

# STAFFING AND APPEALS COMMITTEE



**Date: Friday, 16 June 2017**

**Democratic and Members' Services**

Quentin Baker

LGSS Director: Law and Governance

**14:00hr**

Shire Hall

Castle Hill

Cambridge

CB3 0AP

**Room 128**

**Shire Hall, Castle Hill, Cambridge, CB3 0AP**

## AGENDA

**Open to Public and Press**

- |          |   |               |
|----------|---|---------------|
| <b>1</b> | <b>Apologies for absence and declarations of interest</b>                             |               |
|          | <i>Guidance on declaring interests is available at</i>                                |               |
|          | <a href="http://tinyurl.com/ccc-conduct-code">http://tinyurl.com/ccc-conduct-code</a> |               |
| <b>2</b> | <b>Minutes – 25th May 2017</b>  | <b>3 - 4</b>  |
| <b>3</b> | <b>Review of Senior Leadership Team</b>   | <b>5 - 14</b> |

The Staffing and Appeals Committee comprises the following members:

Councillor Nichola Harrison Councillor Samantha Hoy Vice-Chairwoman CYP Committee  
Councillor Peter Hudson Vice-Chairman of Health Committee Councillor Bill Hunt Vice-  
Chairman H & C I Committee Councillor Mac McGuire Vice-Chairman of Council Councillor  
Lucy Nethsingha Councillor Josh Schumann Chairman C & I Committee and Councillor Joan  
Whitehead

*For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact*

Clerk Name: Michelle Rowe

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**STAFFING AND APPEALS COMMITTEE - MINUTES**

**Date:** Thursday, 25th May 2017

**Time:** 1.05p.m. - 1.40p.m.

**Place:** Room 128, Shire Hall, Cambridge

**Present:** Councillors N Harrison, S Hoy, P Hudson, W Hunt, L Jones (substituting for J Whitehead), M McGuire, L Nethsingha and J Schumann

**Apologies:** Councillor J Whitehead

**1. ELECTION OF CHAIRMAN/WOMAN**

It was resolved that Councillor Schumann be elected Chairman of the Committee for the municipal year 2017-18.

**2. ELECTION OF VICE-CHAIRMAN/WOMAN**

It was resolved that Councillor Hudson be elected Vice-Chairman of the Committee for the municipal year 2017-18.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**4. MINUTES – 21ST MARCH 2017**

The minutes of the meeting held on 21 March 2017 were confirmed as a correct record and signed by the Chairman. Attention was drawn to page 2 to an anomaly where an individual appeared to be earning in excess of the ceiling. The HR Director reported that this was an error which had been corrected for the report to full Council. He confirmed that no individual was earning in excess of the ceiling. The Chairman requested, on behalf of the Committee, a copy of the table in the new format. **Action Required.**

**5. EXCLUSION OF PRESS AND PUBLIC**

It was resolved unanimously:

That the press and public be excluded from the meeting on the grounds that the agenda contained exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be disclosed (information relating to any individual).

**6. CHILDREN, FAMILIES AND ADULTS LEADERSHIP REVIEW –  
OUTCOME OF CONSULTATION**

The Committee considered an update report on the consultation process with regard to the Senior Leadership Structure for the Children, Families and Adults' service.

Chairman

**REVIEW OF SENIOR LEADERSHIP TEAM**

**To:** Staffing and Appeals Committee

**Date:** 16th June 2017

**From:** Gillian Beasley, Chief Executive

**Purpose:** The purpose of this report is to set out the outcome of the consultation process carried out, and seek agreement to recruit to the final structure.

**Recommendations:** The Committee is asked to agree the final Joint Leadership structure considering the consultation feedback and note the next steps.

| <b><i>Officer contact:</i></b> |                              | <b><i>Member contact:</i></b> |  |
|--------------------------------|------------------------------|-------------------------------|--|
| Name:                          | Martin Cox                   | Name:                         | Councillor Joshua Schumann   |
| Post:                          | HR Director, LGSS.           | Post:                         | Chairman of the Staffing and Appeals Committee                                   |
| e-mail:                        | mcox@northamptonshire.gov.uk | e-mail:                       | <a href="mailto:Joshua.Schumann@hotmail.co.uk">Joshua.Schumann@hotmail.co.uk</a> |
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## **1. Background**

- 1.1 On 21st March 2017, the Staffing and Appeals Committee considered a report setting out a proposed review of the senior leadership team in Children's, Adults and Families services (CFA).
- 1.2 Following the agreement between Peterborough City Council (PCC) and Cambridgeshire County Council (CCC) to share the role of Corporate Director of People & Communities on an interim basis, it is now proposed to make this a permanent arrangement and to create a shared management structure across both Councils, to enhance service provision and efficiencies at a senior level.
- 1.3 The structure set out in the report seeks to achieve the following:
- To help facilitate wider public service reform in social care, education and community and safety and help evidence strong officer leadership.
  - Combine the expertise of both councils to bring wider solutions to the same demand and resource challenges.
  - Provide one joint voice for key partners, and removing significant duplication currently existing with dual ownership, practical work and attendance at meetings.
  - Joining up commissioning of services to increase purchasing leverage, achieve best value for financial resources available, and development of a more commercial approach.
  - Creating career development opportunities for officers working across both councils, learning from each other's best practice and innovation directly and offering wider experiences. This will in turn support risk of retention and recruitment in a very limited employment market.
  - Provide more time, expertise and energy to focus on the transformation required within the service to meet the challenge of increased demand and scarcity of resources.
  - Better use of existing expertise, providing access to a wider resource and increased resilience to cover turnover of key posts.
  - Financial efficiencies through sharing of leadership costs and resources
  - A "one stop shop" with softer boundaries that will greatly benefit border areas and prevent people from 'being bounced from pillar to post'.
  - Both Councils would of course retain sovereignty under these arrangements.
- 1.4 The consultation document outlined the rationale and benefits of sharing management posts not only for the Councils concerned and their partners but more importantly, to the communities each Council serves.
- 1.5 At the Committee it was unanimously resolved to support the proposal, and to this effect to:
- confirm that the consultation on the proposed structure could commence with the affected employees;
  - make permanent the current interim arrangement of Shared Executive Director, subject to the recommended structure being successfully consulted on and implemented;

- confirm the appointments process set out for recruiting to the new Service Director posts.

## **2.0 Leadership Proposals**

- 2.1 Full details of the proposal are set out in the attached consultation document *Shared Management Proposals for Cambridgeshire County Council and Peterborough City Council*.
- 2.2 These proposals were shared for information and comment with the Children's Services Committee, the Adult Services Committee and Group Leaders, all of whom have given their support to the proposals.
- 2.3 Following discussion with the Children Committee it was agreed to amend the original proposal to include a longer handover from the current interim Service Director Children to the new shared Service Director Children in recognition of the large change programmes in this area.

## **3.0 Consultation Summary**

- 3.1 The first stage of this process was to consult with staff. The consultation commenced on 3rd April and the consultation period closed on 12th May.
- 3.2 Consultation on the proposed structure and the proposed appointments process has taken place with potentially affected staff and Trades Unions in accordance with the Council's policy and procedures.
- 3.3 All nine Service Directors across Cambridgeshire and Peterborough affected by the proposals to create shared service director roles for education, children and safeguarding, adult services, communities and commissioning across PCC and CCC have been consulted with. They also discussed the proposals with their direct reports and a communication setting out the proposals was sent out to all CFA officers by the Interim Executive Director. Partners were also consulted with. All those consulted with agreed that the principles in 1.4 would be achieved by the proposal for a joint senior management structure.
- 3.4 Service Directors felt excited by the proposals and believe that developing shared approaches across local authorities is the only way to maintain service delivery as resources reduce, and that there are a number of ways in which PCC and CCC can innovate by developing further devolution powers and/or new models of delivery for people facing service. Partners supported this view; particularly health and the police, they stated that the sharing of the Directors role since October had enabled decisions to be made quicker, increased joint planning and delivery and for them resulted in a decrease in the amount of meetings they needed to attend.
- 3.5 Service Directors have said that if the proposals are agreed they would want to review the structure of the services they would be responsible for in 6 – 12 months as they think there may be further opportunities to align operations within each authority. Partners were also keen to look at further opportunities for joint working.

- 3.6 Service Directors have made some proposed changes to job descriptions that we have accepted and are reflected in the Job Descriptions attached. Most changes are minimal. In the adult area this includes reducing the number of direct reports managed by the Assistant Director and increasing those managed by the Service Director, this reflects Cambridgeshire's role in delivering the Learning Disability Partnership for the Council and Health, which is different in Peterborough. In effect the proposal to change the structure and job descriptions in Adults provides an appropriate number of direct reports to senior managers. Both current Service Directors in Adults and their Heads of Service have proposed this change.
- 3.7 Service Directors propose that the current 'deputy' responsibilities to the Executive / Corporate Director remain once the new structure is in place.
- 3.8 It has been suggested that the Adult Service Director role should assume the statutory Director of Adult Services role, which is common in many other Councils. Current practice in both authorities is that the existing Adult Service Directors do attend all the Association of Directors of Adult Services (ADAS) events not the Director.
- 3.9 All Service Directors commented on the opportunities for greater efficiencies and the benefit of being structured in a similar way to key partners e.g. health and the police. They are mindful of the need to ensure local needs are responded to appropriately and do see this arrangement being underpinned by a needs led approach to service delivery and in line with the political direction given to them from both councils.
- 3.10 Feedback from Trade Union Consultation

Concern was raised that the consultation document should have been circulated more widely to allow other staff, not directly impacted, across the organisation to comment. Particularly because the proposal presents in their view a radical change in the management structures of Children's and Adults services.

A full consultation process has been carried out with the affected staff and the proposals have been shared with their management teams, i.e. the Heads of Service. In addition a communication on the proposed changes was sent to all CFA staff by the Interim Executive Director of Children, Families and Adults. Meetings have been held with trade union representatives and the Council's position has been fully explained, along with the fact that the approach to wider engagement across the organisation is currently under review.

Unison questions whether it provides a more 'top heavy' management structure but the need for additional strategic direction for such large and complex services has been explained to them in detail, along with how this will be financed.

They also commented on the proposal to defer the appointment of the Service Director for Children's Services until later this year on the basis of the cost to the authority. However, the rationale for this has also been set out and was largely in response to concerns raised by Members throughout this process

about the importance of stability and effective handover in a complex and high risk service.

The Committee agreed to make permanent the arrangement to share an Executive Director and in addition to share Service Director level posts across CCC and PCC. UNISON has asked for clarification on how it is proposed to ensure that a fair allocation of senior management time is dedicated to the communities of Cambridgeshire and the staff and members of Cambridgeshire County Council. Assurance has been given throughout this process that the shared service director roles are manageable and that experience to date from those who have been operating in these shared senior roles is that balance and equity is achievable. In addition, as set out below there has been an independent assurance exercise conducted by Dr Russell Wate, Chair of the Council's Safeguarding Board and this is attached to the consultation paper.

#### **4.0 Risk and Assurance**

- 4.1 The risks associated with this proposal have been considered throughout the process. As part of this a Test of Assurance was carried out in December 2016 by Dr Russell Wate and is attached to the consultation paper. This Test sets out the risks and the mitigation recommended, and gives full assurance that the proposal has the necessary strengths and supports in place.
- 4.2 Risk analysis has been carried out and a risk register has been completed. The main risks to highlight are set out below:

|   | <b>Risk</b>  | <b>Response and Mitigation</b>  |
|---|--|---|
| A | The breadth and scale of responsibility for the new Service Director posts is too great to be sustainable. | <p>Detailed Job Descriptions have been prepared and a robust recruitment process will be undertaken to make sure that those who are selected are clear about the scale of the role, and can demonstrate the skills and resilience required to manage the competing demands.</p> <p>There are already three senior officers operating across the two authorities; the Chief Executive, the Director of Public Health and the Interim Executive Director for CFA. All are successful arrangements and their experience can be utilised to appropriately support and induct the new Service Directors in the early days and also ongoing support through normal management process will be given.</p> <p>Should the arrangement not work in the long term consideration would have to be given to making amendments to the structure, in discussion with Committees.</p> |

|   |   |   |
|---|---|---|
| B | Conflict arising from the management of two different types of governance arrangements.           | <p>Support and induction will be provided to the successful candidates to ensure that they fully understand the governance arrangements of both organisations at the outset.</p> <p>The experience of the three officers referred to above has demonstrated that this is achievable and manageable.</p>   |
| C | Predicted financial savings are not realised.   | <p>Detailed work has been done with the Finance Team to make sure that the financial predictions are accurate and achievable.</p> <p>Significant parts of the savings target have already been met by linked consultations across Children's Services and the Commissioning functions and associated savings have already been realised.</p>  |
| D | The new structure does not deliver the level of integration anticipated.                          | <p>The Executive Director, in conjunction with the Chief Executive will be monitoring the impact of the changes, and the benefits realised. It has been acknowledged that opportunities for greater integration will be identified and realised over time as the new roles embed. If further changes are required these can be implemented to facilitate greater integration and benefits.</p> <p>The consultation process has not highlighted any risks and from a management point of view it is the firm belief that this new structure will provide a more robust and effective management structure which reduces duplication and leads to future savings but critically increases leadership and strategic management capacity.</p> |
| E | The proposals are not sufficiently robust to provide adequate safeguards to users of the service. | <p>Careful consideration has been given to this and an independent review has been carried out by Dr Russell Wate as referred to in 4.1 above which has provided assurance regarding this risk.</p> <p>In addition no concerns have emerged through the consultation process on this point. All officers concerned are confident that the proposed structure will provide robust strategic leadership and operational management across both authorities.</p>   |

|   |   |  |
|---|---|--|
| F | Loss of current and highly experienced staff.                                 | <p>All existing Directors have expressed their support for the proposals and the view that the new structure will offer enhanced development and career opportunities for them, with an improved career pathway and succession planning route.</p> <p>If the new arrangements do not go forward there is a risk that some may seek other opportunities for growth and promotion outside of CCC and PCC.</p> <p>PCC and CCC have a group of talented and experienced Directors whose knowledge and skills could be lost to the Councils. Furthermore, these are particularly difficult roles to fill. This is a challenging job market and recent experience has demonstrated how hard it is to attract the right people at this level.</p> |
| G | Committee do not reach agreement over one or more candidates for appointment. | <p>Consideration was given to this during the Committee discussions on process and it was agreed that should this happen the Committee will jointly agree next steps to be adopted.</p>  |

## 5.0 Response to the Consultation

- 5.1 Eleven written responses were received as well as verbal feedback from Service Directors, their direct reports, staff and partner agencies, and as a result the Chief Executive sets out her recommendations in paragraph 5.2 below.
- 5.2 As there was considerable support for the new senior management restructure internally and externally, this proposal should remain unchanged from the original set of proposals apart from the following;
- Minor changes to the majority of the job descriptions and the structure in Adult Services be modified in response to the feedback received.
  - A separate piece of work be undertaken to consider the Service Director, Adults holding the Statutory Director of Adult Services responsibilities, to be agreed and confirmed by the Executive Director once appointments to the new posts have been made.
  - The current arrangements to have a deputy role to cover for the Executive/Corporate Director in her absence be retained in the new structure for both Councils, again to be agreed and confirmed by the Executive Director once appointments to the new posts have been made.

## **6.0 Appointments Process**

- 6.1 The appointments process that was agreed at the last Committee is set out below.
- 6.2 All existing Directors within CFA expressing an interest in a Service Director role, will be interviewed. Interviews will take place on the same day and will be before members of both the Staffing and Appeals Committee of Cambridgeshire County Council ('SAC') and of the Employment Committee of Peterborough City Council ('EC').
- 6.3 The normal requirements relating to quorum and political balance will apply to the SAC and the EC respectively.
- 6.4 Both the SAC and the EC will have an opportunity to ask questions and participate fully in the interview process.
- 6.5 At the conclusion of the internal interviews for all of the Service Director roles, the SAC and the EC will jointly consider, in turn, the suitability of each candidate for the roles. The normal voting rules will apply to the SAC and the EC respectively.
- 6.6 A tentative date for interviews for Service Directors has been arranged for 23rd June. A Partner Panel will be held on 20th June for these posts and the feedback from those panels will be shared with Members during the formal interview process.
- 6.7 Once the EC and SAC have both reached a decision as to suitability, the Chair of each Committee will confirm the decision of their respective Committees.
- 6.8 Where the EC and SAC are in agreement, the Committee of the employing Council will move to agree an appointment by majority vote. The committee of the other Council will move to endorse the agreement to enter into a shared arrangement in respect of that candidate.
- 6.9 If the EC and SAC reach conflicting decisions as to suitability, there will follow a period of collective deliberation amongst members of both the EC and SAC seeking advice and/or guidance from the shared Chief Executive and Interim Executive Director, CFA as necessary.
- 6.10 If at the conclusion of the collective deliberations the EC and SAC are in agreement the same process of approval will be followed as set out above. If the EC and SAC are unable to reach agreement, an appointment will not be approved or endorsed and consideration will be given as to next steps.
- 6.11 Should any posts not be filled, they will be advertised externally and the same process as set out above will be followed in determining the appointment. The Executive Director will propose which Council should be the employing organisation ensuring, where possible, a balance between both Councils.
- 6.12 Appointments to Assistant Director roles within CCC will then subsequently be made by the Executive Director.

## 7.0 Decision

7.1 The Committee is requested to:

- Confirm that the proposed structure can now be implemented, with the changes proposed through consultation, and the interviews can go ahead.
- Make permanent the current interim arrangement of Shared Executive Director for both Councils.
- Make minor changes to the majority of the job descriptions and the structure in Adult Services be modified in response to the feedback received.
- Undertake a separate piece of work to consider the Service Director, Adults holding the Statutory Director of Adult Services responsibilities.
- The current arrangements to have a deputy role to cover for the Executive/Corporate Director in her absence be retained in the new structure for both Councils.

| Source Documents                                     | Location  |
|--|---|
| Agenda and Minutes of Staffing and Appeals Committee | <a href="https://cmis.cambridgeshire.gov.uk/ccclive/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/19/Default.aspx">https://cmis.cambridgeshire.gov.uk/ccclive/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/19/Default.aspx</a> |

