

WILTSHIRE COUNCIL

CABINET

19 November 2019

Proposed Change to the Senior Leadership Structure

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 following discussion with the current Executive Directors.

Background.

2. In July 2018 changes were made to the top tier of the Council which resulted in the interim structure at that time becoming permanent with three Corporate Directors (now Executive Directors) forming the Corporate Leadership Team (CLT), 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 of Director of Children's Services (DCS) was designated to the Corporate Director for Children & Education and the statutory role of Director Adult Social Services (DASS) was designated to the Director Adult Social Care & Public Health. The same Corporate Director was also designated as the statutory Electoral Registration Officer (ERO) and Returning Officer (RO).
4. This remains the current structure and the three Executive Director model is now based on the following alignment:
 - i. Children & Education (DCS)
 - ii. Adult Social Care, Public Health & Digital (DASS, ERO& RO)
 - iii. Growth, Investment & Place

Main considerations for Cabinet

5. The current Corporate Leadership Team (CLT) are highly capable and are well supported by the three statutory Directors. There is a strong culture of working in a collaborative way in the wider senior leadership team and they continue to be committed to delivering the Council's vision to create strong communities. I am committed to this vision and together with my new Cabinet we continue to have ambition for a growing local economy and thriving communities.
6. Whilst we have made good progress and we know that Wiltshire has many strengths, I also recognise that we have people in our communities who need our help and support to thrive. I want us to support the most vulnerable people, helping older and disabled people to live independent lives, making sure every child gets a

good start and can thrive in life and protecting everyone from abuse and neglect.

7. We also need to empower our residents and local communities to shape their own futures and we need to play our part in driving economic growth and managing the pressures of growth, supporting the creation of jobs and homes for our future residents, while protecting the quality of life for Wiltshire residents today.
8. I want the best for our residents as they have an important role in enabling a thriving Wiltshire and we can't deliver this without continually reviewing the way the Council works, and that includes the way it is structured.
9. I have now reviewed the current senior leadership structure at tier 1, and I am proposing is to make a change which will reduce the number of Executive Directors from three to two, with responsibility for People and Place. This increased focus on People and Place is consistent with the approach in a large number of large shire and unitary councils.
10. In this proposal it will be important that the two Executive Directors have both the capacity and resilience to enable more focus on strategic planning and in this role less focus on strategic delivery and operational oversight, which is the current position. I am therefore clear that the two Executive Directors should not have statutory responsibility for Adult Social Services (DASS) or Children's Services (DCS), and that these responsibilities should be designated to appropriate Director roles at tier 2.
11. Whilst the statutory guidance for these roles outlines that they should operate at the top tier it also says the roles should report to the Chief Executive. In this proposed structure the Executive Director for People will be accountable to the Council in the same way as a Chief Executive for the performance of these statutory roles and will provide line management to both.
12. By bringing Adult Social Care, Children & Families and Education together with Public Health in this proposal this will remove the current overlap in the strategic planning and in some areas of service delivery and will enable the increasing synergies in these areas to develop. In addition, this will allow a single and consistent relationship with partners and will support the work we are doing to integrate and work more closely with health, as currently the relationships in each area are operating separately.
13. In my proposal the two Executive Directors will continue to be supported by the three statutory Directors (Monitoring Officer, Section 151 Officer & Head of Paid Service) ensuring that appropriate independent advice and challenge is available and in my proposal these roles will be matrix managed by both Executive Directors to ensure the independence of these roles is maintained.
14. The alignment of Directors to these two roles, based on the current tier 2 structure, is outlined in the structure chart in Appendix 1. My proposal to designate the statutory roles of DASS and DCS to Director roles at tier 2 will require a review of roles and responsibilities of some Director roles to ensure compliance with the

statutory guidance, and this review will also include a review of the alignment of the whole tier 2 structure to ensure equity. This review will be the responsibility of the two Executive Directors following discussion and agreement with the Head of Paid Service, and after consultation with the Leader and Cabinet.

15. The proposed change in designation of the above statutory roles will be subject to the approval of Full Council and the constitution will then be amended accordingly. The temporary designation of these statutory roles, as well as the statutory Electoral Registration Officer (ERO) and Returning Officer (RO) pending this review and Council approval, will be discussed with the Executive Directors and agreed with the Head of Paid Service in consultation with the Leader and Cabinet, as part of consultation on the proposed changes to the structure.
16. I have discussed my proposal to change the structure at tier 1 with the current Executive Directors, who agree that the current structure needs to change and that capacity is needed to enable them to focus on working with Cabinet on strategic planning and that the statutory responsibility for DCS and DASS should be designated to roles at tier 2 to enable this. They also agree that the overlap in some service delivery across adult and children social care needs to be addressed and that the synergies that exist in these areas should be further developed under a single Executive Director for People.
17. If this proposal is approved by Cabinet, I will commence formal consultation on the proposal with the Executive Directors 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

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

Safeguarding Considerations

19. In the proposed changes to the structure the statutory responsibility for Adult Social Services and Children's Services will be designated to Director roles at tier 2, but in both cases the accountability for performance of these statutory roles and line management will be provided by the Executive Director for People, and there will continue to be the expectation that both Executive Directors and all Directors have a role in promoting safeguarding within their specific areas continues.

Public Health Implications

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

Environmental and Climate Change Considerations

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

Equalities Impact of the Proposal

22. 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

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

1. **Financial risks**, details in paragraphs 25 - 29
2. **Legal risks**, covered in paragraph 30
3. **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 relies on the Executive Directors having more capacity to work with my Cabinet on strategic planning and providing line management of Directors to deliver these plans.

4. **Short term impact on delivery**: The risk is that there will be a short-term disruption to focus and activity due to uncertainty whilst consultation with the Executive Directors takes place and a new structure, once confirmed, is implemented.

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

Financial Implications

25. The current 2019/20 base budget approved by Full Council in February 2019 allows for a gross pay budget of £0.615m for three Executive Directors. The proposals will see a reduction in the number of Executive Directors from three to two and therefore a potential reduction in the cost of the top tier structure of approx. £205k.

26. There may be costs associated with the proposed tier 1 structure as a review of market pay for comparable posts will need to take place to ensure the salary for these roles is competitive in the market place. This is important for retention but also for recruitment as and when this may be required. If the market pay suggests that an uplift in salary is needed as a result, then this will be discussed and agreed with the Director, HR & OD in line with the relevant council policies during the consultation on the proposed change to the structure.

27. There may also be costs following a review of the Director roles and responsibilities at tier 2 in order to designate the statutory roles of DASS and DCS and to ensure compliance with the statutory guidance about these roles, but these costs if required will not be determined until this review has been completed.
28. If there are additional costs as a result of the proposed change in the tier 1 structure and because of the proposed change in the designation of the statutory roles of DCS and DASS then it is anticipated that these costs will be met from within the reduction in cost of the proposed top tier structure.
29. The reduction in the number of Executive Director roles will result in one redundancy, the cost of which will not be determined until the formal consultation process has been completed and an application for voluntary redundancy received.

Legal Implications

30. 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

31. The other option considered was to make no changes to the current structure and maintain three Executive Director roles but as outlined in the report I do not believe that the current structure and designation of the statutory roles of DCS and DASS at tier 1 provides enough capacity to focus on strategic planning. Bringing Adult Social Care, Children and Education and Public Health together under a single Executive Director for People will provide an opportunity to remove the current overlap in some areas of service delivery and will enable the clear synergies in these services to develop. It will also provide a single and consistent relationship with our health partners, as currently the relationships in each area are operating separately.

Proposals

32. I am proposing that Cabinet:

1. Approve the proposed changes to the structure of the council at the top tier (Executive Director), and as outlined in appendix 1 and paragraphs 9 – 14. This is on the understanding that a review of the roles and responsibilities of Directors at tier 2 will be carried out by the Executive Directors to determine the proposed interim and permanent designation of the statutory roles of DCS, DASS, ERO & RO. This will be done following discussion and agreement with the Head of Paid Service, and after consultation with the Leader and Cabinet.
2. Recommend that Full Council approves the proposed permanent

changes to the designation of the statutory roles once this review has been completed.

33. If approved I propose that cabinet note that:

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

Cllr Philip Whitehead
Leader of the Council

Appendices

Appendix 1 – Proposed tier 1 structure