
Meeting	General Functions Committee
Date	14 October 2013
Subject	Senior Officer Reporting Arrangements and Job Titles
Report of Summary	<p>Chief Executive and Head of Paid Service</p> <p>To agree a change to the reporting arrangements of senior officers to give full effect to the Council's policy position on commissioning, and to agree a change to the job titles of two senior Director posts, referencing areas of responsibility and span of control.</p>

Officer Contributors	Chief Executive and Head of Paid Service Steve James, Human Resources Consultant
Status (public or exempt)	Public
Wards Affected	Not applicable
Key Decision	Not applicable
Reason for urgency / exemption from call-in	Not applicable
Function of	Council
Enclosures	<p>Appendix 1: Current reporting arrangements</p> <p>Appendix 2: Revised reporting arrangements</p> <p>Appendix 3: Delivery Board reporting arrangements</p> <p>Appendix 4: DCS role compliance assessment</p> <p>Appendix 5: Officer Scheme of Delegation (2013)</p> <p>Appendix 6: Article 4 Chief Officers</p>
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1. RECOMMENDATIONS

- 1.1 To agree a change to the job titles of Director of People and Director of Place to Strategic Director for Communities and Strategic Director for Growth and Environment respectively.**
- 1.2 To agree in principle to a change in reporting arrangements for senior officers, such that the Chief Executive has direct line management responsibility for delivery Directors, subject to consultation with those directly involved.**
- 1.3 The Committee notes the areas of responsibility and spans of control of each chief officer for the purposes of delegations. The Committee recommend to Full Council, with reference to Cabinet, that changes in the Reporting lines, Article 11 and the Officer Scheme of Delegation contained within the Constitution be accepted.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 General Functions Committee Decision 23 April 2012 – item 6 (Reorganisation of the Senior Officers and Council Structures) – the Committee authorised the Head of Paid Service to implement the new organisational structure as set out in the report, including reference to the relevant Director roles and job titles.
- 2.2 Remuneration Committee Decision 28 September 2012 – (Appointment of Director of People) – the Committee agreed to make appointments to the posts established by the General Functions Committee as part of the senior management restructure including the relevant Director post and job title.
- 2.3 Remuneration Committee Decision 5 October 2012 – (Appointment of Director of Place) – the Committee agreed to make an appointment to the post established by the General Functions Committee as part of the senior management restructure including the relevant Director post and job title.
- 2.4 Council Resolution 22 January 2013 – (Chief Officer Appointments) – Council noted the appointments to Directors of People, Place, Assurance and Adults & Communities. Council welcomed these appointments but instructed the Head of Governance to bring further recommendations to replace the daft and meaningless job titles with ones that are in plain English and understandable by the residents of the Borough.
- 2.5 General Functions Committee decision 22 July 2013 - That the Chief Executive be instructed to bring back a report to the next meeting of the Committee setting out the new proposed Chief Officer job titles.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 During 2012, the Council embarked on a programme to transform the way the organisation was structured and move away from traditional directorates/ departments to an organisation that has residents and customers at the centre of the Council's business. The new organisation structure was formed around this principle, with a distinct separation of responsibility between the strategies and commissioning that drives what and how services are delivered, from the

operational delivery of those services, whether by internal or external delivery units.

- 3.2 In addition the structure is designed to ensure the right leadership capacity to achieve the Council's corporate plan and respond to fundamental change in context for the delivery of public services, including building the capability to better manage the Council's relationships with both public and private sector partners in the delivery of services.
- 3.3 The original proposals considered by General Functions Committee in April 2012, identified that Councils are not entirely free to develop structural arrangements of their own choosing and are required to identify certain posts within their structure. This includes the requirement for there to be designated Chief Officers who have the roles of Director of Children's Services (DCS) and Director of Adult Social Services (DASS).
- 3.4 The recommendations herein are wholly in line with these principles and ensure greater leadership capacity and capability to commission and deliver the services that customers and residents need and are compliant with statutory requirements with regard to designated posts.

4. RISK MANAGEMENT ISSUES

- 4.1 The Government has published statutory guidance regarding the role of the DCS and the DASS to which Local Authorities must have regard. The legal basis for this statutory guidance is set out under the Legal Implications section of this report. Local Authorities should, as a matter of course, assure themselves that their arrangements enable them to discharge their education, children's social care, and adults social care functions effectively.
- 4.3 Failure by the Local Authority to discharge its statutory responsibilities in respect of children's services could result in the Local Authority being placed into formal intervention by the Department for Education and adverse inspection judgments from HMI Education (Ofsted).
- 4.4 The delivery of effective children's services is a core responsibility of Local Authorities, ensuring that risks are appropriately managed and that the safeguarding of all children is ensured. The proposals for changes to the senior management reporting arrangements are designed to strengthen arrangements in this respect by ensuring:
 - a retained role of DCS (as part of the role profile of Strategic Director, Communities) at the highest level in the organisation and reporting directly to the Chief Executive;
 - strategic focus for the DCS on ensuring the desired outcomes for Barnet's children and young people in respect of safeguarding, and linkage to wider agendas including growth, skills and prosperity;
 - that operational oversight for children's services is retained for the DCS and exercised in conjunction with the Chief Executive to ensure that the whole organisation is focused on safeguarding issues.
- 4.5 All authority in respect of statutory officer responsibility is maintained through the Scheme of Delegated Authority to Officers (2013) as included within the Constitution (Appendix 5). Regardless of reporting lines the scheme of

delegation enables the statutory officer the ability to control resources in order to discharge their functions effectively and to achieve operating effectiveness if required.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 There are no equality and diversity issues arising from this decision as the allocation of Chief Officer posts, job titles and related arrangements are in consideration of the post and not the individual. All post holders have been through a rigorous selection process and appointed in accordance with Council procedures.

6. USE OF RESOURCES IMPLICATIONS

- 6.1 All changes herein will be met within existing financial and workforce budgets and so there are no resource implications of this decision other than those related to the reporting arrangements of staff highlighted in the report.

7. LEGAL ISSUES

- 7.1 In accordance with section 101 Local Government Act 1972 the council has the freedom to determine its internal arrangements for the discharge of its functions.
- 7.2 The organisational structure must allow for the Director for Children's Services (DCS), the designated Lead Member for Children's Services (LMCS) and the Director of Adult Social Services to discharge their statutory functions under section 18(2) Children Act 2004 and section 6(A1) of the Local Authority Social Services Act 1970 respectively.
- 7.3 The statutory post holders i.e. section 151 Officer, Monitoring Officer, DCS and DASS must have an individual reporting line to the Chief Executive in relation to the matters for which they have statutory responsibility.

8. CONSTITUTIONAL POWERS

- 8.1 Constitution - Responsibility for Functions - General Functions Committee – considers staff matters and conditions of service issues.
- 8.2 Constitution - Scheme of Delegated Authority to Officers (2013) – The Chief Executive (Head of Paid Service) has “authority over all officers so far as it is necessary for the efficient management and execution of the Council's affairs, functions or services – except where officers are exercising specific responsibilities under statute”.

8.3 Constitution – Article 11 – Statutory posts holders are defined as the following:

Post	Statutory Designation
Chief Executive	Head of Paid Service
Assurance Director	Monitoring Officer
Chief Operating Officer	Chief Finance Officer Section 151 Officer
Director for People and Director of Children's Services	Director of Children's Services
Adults and Communities Director	Director for Adult Social Services
Deputy Chief Operating Officer	Deputy Section 151 Officer
Public Health Lead Commissioner	Director of Public Health

Article 4 will require amendment as a result of the decisions contained within this report and the proposed changes are included in Appendix 6.

9. BACKGROUND INFORMATION

- 9.1 The recommendations and decisions made by General Functions Committee in 2012/13 as part of the senior management restructure made it clear that one of the defining principles was the separation between the commissioning of services and the delivery of them (whether by internal delivery units or external delivery units). The benefits of this include enhanced strategic capacity, better partnership working, enhanced accountability for delivery, reduced cost and greater responsiveness to a changing policy environment.
- 9.2 In order to progress the evolution of this new structure and ensure a safe transition to a fully populated model it was necessary to adopt an interim organisation structure that held operational and delivery responsibilities within the remit of senior Directors whose main purpose was to be accountable for strategy, commissioning and achievement of outcomes. Current organisation design is shown in appendix 1. Whilst this has been effective in transitioning to the new model it has inevitably moved away from the principles by merging internal delivery units, commissioning and operational management at the most senior level. The Council's strategic direction, as embodied in the work underway in the Priorities and Spending Review, requires top leadership focus on the public service challenge across the borough and the commissioning decisions that flow from that. It is therefore now appropriate to implement the commissioning structure as originally envisaged.

- 9.3 The current arrangements provide for partnerships, commissioning and resource allocation to be led by the current Directors of People and Place. The Council decisions which arise from this process are embodied in agreements with delivery units. These delivery units may be external to the Council, in which case they are governed by contracts, or internal in which case they are governed by management agreements. Day-to-day contract and performance management and service integration is conducted through a delivery board under the auspices of the Chief Operating Officer (Appendix 3). The proposed new arrangements embed this more clearly in the organisation by giving primacy to these arrangements for internal delivery units, and defaulting line management to the Chief Executive. The proposed revised reporting arrangements are set out in Appendix 2.
- 9.4 In order to retain and strengthen the current statutory post of the Director of Children's Service (DCS) arrangements, the line management for the Lead Commissioner (schools, skills and learning) will need to transfer to the current Director of People. This will not diminish the role of the current Director for Place in leading the enhanced jobs, skills and growth agenda for the West London Alliance. To ensure continued sufficient operational oversight for the DCS, detailed safeguarding performance management information will be routinely presented to the assurance meeting of the Strategic Commissioning Board, performance management for the two relevant internal delivery Directors (Family Services Director and Education and Skills Director) will be conducted jointly by the Chief Executive and the DCS, and the DCS will have an absolute right to receive any information or issue operational instructions as necessary in pursuance of her DCS role.
- 9.5 The statutory guidance in respect of the DASS provide for direct line management by the Chief Executive and, as such, would represent a satisfactory arrangement in respect of the statutory role.
- 9.6 The proposed revised arrangements have been assessed against DCS statutory guidance and found to be satisfactory. The assessment is presented at appendix 4.
- 9.7 The Officer Scheme of Delegation (Appendix 5) and Article 4 (Appendix 6) require amendment as a result of this change in reporting lines, although essentially aspects of operation are required to be retained for the statutory officer to continue to fulfil their responsibilities. As such, the areas of responsibility for the purposes of the scheme of delegation flow from the Chief Officers in the first instance in respect of both commissioning and delivery. The areas of responsibility and span of control is defined in more detail than previously to ensure clarity.
- 9.8 Finally, Council requested the Head of Governance to bring forward further proposals with regard to the job titles of Director of Place and Director for People. Given the clearer outcome focus of these roles under these new arrangements and the breadth of responsibility and accountability it is proposed to amend the job titles to Strategic Director for Growth and Environment, and Strategic Director for Communities respectively. As indicated above, the latter role will also continue to include the title of Director of Children Services with regard to the statutory responsibilities and accountability. It is important to note that all statutory officers have the ability to control resources to enable them to discharge their role effectively. All Statutory Officer posts have authority

delegated to them as included within the Constitution – Scheme of Delegated Authority to Officers (2013).

10 BACKGROUND PAPERS

- 10.1 Statutory Guidance on the Roles and Responsibilities of the Director of Children’s Services and the Lead Member for Children’s Services. This can be downloaded from the web at <http://www.education.gov.uk/aboutdfe/statutory/g00206029/statutory-guidance-on-the-roles-and-responsibilities-of-the-director-of-childrens-services-and-the-lead-member-for-childrens-services>

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