

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

**Purpose of the Report**

1. To present the Officer Appointments Committee with proposed candidates recommended for appointment into the following posts on the grounds of suitable alternative employment:
  - Corporate Director Communities, Transformation & Resources, (statutory Electoral Registration Officer and Returning Officer).
  - Interim Corporate Director pending recruitment to Corporate Director Children & Education (statutory director of children's services) and Corporate Director Adult Care & Health (statutory director of adult social services).

**Background**

2. There has been an interim structure at the most senior level of the council since September 2016, following the departure of one Corporate Director. However, the substantive and agreed structure which has been in place since 2013 consists of 3 Corporate Directors and 13 Associate Directors.
3. The current structure has been successful, has delivered significant outcomes for the council, and has met all of the financial challenges. The leadership of the council has been effective and great strides have been made in developing the collaborative working that is now key to the delivery of the council's vision.
4. A new 10 year business plan for 2017 – 2027 sets out the priorities that will enable us to meet the continued reduction in funding and the increasing demands that we face for our key frontline services. There are significant challenges ahead, and a key aspect of this is the further development of our collaborative work, which includes the integration of our adult social care services with health, so that we protect those that are the most vulnerable, and to further develop the economy for Wiltshire. Key to this is ensuring that the council has a structure that is aligned with these priorities and our vision, and has the resilience to continue to meet the challenges ahead.

**Main Considerations**

5. A new structure (appendix 1) at tier 1 of the senior management structure was approved by Cabinet on 20 June 2017. Following a period of formal consultation with those affected by the changes, and with all staff at the council and members, a final structure was confirmed on 30 June 2017 after the feedback received during consultation had been considered by The Leader.

6. As a result of the structure being confirmed there is an increase in the number of Corporate Directors at tier 1 from 3 to 4, based on the substantive senior management structure.
7. However, the current interim structure means that there are two Corporate Directors affected by the change in the structure and steps to appoint these Corporate Directors to roles in the new structure are now taking place.
8. The Appointments Policy for Chief and Senior Officers describes the process for appointing to roles following changes to a structure, and outlines the criteria for ownership of a role in the new structure, and for redeployment where a suitable alternative role is identified.
9. 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. As a result of the changes to the structure, the change in duties and responsibilities in relation to the services the roles will line manage, and the emphasis on how the new 4 Corporate Director model will operate as a corporate management team, the current Corporate Directors do not own a role in the new structure and are 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 and is the same grade, or within one grade of the current role. Where suitable alternative employment is identified and agreed with the employee, a process of redeployment takes place.
11. The grade and pay of current Corporate Directors is HAY L1 (£137,210 - £151,265), and the grade and pay for the new Corporate Directors is the same.
12. Roles that are suitable alternative employment for the two displaced corporate directors in the new structure have now been identified and agreed with the employees concerned. As a result a recommendation to redeploy both Corporate Directors is outlined in the part 2 confidential reports which are available in appendices 4 & 5
13. The role descriptions for the roles identified as suitable alternative employment are in appendices 2 & 3.

### **Overview and Scrutiny Engagement**

14. Overview and scrutiny have had the opportunity to comment about the proposed changes to the tier 1 senior management structure as part of the formal consultation with the Corporate Directors and staff. No further engagement is required as the recommendations in this report are a staffing matter.

### **Safeguarding Considerations**

15. The changes to the senior management structure maintains separate statutory responsibility for adult social services and children's social care, and the expectation that all Corporate and Associate Directors have a role in promoting safeguarding within their specific areas continues.

### **Public Health Implications**

16. There are no public health implications as a result of the new tier 1 senior management structure.

### **Environmental and Climate Change Considerations**

17. There is no environmental or climate change impacts as a result of the new tier 1 senior management structure.

### **Equalities Impact of the Proposal**

18. There is no equalities impact as a result of the new tier 1 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 both 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 is no additional cost as a result the proposed appointments as the pay for the new corporate director roles is the same as the pay for the current corporate director roles.
22. 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. The cost per displaced employee is detailed in the appendices to this report.
23. In addition any successful claim for unfair dismissal could cost the council a maximum of £80,541 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 in paragraphs 17 and 18.

### **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:

- Corporate Director Communities, Transformation & Resources, and statutory Electoral Registration Officer and Returning Officer
- Interim Corporate Director (pending recruitment to Corporate Director Children & Education and statutory director of children's services and Corporate Director Adult Care & Health and statutory director of adult social services

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.

## **Reason for the Proposals**

29. The reasons for these proposals are outlined in paragraphs 5 – 13.

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Appendix 1 - New tier 1 senior management structure chart

Appendix 2 - Part 2 report recommending appointment to Corporate Director Communities, Transformation & Resources

Appendix 3 - Part 2 report recommending appointment to interim Corporate Director

Appendix 4 - Role description for Corporate Director Communities, Transformation & Resources

Appendix 5 - Role description for interim Corporate Director