

Not for Publication

Exempt information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority

The information contained in this report is strictly confidential and in accordance with the appropriate Codes of Conduct, must not be disclosed to unauthorised persons

Report to Cabinet

2 September, 2015

Subject:	Senior Management Review – Adult Social Care, Public Health and Homes and Communities (Key Decision Ref. No. FR006)
Presenting Cabinet Member:	Finance and Resources

1. Summary Statement

- 1.1 The Chief Executive continues to monitor senior management arrangements across the council to ensure their efficiency, effectiveness and ability to respond to future challenges.
- 1.2 The most recent reviews, involving Children’s Services and the Corporate Centre, have resulted in significant changes and a further reduction in Senior Management costs. This report considers the areas not covered in the recent reviews and identifies how best Senior Management resource should be positioned, taking account of future demands.

Place

- 1.3 In considering the functions collectively referred to as Place, there is scope for further efficiency and improvements in service delivery in housing, particularly the function of the current Homes and Communities directorate. This directorate was originally intended to act as the strategic focus for housing development and renewal as well as providing the operational management for issues relating to the enforcement of standards in the private housing sector. However, as the council reduces in size under the pressure of Government spending reductions, the need for a separate Homes and Communities directorate also reduces. This reflects the council's general strategy of having fewer, larger management units, with greater spans of control for senior managers and greater scope for directly joining services together to create genuine efficiency savings; rather than having a larger number of smaller management units, particularly at the directorate level.
- 1.4 In practice the interfaces between the Homes and Communities directorate and the land use planning functions in the Regeneration and Economy directorate, together with the management of the council's own housing stock in the Neighbourhood Services directorate, have served as barriers to effective joined-up working.
- 1.5 In recent reports to Cabinet, the Council has also begun a process of reconsidering and refocusing its approach to strategic housing functions in relation to both public and private sector housing.
- 1.6 Coming from a different perspective, the incorporation into the council of the former Primary Care Trust Public Health functions in April 2013, also creates the opportunity to consolidate a range of environmental health and trading standards related services, which are currently part of the Homes and Communities Directorate, into the new Public Health directorate to create a single, integrated public health and enforcement-related service area.
- 1.7 It is therefore proposed that the Homes and Communities directorate be dissolved with effect from 31 December 2015 – and that the services that currently form this directorate be redistributed between the Regeneration and Economy directorate in so far as they relate to housing development; Neighbourhood Services directorate in relation to investment in council housing stock; and Public Health directorate for environmental health, trading standards and related services.

- 1.8 If approved, and following employee and Trade Union consultation, the proposed restructure will render the current post of Director – Homes and Communities redundant, subject to no suitable alternative role for the current post holder being identified. The current post holder will be placed at risk of redundancy with immediate effect.
- 1.9 To ensure continued senior capacity exists to work across directorates on housing strategy development at the appropriate level, it is further recommended that a new post of Service Manager – Housing Strategy is established, placed within the Regeneration and Economy Directorate.
- 1.10 Council at its meeting on 2 September, 2014, endorsed the secondment of the Director – Street Scene to the Facing the Future budget programme and to facilitate this secondment, Council agreed the redistribution of the majority of the operational areas within the Street Scene Directorate between the Assistant Chief Executive, Director – Neighbourhoods and the Director – Regeneration and Economy. This arrangement has worked well and the Director – Street Scene is therefore seeking voluntary redundancy when the current secondment arrangements end in April 2016, avoiding the need for a compulsory redundancy process. Making the redistribution of the Street Scene functions permanent will allow for the post to be deleted from the establishment.
- 1.11 To further facilitate the deletion of this Director post, the post of Director of Commercial and Business Transformation, established as part of the Senior Management review in 2014, has been designed to ensure the post-holder will have the appropriate skills to take ownership of the Facing the Future budget programme. This succession planning took place in recognition of the need to maintain continuity in this important area of council work.

Adult Social Care and Public Health

- 1.12 As part of this review, the Chief Executive has considered the future form services relating to Adults and Health will need to take in order to respond to the evolving debate about health and social care integration, and the growing demand from an aging population that will fall to these services.
- 1.13 Over the next five years there will be a number of fundamental reforms to the way in which Adult Social Care and Health are funded and delivered across the country. In order to meet these challenges the statutory role of Director of Adult Social Services (DASS) will be required to take on new duties and responsibilities, particularly in relation to the integration of health and social care funding.

- 1.14 These changes are being driven by new national policy initiatives which seek to ensure the future integration of health and social care budgets, commissioning and services. With the creation of “The Better Care Fund” in 2014 Government has established the framework by which it sees this integration taking shape and budgets treated as a whole across economies.
- 1.15 Since 1970 it has been a requirement that all local authorities appoint a Director of Adult Social Services, referred to as the DASS. Local authorities are obliged to take steps to ensure that the DASS delivers the local authority’s responsibilities for assessing, planning and commissioning adult social care services to meet the needs of all adults with social care needs in the authority’s area, including the specific needs of carers, people from ethnic minority backgrounds.
- 1.16 From 2008 it has been a requirement that the DASS is directly accountable to the Chief Executive of the local authority and comparable, in terms of seniority, with the Director of Children’s Services. The statutory guidance is also clear that local authorities can expand the remit of the post held by the DASS to include other aspects of local authority business if they so choose.
- 1.17 The Social Care landscape is changing and the statutory role of Director of Adult Social Services is evolving rapidly to lead on these challenges. More and more time is being invested on not only the health agenda but also the new wellbeing agenda.
The Director needs to be at the centre of this agenda, shaping the future to ensure citizens of Sandwell are getting the best possible strong message that Social Care is tied firmly into the Wellbeing agenda across neighbourhoods, public health and indeed children’s.
- 1.18 It is recognised that additional management capacity is required in order to respond appropriately to the changes and that Adults Services and Public Health services will often be jointly responsible for outcomes. It is therefore recommended that these areas are brought together in a form that mirrors the council’s Senior Management structure for Children’s Services.
- 1.19 It is envisaged that under the proposed new line management arrangements, Public Health services will be well placed to identify and provide early help and preventative measures aimed at reducing the demand on Adult Social Care services. Public Health services will continue to work and further develop their strong links across the whole council.

- 1.20 It is proposed that the new structure will be led by a Director of Adult Social Care, Health and Wellbeing. In order to achieve this, the existing post of Director - Adult Social Care will be re-graded and re-designated to create the new post. This post will be in line with the current Director of Children's Services role, in terms of salary, statutory responsibility and structure. Reporting to this post will be the existing Director - Public Health and a proposed new director level post as detailed in 1.23 below.
- 1.21 The existing Director - Adult Social Care already holds the statutory post of DASS and reports directly to the Chef Executive. Whilst it is not required under current legislation, in line with best practice, it has always been a requirement of the employment of the Council that the post of DASS should be held by a qualified and Health and Care Professions Council (HCPC) registered Social Worker. This demonstrates the council's strong commitment to putting professional practice at the centre of its social care offer.
- 1.22 With the post of Director - Adult Social Care, Health and Wellbeing engaging at a strategic planning level with health partners it makes sense that the post holder takes line management responsibility for the Council's Public Health Services. The Director – Public Health will, however, continue to report to the Chief Executive where this is required under legislation.

Chief Operations Officer – Adult Social Care

- 1.23 A Peer Review of Adult Social Care carried out between 20 and 24 October 2014 recognised the new challenges faced by the DASS role. The new relationships and emerging strategies clearly established the need to create additional capacity at a Director level.
- 1.24 As part of this restructure it is therefore recommended that a new post of Chief Operations Officer – Adult Social Care be created to manage the day to day operation of Adult Social Care. This post will be established at director level to reflect the level of responsibility within the authority.
- 1.25 In view of the rapidly changing health and social care agendas, and the uncertainty around Better Care funding arrangements, it is proposed that this post is offered as temporary for two years in the first instance. After this time, the Chief Executive will undertake a review, in consultation with the Leader of the Council, to determine both the affordability and appropriateness of continuing the post on a permanent basis.

1.26 The changes to structures detailed in this report will be met from within existing budget provisions.

1.27 It is not considered that the proposals in this report have any equalities implications that impact on one group more than any other.

Further details are attached for your information.

2. Recommendations

That the Council be recommended to approve:-

- 2.1 the re-alignment of the current services within the Homes and Communities directorate, as set out in Appendix 3.
- 2.2 the permanent re-alignment of the current services within the Street Scene directorate to the Assistant Chief Executive, Regeneration and Economy and Neighbourhood Services directorates, in line with the current temporary arrangements and authorise the Chief Executive to determine the realignment of those services which currently remain with the Director – Street Scene, at a time that best meets the Council’s needs.
- 2.3 the transfer of relevant budgets, financial, staffing and other associated resources and physical assets, across the realigned services, as referred to in 2.1 and 2.2 above.
- 2.4 the following changes to the establishment of the senior management structure, as set out in Appendix 2:
 - (a) the deletion of the current posts of Director – Homes and Communities and the Director – Street Scene with effect from a date to be determined by the Chief Executive, in consultation with the Leader and the Deputy Leader of the Council;
 - (b) the re-grading and re-designation of the post of Director - Adult Social Care to Director - Adult Social Care, Health and Wellbeing at a salary in line with the remuneration of the post of Director - Children’s Services and otherwise on the terms and conditions of employment of chief officers of the Council;

- (c) the designation of the post of Director - Adult Social Care, Health and Wellbeing as the statutory Director of Adult Social Services (DASS);
 - (d) the establishment of a new post of Chief Operations Officer - Adult Social Care, temporary for two years in the first instance, at a salary in accordance with the salary scale for chief officers and otherwise on the terms and conditions of employment of chief officers of the Council, with effect from a date to be determined by the Chief Executive in consultation with the Leader and the Deputy Leader of the Council;
 - (e) the establishment of a post of Service Manager – Housing Strategy at a salary in accordance with the salary scale for Service Managers and otherwise on the terms and conditions of employment for officers of the Council, with effect from a date to be determined by the Chief Executive.
- 2.5 the application for voluntary redundancy of the current holder of the post of Director – Street Scene, from a date to be determined by the Chief Executive in consultation with the Leader and the Deputy Leader of the Council, broadly in line with the dates proposed within this report and place the current holder of the post of Director - Homes and Communities at risk of redundancy with immediate effect.
- 2.6 Subject to the Chief Officer Terms and Conditions Committee being satisfied as to the suitability of the person for the role, the current holder of the post of Director – Adult Social Care be offered the post of Adult Social Care, Health and Wellbeing.
- 2.7 Authorise the Service Manager – Governance to reassign the functions currently delegated to the affected posts under the Council’s Scheme of Delegation, to the relevant chief officer posts in the new structure, on deletion of the posts referred to in 2.4(a) above; and,
- 2.8 Authorise the Chief Executive, in consultation with the Leader and the Deputy Leader of the Council, to take all other action necessary to give effect to the senior management review set out in this report.

Jan Britton
Chief Executive

Contact Officers:

David Haywood
Service Manager – Governance
0121 569 3186
david_haywood@sandwell.gov.uk

Cathi Dodd
Service Manager – Human Resources
0121 569 3289
cathi_dodd@sandwell.gov.uk