
Senior Management Arrangements

Reason for this Report

1. To provide an opportunity for the Committee to consider the details of a paper titled 'Senior Management Arrangements' which is due to be received by Cabinet on the 17th September 2020. The Cabinet report for this item identifies the main aims of this document as:
 - *To review the Council's senior management arrangements in the context of the Covid-19 pandemic and the recent resignation of the Director of Social Services;*
 - *To seek Cabinet approval to consult on an amended senior management structure to:*
 - i) *Support the further integration of Social Care, Health, Housing and Community services, building on the progress that has been made over the past 3 years to develop new preventative and specialist support services; and,*
 - ii) *Note some consequential realignment of responsibilities in relation to the Council's Street Scene and Central Transport services.*
2. **Appendices 1 & 2** are attached to this report for information. **Appendix 1** provides a diagram of the current Senior Management Structure, while **Appendix 2** features a diagram based on the proposed Senior Management Structure.

Background

3. The Covid-19 pandemic has had significant implications for the Council. Since the beginning of the crisis, an extended Senior Management Team has been meeting as

a Strategic Coordination Group, overseeing the Council's response to the crisis, in consultation with the Leader and the Cabinet. Collectively, and as individuals, the team has delivered what has been asked of them, adapting services to the lockdown and subsequent relaxation of restrictions, and solving problems at pace, often well beyond the scope of normal service delivery. Corporate working has been an essential feature of the Council's approach with senior officers playing a vital role in managing the crisis, notably food procurement and distribution for the vulnerable, the transition to hub schools, delivery of the Dragon's Heart field hospital at the Millennium Stadium, and the development in Cardiff and the Vale of the Test, Trace and Protect (TTP) programme.

4. In many ways, the current phase of the crisis is more challenging with senior officers having to reshape services to new realities, with the business of service delivery resuming against a backdrop of an ongoing financial uncertainty, and parallel public health and economic crises. Against this backdrop, it is unrealistic to expect organisational structures to stay the same - most organisations are moving to ensure that organisational forms appropriately reflect current pressures and demands.
5. Consequently, the 'Senior Management Arrangements' report takes the opportunity provided by the recent resignation of the Director of Social Services, to re-orientate senior management arrangements to present needs. It puts forward for consultation specific proposals relating to the shape and structure of the senior management team in the Social Services, and Communities & Housing area. In addition to this it identifies consequential modifications to reporting arrangements in the street scene area. These proposals, if agreed by Cabinet, would then be consulted on with the employees and trade unions concerned.

Responding to the Pandemic

6. As the management of the pandemic has moved into a different phase, the Council has been focusing on the safe and efficient restart of services in accordance with the Restart, Recovery, Renew framework agreed by Cabinet on 24 June 2020. This is not straightforward and involves a range of complex work streams that place demands on the senior management tier:

- Restart has been predicated on a safety-first approach, with managers working with trade unions to ensure that services and schools are able to resume operation on the basis of a robust, risk-based health and safety methodology that supports and reassures individuals and teams to return where necessary to the workplace;
- Working from home has continued as the default mode of operation for many staff with new modes of management and staff engagement needing to be developed to support staff and ensure operational effectiveness;
- TTP has had to be established and embedded quickly with council officers working to ensure that Cardiff has in place an effective contact tracing system that will play a crucial role in managing the pandemic over coming months;
- A continued emphasis on multi-agency working to ensure effective infection control arrangements in closed settings, particularly care homes;
- Steps to lock-in the transformation during lockdown of services providing support to vulnerable citizens, particularly the homeless and elderly;
- Work to coordinate a response to the economic crisis, including a continued drive to support businesses, with joined up interventions involving the Council's economic development, Into Work and Cardiff Commitment teams; and,
- Development of a long-term city renewal strategy, which will seek to accelerate Cardiff's recovery from the crisis, charting the next phase of the Council's development agenda.

7. In cumulative terms, the crisis has served to reprioritise the work of senior managers, creating opportunities to transform the performance of key areas, like Social Services, and also highlighting at a senior level capacity constraints in areas such as Children's Services, Housing and Community Services. The resignation of the Director of Social Services provides an opportunity to address such issues positively and within budget. The Cabinet report proposes that several key changes are made to senior management that will serve to realign capacity and expertise to the challenges facing the Council.

Corporate Director, People & Communities

8. In September 2017 Cabinet considered and approved a number of senior management changes in line with the Capital Ambition statement. In relation to the integration of Social Care, Health and Housing services, this was underpinned by the Council's commitment to work "*across the public services in order to deliver lasting solutions to complex problems*". The Council and partners needed to adopt a whole system approach with a range of service interventions co-ordinated and aligned to meet specific needs at the right time and in the right place. This reflected growing demands across social services; the demand pressures and costs arising from an ageing population; and the growing demands and complexity of cases in children's services, with increasing numbers of Looked After Children.
9. The new role of Corporate Director, People and Communities was created with a clear set of reporting and accountability arrangements established to support the statutory responsibilities of the Director of Social Services, but also to ensure that the Council's Social Services agenda was strengthened by effective cross-council working, with the further development of preventative services and interventions, as well as accommodation solutions for the city's most vulnerable citizens.
10. Subsequently, good progress in the development of a more integrated approach has been achieved in a number of areas of activity. In particular, it has been possible to significantly improve the Information, Advice and Assistance services for families, young people and older people:
 - The new Family Advice and Support service was launched in September 2019 to provide early help and support for families and young people whose needs fell short of the statutory threshold for assistance. Managed within Housing and Communities, during its first 10 months of operation, the Family Gateway provided 5,000 people with advice while the Family Help team has provided support for more than 1,000 parents, children and young people; and,
 - The Independent Living Service, also located within Housing and Communities, continues to provide joined up services for older people, ensuring that the service has been able to meet the needs of nearly 80% of clients without the need for

social care. It has recently extended its provision with the development of the “Get Me Home” service operating out of the UHW, ensuring that “wrap around” community services are in place to achieve a timely discharge from hospital.

11. Additional preventative services such as the Young Persons Accommodation and Support Gateway have also been developed. The aim of the Young Persons’ Gateway is to support young people leaving care as well as those who are homeless as a result of family breakdown, providing family mediation, supported housing and assisted move on for these, often very vulnerable, young people. The success of the Gateway in helping young people move towards independence is clear, with 99% able to maintain their tenancy successfully after a supported move on.
12. Finally, the Multi-disciplinary Outreach Team for rough sleepers and vulnerable homeless people has exemplified how joint working across services boundaries can meet complex needs. This team, also co-ordinated through Housing and Communities, brings together housing, adult social services, mental and primary health services and third sector services, to meet the very specialist needs of this client group. Before lockdown the work of this team had reduced the numbers rough sleeping from more than 80 to 30 individuals and this service has continued to develop and expand during the crisis, helping more clients than ever before to access services.
13. The Cabinet report explains that the creation of the Corporate Director post has been pivotal in delivering the initiatives set out above, enabling the post-holder to cut across professional and service silos to deliver positive outcomes for vulnerable people. It is proposed that the opportunities afforded by this approach should now be extended with the responsibilities of the Statutory Director of Social Services being assumed by the Corporate Director, People & Communities without changes to the post-holder’s terms and conditions.
14. The Welsh Government’s Code of Practice on the Role of Statutory Director of Social Services is clear on the accountabilities of the role. The statutory director must *inter alia*:
 - “have a sufficient level of seniority to discharge the authority’s social services functions and deliver their accountabilities”;

- *“provide effective service and performance management, a clear sense of strategic direction and professional leadership for staff and services; foster effective joint working relationships both within and outside the local authority, including formal integrated arrangements with health boards; and drive delivery of improved outcomes for people”;*
- *“ensure the head of paid service, executive and councillors have access to the best, up-to-date professional advice and information on all aspects of care and support services”.*

15. Importantly, the proposal has the merit of simplifying the accountability framework for Social Services at a time when Children’s and Adults’ services are continuing to implement significant changes, and opens up possibilities to reshape the senior management team in social services as a whole, in accordance with the emphasis placed on cross-service working to deliver better outcomes for vulnerable citizens. It is proposed that the responsibilities of statutory director should be transferred to the Corporate Director, People & Communities, immediately following the departure of the current Director of Social Services at the end of September.

Senior Management Arrangements for Children’s Services and Adults, Communities and Housing Services

16. A section of the Cabinet report sets out the two significant changes that are proposed within Children’s Services and Adults, Communities and Housing Services. First, the transfer of the statutory role of Director of Social Services to the Corporate Director enables the post of Director of Children’s Services to be established within budget, with the existing post of Assistant Director to be deleted.
17. This would address the growing complexity and scale of demand being experienced in Children’s Services, and the consequential safeguarding and financial risks that need to be managed effectively by the post-holder. It also responds to the inability of the Council, after successive attempts, to recruit a permanent Head of Children’s Services graded at Assistant Director level.
18. Secondly, and following on from recent successes in developing a joined up early intervention and preventative approach, it is proposed that a new role of Director,

Adults, Housing and Communities is established. The Assistant Director, Adults Services, and Assistant Director, Housing and Communities would report directly to this post enabling unified joint assessment of need for accommodation and support services and a service that is integrated in both planning and delivery.

19. The new Director, Adults, Housing & Communities will be tasked with building on the joined up and customer focused services that have been developed to date, achieving this by further aligning services within the existing gateways and also by applying this learning and approach to other services such mental health and learning disabilities. Strengthening of the management structure within the current Housing and Communities Services will take place to ensure robust arrangements are in place at an operational level.
20. The Director for Adults, Housing & Communities and the Director for Children's Services will work closely together, ensuring that cross cutting projects such as the Young Persons Accommodation and Support Gateway are further developed and enhanced and that new opportunities for joint working are explored to provide seamless services for vulnerable individuals transitioning to adulthood.
20. It is expected that the Corporate Director will lead People & Communities as an integrated directorate, with back office and support arrangements being managed across the area. This has the added advantage of ensuring that areas of good practice, including performance management systems in the Communities area, are replicated across social services as a whole.
21. Finally, the Cabinet report explains that the People and Communities team will need to continue to develop close links with the new Director of Education and Lifelong Learning, whose responsibilities include being the designated Director for Children and Young People, in accordance with the section 27 of the Children's Act 2004, and focuses on the co-ordination and oversight of arrangements to improve the well-being of children in the local authority area. This is especially important given the Council's commitment to a child-friendly city and championing children's rights.

Planning, Transport & Environment

22. In June 2019 the Chief Executive requested that the Director of Planning, Transport & Environment take on additional and expanded commitments in relation to Cardiff's Clean Air and Transport infrastructure agenda. In order to facilitate this additional workload the Corporate Director, People & Communities, took temporary responsibility for the Waste Management Service and the Corporate Director, Resources, became responsible for the Central Transport Service.
23. The focus that Director of Planning, Transport & Environment has brought to major strategic planning matters, and an expanding clean air and transport agenda has been crucial, and includes development of the Metro and working closely with the Director of Economic Development on city centre recovery during the pandemic. The Cabinet report proposes that the Director should continue to undertake these responsibilities.
24. Management of Waste Management Services, as well as the client function of the Shared Regulatory Service will be transferred to the Director, Economic Development, with a mandate to continue the progress that has been made in this area in the last eighteen months. This also reflects the need to strengthen city centre management, including liaison with the business community, as the city goes through the recovery phase. It is proposed that transfer of waste management from the Corporate Director, People & Communities, will take place once the service-wide restructure currently underway is completed (by February 2021 on current projections).
25. Responsibility for Highways will remain with the Director, Planning, Transport & Environment. The Assistant Director, Street Scene, will report for "pay and rations" purposes to the Director of Economic Development with accountability for highways and parking continuing through the Director of Planning, Transport & Environment.

Economic Development

26. In terms of Economic Development, a small team has played a highly significant role during the crisis securing financial contributions to the food distribution scheme, working with financial services and Welsh Government colleagues to ensure grant

support valued at £95 million was provided to over 6,000 businesses, providing advice to businesses in difficulties, and developing and implementing the Council's city centre recovery plans.

27. The team has not only been an important component in the maintenance of investor confidence in the city, but in supporting key city cultural and leisure assets, including parks. With the development of the city's renewal agenda, and the need to meet the demands of the emerging economic crisis, it requires additional management capacity to focus the Council's business support activities. The Director will therefore be reviewing operational management arrangements in the area to support the expanding workload of the Investment and Development portfolio.

Implications of Proposals

28. In summary, the Cabinet report recommends the approval of the following proposals:
- The designation of statutory Director of Social Services be allocated to the Corporate Director, People & Communities;
 - Deletion of the posts of Director of Social Services and Assistant Director, Children's Services;
 - Establishment of two new social service posts: Director of Children's Services; and Director for Adults, Housing and Communities; and,
 - Consequential changes to the reporting arrangements of the Director of Economic Development and Director of Planning, Transport and Environment.
29. Korn Ferry the providers of the Hay evaluation and structure information have provided up to date Benchmarking information. They have provided information that compares Cardiff Council with the public sector and separately with other Core City councils, at Tiers 1 & 2 and shows:
- The average number of officers at Tier 1 for the public sector is 5.8 FTE, and for Core City Councils it is 5.3 FTE. Cardiff has 6 officers at Tier 1, therefore, at the average for the public sector and is within range of the average for Core Cities.

- The average number of officers at Tier 2 for the public sector is 25.6 FTE, and for Core City Councils is 23.2 FTE. Cardiff have 13 officers at Tier 2, therefore is well below the average levels for both the public sector and the Core City councils.
 - The average total number of management roles is 31.4 for the public sector and 28.5 for the Core City Councils. Cardiff is well below these averages at a total in tier 1 and 2 of 19 management roles across tier 1 and 2.
30. The Standing Orders (Wales) Amendment Regulations 2014 require posts over £100k salary to be publicly advertised, therefore, this needs to be a consideration in the process for moving from the current structure to the proposed model. As a result of these rules an Authority cannot ring-fence any vacancies with salaries over £100k or above as 'suitable alternative employment' for redundant employees, but must advertise externally.
31. The Cabinet report was prepared on the basis that, as long as any additions to current roles are only minor, then those roles are counted as not changing. Therefore, the report considers that there are no changes to the following roles:
- Corporate Director, Resources;
 - Corporate Director, People and Communities;
 - Director, Economic Development;
 - Director, Planning, Transport and Environment.
32. The Cabinet report also explains that the following roles are considered new roles and, therefore, will need to be advertised externally:
- Director, Adults, Housing and Communities;
 - Director, Children's Services.

Process for Decision

33. The Cabinet report explains that there are a number of stages that will need to be completed in order to make changes to the current senior management structure, and these have been added to by the Standing Orders (Wales) Amendment Regulations 2014. The stages that are now required to be followed are:

- This report to Cabinet with recommendation to agree to the consultation process being undertaken;
- Consultation with individuals and Trade Unions by Chief Executive;
- Final proposal to Cabinet by Chief Executive to include feedback from all consultations in October 2020. The recommendation will be to approve the revised structure, and recommend to Council that the vacant roles over £100,000 are advertised for recruitment.
- Report to Council, October 2020, to consider and be recommended to approve, the recruitment to the two new Director posts.

34. The Cabinet report explains that it is the responsibility of the Cabinet to decide on employment strategy and policy, in so far as this has not been further delegated. The Cabinet may therefore determine the broad Senior Management arrangements of the Council.

35. The Council's Employment Procedure Rules, as required by the Local Authorities (Standing Orders) (Wales) Regulations 2006 (as amended in 2014) state under Rule 2 that:

- *A vacancy for designated Chief Officer post must be reported to the Council or body delegated to do so which will consider whether the post should be filled, and if so, the terms and conditions of employment and method of appointment.*
- *Where the proposed remuneration of the Chief Officer post is £100,000 or more per annum, the following will be prepared: (i) A statement of the duties of the officer concerned and the required qualifications or qualities to be sought in the person appointed, which is sent to any person on request; and (ii) Public advertisement of the post to bring it to the attention of people who are qualified to apply. (iii) Following advertisement, the Council will arrange for either all qualified candidates to be interviewed; or a shortlist to be prepared of qualified applicants and those candidates interviewed. If no suitably qualified person has applied, or if the Council decides to re-advertise the appointment, the post will be re-advertised in accordance with paragraph (ii) above.*

36. Appointments to the new roles to will be made by an Appointments Committee.

Reason for Recommendations

38. The Cabinet report highlights the reasons for the recommendations as:
- *Proposals have been designed to ensure that the Council's senior management team is resourced to deliver the objectives as outlined, to ensure the full integration of services. The recommendations recognise the need to complete the detail of the new posts and to ensure that full consultation takes place ahead of any decision to proceed.*

Financial Implications

39. The 'Financial Implications' in the Cabinet report explain that:
- *As stated in the body of the report, the proposed changes at Director and Assistant Director level delivers an additional cost of £55,950 compared to previous budget held for these two tiers of management. The Senior management roles that cover Housing need to be assessed in terms of cost between Housing Revenue Account (HRA) Activities and those activities funded from General Funded Budget. Initial assessments of the work to be undertaken by the Director of Housing and Adult Care and the Assistant Director of Housing & Communities indicated that costs to HRA will increase by £70,000 and that there will be a budget saving of £14,050 to the General Fund. There has been no review of other resources within HRA or any other funding opportunities but these will need careful consideration in order to establish that the additional costs can be found within the HRA Budget.*
 - *The appointment of the Director of Children's Services anticipates that this will result in a cost avoidance on unbudgeted interim agency costs going forward. This will be demonstrated in the reduction of interim costs at the point the post of the Director of Children's Services is appointed and starts.*
 - *In proposing the addition and deletions of the posts or outlining the review of any posts, there has been no budgetary allocation provided for any further resources being required as a result of the changes. Any proposals in respect to posts at Operational Manager level or below will need to have identified the funding from*

within the existing budget allocation of the Council and also have consideration of the council's Budget Strategy going forward.

Legal Implications

40. The Legal Implications set out in the Cabinet report explain that:
- *The legal and governance requirements in relation to the process of establishing and recruiting a Chief Officer are set out at paragraphs 34-37 of the Cabinet report (33 to 36 of this Scrutiny cover report).*
 - *The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how the proposals will contribute towards meeting its well-being objectives (set out in the Corporate Plan). Members must also be satisfied that the proposals comply with the sustainable development principle, which requires that the needs of the present are met without compromising the ability of future generations to meet their own needs.*

Human Resources Implications

41. The Human Resources Implications set out in the Cabinet report explain that:
- The proposed model as set out in the report is designed to meet the need to support further integration of Social Care, Health, Housing and Community Services, building on the progress that has been made in recent years to develop preventative and specialist support services. The proposal is subject to consultation with affected employees and their representatives. It is proposed that the consultation take place during the next four weeks and an updated report presented to Cabinet/Council in October as set out in the process for decision.
 - An Equality Impact Assessment of the restructure has been completed and there are no adverse impact on any specific groups.

CABINET REPORT RECOMMENDATIONS

42. The recommendations set out in the Cabinet report titled 'Senior Management Arrangements' ask the Cabinet to:

- 1) *Approve the Chief Executive's proposal to transfer the responsibilities and title of the statutory director of social services to the Corporate Director, People and Communities, following the departure of the existing Director of Social Services;*
 - 2) *Approve the proposed remodelling of the Senior Management Team on a provisional basis subject to the outcome of the consultation process;*
 - 3) *Approve a consultation period on the proposed model to commence immediately following Cabinet approval;*
 - 4) *Receive a further report in October which will provide confirmation of the model proposed and the process for change taking account of issues raised during the consultation process;*
 - 5) *Delegate authority to the Head of Paid Service in consultation with the Leader and Cabinet Members to realign managers and support staff to the remodelled structure.*
43. To facilitate the scrutiny, the following witnesses have been invited to attend Committee to answer Members questions:
- Councillor Chris Weaver, Cabinet Member for Finance, Modernisation & Performance;
 - Paul Orders, Chief Executive;
 - Anita Batten, Operational Manager (HR People Partner).

Legal Implications

44. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement

imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

45. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

- (i) Consider the information in this report and the information presented at the meeting;
- (ii) Determine whether they would like to make any comments, observations or recommendations to the Cabinet on this matter; and,
- (iii) Decide the way forward for any future scrutiny of the issues discussed.

DAVINA FIORE

Director, Governance & Legal Services

11 September 2020