to an equalities impact assessment.

Risk Assessment

19. If appointment into the changed posts is not confirmed the affected employees will be at risk of redundancy.
20. In all cases suitable alternative employment has been demonstrated so there would be a risk of claims for unfair dismissal if redeployment is not confirmed. In addition there would be a loss of the skills, knowledge and experience required for the posts.

Financial Implications

21. There will be significant financial implications if, due to the changes to the posts, they are not considered to be suitable alternative employment. In these circumstances the displaced employees would be placed at risk of redundancy and if redundant a redundancy payment would be due.
22. There would also be pension strain costs associated with enabling any displaced employees over the age of 55 to access their pension.
23. In addition, any successful claim for unfair dismissal could cost the council a maximum of £89,493 per employee.

Legal Implications

24. The proposed appointments outlined in this report, and in the appendices, are in line with the Appointment Policy & Procedure for Chief and Senior Officers and the associated risks of not approving these proposals are outlined above.

Options Considered

25. The Appointments Policy & Procedure for Chief and Senior Officers outlines the process for appointing staff to posts following a change to a structure. This process has been followed and therefore there were no other options to consider.

Conclusion

26. The Appointments Policy & Procedure for Chief and Senior Officers provides a clear and agreed process for appointing staff to posts following re-structure, and this process has been followed.

Proposals

27. It is proposed that the Officer Appointments Committee approve appointments to the following posts:
 - Director of Ageing and Living Well
 - Director of Wholelife Pathway / DASS
 - Director of Procurement and Commissioning
28. These appointments will be subject to consultation with the leader and cabinet members in accordance with paragraph 5(2) of the Officer Employment Procedure Rules.
29. The statutory designation of the role of DASS will be proposed for approval by Council in February 2022.

Reason for the Proposals

30. The reasons for these proposals are outlined in paragraphs 2 – 13.

Joanne Pitt
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- Appendix 1** Confirmed senior management structure
- Appendix 2** **Part 2 report** recommending appointment to Director of Living and Ageing Well
- Appendix 3** **Part 2 report** recommending appointment to Director of Wholelife Pathway / DASS
- Appendix 4** **Part 2 report** recommending appointment to Director of Procurement and Commissioning
- Appendix 5** Role description LSL2-2083 Director of Living and Ageing Well
- Appendix 6** Role description LSL2-2084 Director of Wholelife Pathway / DASS
- Appendix 7** Role description LSL2-1241 Director of Procurement and Commissioning