

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 – Legal and Democratic Services (Monitoring Officer).
 - Director - Finance and Procurement (Section 151 officer).
 - Director – HR&OD (Head of Paid Service)
 - Director – Communities and Communications
 - Director – Corporate Services and Digital
 - Director – Highways and Transport
 - Director – Waste and Environment

Background

2. Following the elections in May 2017, a new business plan for 2017 – 2027 was approved that will continue to focus on the vision that has been driving the achievements that have made since 2009, and also shapes a portfolio of work to improve how services are delivered for the people and businesses across Wiltshire set against 4 new priorities; Growing the economy; Strong communities; Protecting those who are the most vulnerable; An innovative and effective council. The business plan also sets out the goals that underpin these priorities and describes how they will be delivered.
3. The new business plan led to a review of the senior management structure at tier 1 and a new 4 corporate director model agreed in June 2017 by Cabinet was implemented in August 2017. This new model aligns with the new priorities in the business plan and gives more resilience in the structure and greater strategic capacity at the top tier of the council.
4. In the report to Cabinet in June plans to review tier 2 of the senior management structure were also outlined, and this review has now been carried out by the new Corporate Director team. This review identified the need for changes in the way services were aligned to support the new corporate director model, and business plan priorities and to the corporate responsibilities of roles at this level.
5. Consultation on proposed changes to the tier 2 structure commenced on Monday 2 October 2017 and concluded on Tuesday 10 October 2017. The consultation provided an opportunity for all staff, including those directly affected by the proposals, to feedback on the structure and to provide alternative proposals. Having considered all of the feedback the final structure was confirmed on Wednesday 11 October. (Appendix 1).

6. The new structure confirms an overall increase of two posts and a name change from Associate Director to Director. The additional posts are:
7. Director Education and Skills in order to continue to improve overall attainment levels, in particular for vulnerable groups across Wiltshire, and provide the skills that Wiltshire businesses need to grow the economy.
8. Director - Housing and Commercial Development to implement a new housing strategy to improve integration with our other services and partners and to introduce a commercial strategy across the council.
9. There have also been other changes in the tier 2 structure where services have been grouped differently in order to have a senior leadership team which is aligned to delivering the priorities of the business plan.
10. The posts impacted by the new tier 2 structure include all of the existing Associate Director posts. In addition, due to the new structure having a standalone Director of HR&OD role, the role of Head of Service for HR&OD is also affected by the changes at tier 2.

Main Considerations

11. 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.
12. 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 some of the roles will line manage, and the emphasis on how the new senior leadership team will operate as a corporate management team, the current Associate Directors and Head of Service for HR&OD do not own a role in the new structure and are therefore displaced.
13. 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.
14. The grade and pay of current Associate Directors is HAY L2 (£95,978 - £105,809), and the grade and pay for the new Directors is the same. This grade is within one grade of the current Head of HR&OD role which is currently paid at L3.
15. Roles that are suitable alternative employment for the affected employees in the new structure have now been identified and 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 - 8.

16. The role descriptions for the roles identified as suitable alternative employment are attached at appendices 9 - 15.

Overview and Scrutiny Engagement

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

Safeguarding Considerations

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

Public Health Implications

19. There are no public health implications as a result of the new tier 2 senior management structure.

Environmental and Climate Change Considerations

20. There is no environmental or climate change impacts as a result of the new tier 2 senior management structure.

Equalities Impact of the Proposal

21. 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

22. If appointment into the changed posts is not confirmed the affected employees will be at risk of redundancy.
23. 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

24. The new tier two structure contains 15 Director posts which is an increase of 2 posts compared with the current structure. However there will be a reduction of one head of service post at the tier below.
25. The costs of the senior management team have reduced considerably since 2010 and the senior management cost ratio is still considerably lower than in comparable councils. A number of the director posts have key responsibilities for delivering savings in new and innovative ways through more effective commissioning and procurement, involving service re-design and partnership working or by addressing issues in new or more collaborative ways. By investing in strategic leadership at this level we will ensure our continued ability to support

the organisation through change, and to continue delivering the business plan within budget.

26. 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.

27. In addition any successful claim for unfair dismissal could cost the council a maximum of £80,541 per employee.

Legal Implications

28. 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

29. 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

30. 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

31. It is proposed that the Officer Appointments Committee approve appointments to the following posts:

- Director – Legal and Democratic Services (Monitoring Officer).
- Director - Finance and Procurement (Section 151 officer).
- Director – HR&OD (Head of Paid Service)
- Director – Communities and Communications
- Director – Corporate Services and Digital
- Director – Highways and Transport
- Director – Waste and Environment

32. 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

33. The reasons for these proposals are outlined in paragraphs 2 – 16.

Alison Elliot
Corporate Director

Alistair Cunningham
Corporate Director

Carlton Brand
Corporate Director

Terence Herbert
Corporate Director

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Appendix 1 - New tier 1 and 2 senior management structure chart

Appendix 2 - Part 2 report recommending appointment to Director – Legal and Democratic Services (Monitoring Officer).

Appendix 3 - Part 2 report recommending appointment to Director - Finance and Procurement (Section 151 officer).

Appendix 4 - Part 2 report recommending appointment to Director – HR&OD (Head of Paid Service)

Appendix 5 - Part 2 report recommending appointment to Director – Communities and Communications

Appendix 6 - Part 2 report recommending appointment to Director – Corporate Services and Digital

Appendix 7 - Part 2 report recommending appointment to Director – Highways and Transport

Appendix 8 - Part 2 report recommending appointment to Director – Waste and Environment

Appendix 9 - Role description for Director – Legal and Democratic Services (Monitoring Officer).

Appendix 10 - Role description for Director - Finance and Procurement (Section 151 officer).

Appendix 11 - Role description for Director – HR&OD (Head of Paid Service)

Appendix 12 - Role description for Director – Communities and Communications

Appendix 13 - Role description for Director – Corporate Services and Digital

Appendix 14 - Role description for Director – Highways and Transport

Appendix 15 - Role description for Director – Waste and Environment