

WILTSHIRE COUNCIL

CABINET

9 June 2020

Organisation Structure for Recovery

Purpose

1. The purpose of this report is to seek Cabinet's approval to take steps to make changes to the senior management structure of the council at tier 1 to support the COVID-19 recovery plan and deliver ongoing financial savings, following discussion with the current Chief Executive Officers.

Background.

2. In January 2020 changes were made to the top tier of the Council which resulted in a reduction of posts at tier 1 from three Executive Directors to two Chief Executive Officers, one for People and one for Place, supported in the structure by three statutory Directors with responsibility as Section 151 Officer, Monitoring Officer and Head of Paid Service.
3. In this structure the statutory role Electoral Registration Officer (ERO) and Returning Officer (RO) was designated to the Chief Executive for People and the role of Senior Information Risk Owner was designated to the Chief Executive Officer for Place.

Main considerations for Cabinet

4. The current structure is relatively new. The rationale for this structure was based on People and Place and intended to ensure the two Chief Executive Officers had both the capacity and resilience to focus on strategic planning, with less focus on strategic delivery and operational oversight, which had been the previous position.
5. The two Chief Executive Officers have worked well together since their appointment in January 2020. They have worked jointly to progress our ambition for a growing local economy and thriving communities and have complemented each other's skill sets in their decision making and in providing oversight of each other's actions.
6. The People and Place model of shared leadership at tier 1 has also supported our response to COVID19 which has been focused on supporting those who have been in need and vulnerable during this emergency as well as supporting businesses with the aim of minimising the impact of this pandemic on Wiltshire's economy. Our response has been good and as well as the support provided by the Council our communities have also come together to work collaboratively with us

and with our partners during this national emergency. The collaborative approach in this response and the strong leadership provided by the two Chief Executive Officers throughout this has been exemplary.

7. Despite the success of our response it has highlighted duplication of work by the Chief Executive Officers as they have sought to make joint decisions on areas of work and in their collaboration with partners, chief executives of other local authorities, government departments and the LGA. In addition, the response also means that the financial position of the Council has shifted significantly and the impact of COVID19 on our communities and our economy mean unprecedented challenges and requires us to evolve and change to meet them.
8. Planning to help Wiltshire's people, economy and businesses to rebuild is underway as we emerge from lockdown and this includes steps to address the significant impact on the Councils services and finances. Existing strategies, our priorities and the structure of the Council will need to be refocused to reflect the radically changed context brought by this pandemic.
9. The Chief Executive Officers have recognised that recovery from this pandemic will be the Councils overriding priority. It is in that context, and their recognition of the duplication in their roles highlighted by the COVID-19 response as well as the significant financial pressures, that they have suggested a change to the structure that would reduce the top tier to one Chief Executive Officer. They believe that a move to this established leadership model will provide a focal point of officer leadership at the top of the organisation to lead the recovery, working closely with our communities and businesses, as well as health services and other partner organisations including the voluntary and community sector.
10. I have considered their suggestion in the context of the challenges and the scale of the task that we now face in recovering from the impacts of COVID-19 and the financial pressures that have resulted from this. As a result, I now propose that the top tier reduces from two Chief Executive Officers to one Chief Executive. This proposal, if agreed, will result in the redeployment of one Chief Executive Officer based on the new role being suitable alternative employment, and will therefore result in one redundancy.
11. I am proposing that the Chief Executive will also be designated the statutory roles of Electoral Registration Officer (ERO) and Returning Officer (RO). The designation of these statutory roles will be temporary pending the approval of Council.
12. I am also proposing that the Chief Executive becomes the statutory Head of Paid Service. This will be a change from the current designation of this statutory role to the Director HR & OD but is in common with the designation of this role in all other Councils where there is a single Chief Executive. If the proposed change to the structure is approved, and an appointment to Chief Executive is approved by the Officer Appointments Committee with no objections from Cabinet Members, the designation of this statutory role will remain with the Director of HR&OD pending

approval of the change in designation by Council, following which the constitution will be amended accordingly.

13. In this proposal, the Chief Executive will continue to be supported by the statutory Directors (Monitoring Officer & Section 151) and by the Director HR&OD to ensure that appropriate independent advice and challenge relating to finance, legal and workforce matters is available.
14. Whilst it will be important for the Chief Executive to have awareness of, and be able to influence, the delivery of services it is equally important to ensure that the role is not overstretched and is able to focus on leading our recovery. My proposal to reduce the top tier to one post will therefore require, if approved, a subsequent review of the tier 2 structure including determining the designation of the SIRO. This review will be the responsibility of the Chief Executive following consultation with the Leader and Cabinet.
15. If this proposal is approved by Cabinet, I will commence formal consultation on the proposal with the Chief Executive Officers and will also seek feedback from all staff at the council. This process of consultation and the process once the structure is confirmed is set out in the Appointments Policy & Procedure and the Redundancy Policy & Procedure for Chief and Senior Officers.

Overview and Scrutiny Engagement

16. Overview and scrutiny members will have the opportunity to comment on the proposal while formal consultation with the Chief Executive Officers takes place and while feedback about the proposal is sought from staff and will be kept informed about the implementation.

Safeguarding Considerations

17. In the proposed changes the statutory responsibility for Adult Social Services and Children's Services remain unchanged and are designated to Director roles, but the accountability for performance of these statutory roles and line management will be provided by the Chief Executive, and there will continue to be the expectation that the Chief Executive and all Directors have a role in promoting safeguarding within their specific areas continues.

Public Health Implications

18. There are no public health implications as a result of the proposals outlined.

Environmental and Climate Change Considerations

19. There is no environmental or climate change impacts as a result of the proposals.

Equalities Impact of the Proposal

20. There is no equalities impact as a result of the proposals outlined. 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

21. In proposing the senior management re-structure, a number of risks have been considered, namely:

- i. **Financial risks**, details in paragraphs 23 - 24
- ii. **Legal risks**, covered in paragraph 25
- iii. **Delivery of the business plan**: The risk is that if the new structure is not implemented the council may not be able to deliver the business plan

The current business plan outlines the council's vision and four priorities against which a number of goals outline how these priorities will be delivered. This will rely on the Chief Executive having the capacity to work with Cabinet on strategic planning as well as leading the Council's COVID-19 recovery plan and providing line management of the Directors to deliver these plans. If the structure is agreed a review of the tier 2 structure will be needed to ensure that this capacity is in place.

- iv. **Short term impact on delivery**: The risk is that there may be some short-term disruption whilst consultation with the Chief Executive Officers takes place and a new structure, once confirmed, is implemented.

22. Based on the risks outlined above the overall risk is assessed as medium but will be kept under review.

Financial Implications

23. The current 2020/21 base budget approved by Full Council in February 2020 allows for a gross pay budget of £0.450m for two Chief Executive Officers. The proposals will see a reduction of one post and therefore a potential reduction in the cost of the top tier structure of approx. £225k.

24. The reduction in the number of roles at tier 1 will result in one redundancy, the cost of which will not be determined until the formal consultation process has been completed, a new structure confirmed and an application for voluntary redundancy received.

Legal Implications

25. Legal advice will be provided at each stage to ensure that the proposed new structure is implemented lawfully and in accordance with the requirements of the council's policies and procedures, and the constitution.

Options Considered

26. The other option considered was to make no changes to the current structure and maintain two Chief Executive Officers but as outlined in the report the financial position of the Council has shifted as a result of the COVID19 pandemic and the council's response. This has had an impact on the Council, our communities and our economy. The challenges we face as we plan for recovery are unprecedented, so it is important that we now have a focal point of leadership at the top of the organisation to lead this recovery. This will also provide a single and consistent relationship with all our communities, our partners and our businesses as the recovery will require collaboration across all.

Proposals

27. I am proposing that Cabinet:

- i. Approve the proposed changes to the structure of the council at the top tier (Chief Executive Officers), and as outlined paragraphs 4 – 15.
- ii. Recommend that Council approves the proposed changes to the designation of the statutory roles as outlined in paragraphs 11 & 12, if this proposed new structure is approved.

28. If approved, I propose that cabinet note that:

- i. Initial consultation on proposals to implement a new structure will start immediately.
- ii. Once a new structure is confirmed following consultation, that steps to seek approval of the appointment of a Chief Executive by the Officer Appointments Committee will take place, and if appropriate steps to approval the redundancy of a Chief Executive Officer by the Senior Officers Employment Sub-Committee will also take place.

Cllr Philip Whitehead
Leader of the Council
