

Chief Officers' Employment Panel Supplemental Agenda

Date: Thursday 8 December 2022

Agenda - Part I

4. **Director Posts in People Directorate** (Pages 3 - 8)
Report of the Corporate Director, People
5. **Any Other Urgent Business** - Appointment of Director of Adult Social Services (DASS)(Pages 9 - 18)
Report of the Chief Executive

Agenda - Part II Nil

Note: In accordance with the Local Government (Access to Information) Act 1985, the following agenda items have been admitted late to the agenda by virtue of the special circumstances and urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
4. Director Posts in People Directorate	This report was not available at the time the agenda was printed and circulated. Members are requested to consider this item, as a matter of urgency, in order to seek approval, retrospectively, to the remuneration packages.
5. Any other Urgent Business – Appointment of Director of Adult Social Services (DASS)	This report was not available at the time the agenda was printed and circulated. Members are requested to consider this item, as a matter of urgency, as this is a statutory post and the current interim arrangements are due to expire on 31 December 2022.

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**Report for: Chief Officer
Employment Panel**

Date of Meeting:	8 th December 2022
Subject:	Director Posts in People Directorate
Responsible Officer:	Senel Arkut Corporate Director People
Exempt:	No
Enclosures:	None

Section 1 – Summary and Recommendations

This report explains the outcome of job evaluation exercises in the People Directorate earlier this year and seeks retrospective approval for the creation of 6 D1 graded posts.

Recommendations:

The Panel is requested to retrospectively approve the creation of the following posts in the People Directorate with salary packages of £91,269 - £107,264:

- Head of Service: Children's Access
- Head of Service: Children in Need
- Head of Service: Quality Standards & Practice Improvement
- Head of Service: Corporate Parenting
- Head of Service: Early Help & Youth Justice
- Head of Service: Specialist Learning & Disability and Children & Young Adults with Disabilities

Section 2 – Report

Background

From July 2020 to September 2021, a total of 7 Head of Service roles within the People Services directorate were sent through to HR for grade re-assessment. The roles were job evaluated, under the HAY scheme, and all 7 roles were regraded from grade MG4 to grade D1; without approval from the Chief Officers' Employment Panel (COEP). This grade increase resulted in staff being paid or to potentially be paid more than £100,000 per annum.

Adult Social Services

In January 2020, the Director of Adult Social Services (DASS) requested the Head of Service for Learning Disability (LD) & Children and Young Adults with Disabilities (CYAD) role be re-evaluated and sought consent from the Corporate Director of People to approve. Consent was given and the final job description was brought forward for grade assessment. When Human Resources (HR) confirmed the grade to management, they did not remind the managers that the change in grade would need to go through COEP. A job evaluation amendment form was provided to managers to make the necessary changes on SAP. In September 2020, the DASS put forward a second role, Head of Service – Health & Well-Being, to HR for a grade re-assessment. Consent was sought from the Corporate Director of People before the role was evaluated. When HR confirmed the grade to management, they did not remind the managers that the change in grade would need to go through COEP.

Children and Young People Services

In August 2021, the Divisional Director Children and Young People Services, with the approval of the Corporate Director for People, approached HR to re-evaluate 3 Head of service roles within this division. The roles which were put forward were:

- Head Of Service Children's Access
- Head Of Service Children in Need
- Head Of Service Quality Standards and Practice Improvement

When these roles were put forward for grade assessment, HR highlighted the following:

“Please note that should these roles incur a grade increase, they will need to go to COEP to agree to the grade prior to making the changes on SAP. I will advise you of the outcome in due course.”

However, when HR confirmed the roles were regraded from grade MG4 to grade D1 they did not remind management to go to COEP. Following this grade assessment, the Divisional Director Children and Young People Services requested, with the Corporate Director's approval, for the remaining Head of Service roles to be put forward for grade assessment. These roles were:

- Head Of Service Corporate Parenting
- Head Of Service Early Help and Youth Justice

When HR confirmed the grades to management, they did not remind the managers that the change in grade would need to go through COEP. In addition to the above, all 7 Head of service roles were renamed to Assistant Directors, the table below illustrates this.

It is also worth noting that managers are also aware that staffing costs that will be more £100,000 would need to go to the COEP for approval. It is not solely the responsibility of HR.

Original job title and grade	Reason for change	Date of Evaluation	Revised Job Title and grade
HOS for Learning Disability (LD) & Children and Young Adults with Disabilities (CYAD)	The DASS put forward this post to re-evaluate to HR. The post holder requested their role be regraded following the CYAD team being lifted and shifted into their service area.	July 2020	Assistant Director for LD & CYAD
Head of Service – Health & Well-Being	The DASS put forward this post to re-evaluate to HR. The post holder requested their role be regraded considering them being the strategic lead for integrated services.	October 2020	Assistant Director for Health and Wellbeing and Integrated Care
Head of Service - Children’s Access	The Director of Children Services (DCS) put forward initially these 3 roles to be regraded, considering the roles within Adult Services were regraded to D1 and the post holders advising that	September 2021	Assistant Director Contact and Assessment
Head of Service - Children in Need			Assistant Director – Children Safeguarding
Head of Service - Quality Standards and Practice Improvement			Assistant Director – Quality Standards and Improvement

	there have been changes to their roles.		
Head of Service - Corporate Parenting	The DCS requested these 2 roles be reassessed, in line with the other HOS within the Children's division.	October 2021	Assistant Director - Corporate Parenting
Head of Service - Early Help and Youth Justice		October 2021	Assistant Director - Early Help and Youth Justice

Issue for Consideration

At the time of the re-evaluation, D1 posts were paid at between £91,269 - £107,264. The Constitution requires that the approval of this Panel is required before remuneration packages over £100,000 are agreed for any Council post, but this approval was not sought in relation to these posts.

Following completion of the job evaluation process, new contracts of employment were issued to the post holders reflecting their new pay scale.

Options

Given post holders have been issued with new contracts, there is nothing the Panel can now do except to correct the earlier omission and approve the salary packages for these posts, which the Panel is recommended now to do.

Future Role of the Panel

Both the Corporate Board and Human Resources Department have now been instructed on the role of this Panel, to avoid any future omissions of the sort set out above.

Staffing/workforce

This report seeks to correct a governance irregularity and does not impact on the post holders.

Equalities impact

There are no direct equalities impacts arising from this report.

Legal Implications

The postholders have been issued with new contracts of employment reflecting their new D1 grades, which are binding on both the individuals and the Council.

Financial Implications

For the two posts in Adult Services, there is budget provision. For the 5 posts in the Children's Service, there is no budget provision. The posts are held against the management budget which is forecasting a budget pressure of £150k as at quarter 2, which feeds into the overall forecast overspend against the Children's budget of £1.874m.

Risk Management Implications

The risk of future irregularities has been addressed by the instructions about the role of this Panel noted above.

Equalities implications / Public Sector Equality Duty

Was an Equality Impact Assessment carried out? No

Section 3 - Statutory Officer Clearance

Statutory Officer: DAWN CALVERT

Signed by the Chief Financial Officer

Date: 29/11/2022

Statutory Officer: HUGH PEART

Signed by the Monitoring Officer

Date: 30/11/2022

Chief Officer: SENEL ARKUT

Signed by the Corporate Director

Date: 24/11/22

Section 4 - Contact Details and Background Papers

Contact: Senel Arkut Corporate Director People

Background Papers: None



**Report for: Chief Officers’
Employment Panel**

Date of Meeting:	8 th December 2022
Subject:	Appointment of Director of Adult Social Services (DASS)
Responsible Officer:	Patrick Flaherty - Chief Executive
Exempt:	Public
Wards affected:	N/A
Enclosures:	Appendix 1 – Role Profile for the Director of Adult Social Services

Section 1 – Summary and Recommendations

This report sets out the process for the interim arrangements of the statutory post of Director of Adult Social Services (DASS), the proposed arrangements for the period between the end date of the current interim Director of Adult Social Services until the start date of the appointment of permanent Director of Adult Social Services. The Director of Adult Social Services position is currently filled on an interim ‘acting up’ basis and this arrangement is ending on 31st December 2022.

Recommendations:

That the role of Corporate Director of People be amended to include the statutory duties of the Director of Adult Social Services for the period following the departure of the current postholder on 31st December 2022 until a new permanent Director of Adult Social Services is appointed in the new financial year.

Reason:

To ensure the Council delivers its statutory duties. To enable the appointment of a new Director of Adult Social Services in line with Council procedures and to ensure that this statutory post is covered in the period between the departure of the current postholder and the start date of the appointed candidate.

Section 2 – Report

1. Background

- 1.1 The post of Director of Adult Social Services is a statutory post and was recruited to on an interim basis following the resignation of the previous post holder. It was agreed that this interim cover should be in place until 31st December 2022.
- 1.2 It was agreed that the permanent recruitment of Director of Adult Social Services would begin following the appointment of a permanent recruitment of Corporate Director of People.
- 1.3 Arrangements were agreed, and an internal candidate was offered the position from 31st May 2022 to 31st December 2022 on an interim basis.

Context:

- 1.4 Appointment of this role is critical especially for the preparation of the Care Quality Commission (CQC) assurance (inspections) due to start from April 2023.
- 1.5 Each Council is responsible for providing adult social services, and to create a statutory post for the Director of Adult Social Services with strategic responsibility and accountability for the planning, commissioning, and delivery of social services for all adult client groups and with a leading role in delivering the wider vision for social care and combating social exclusion.
- 1.6 The Director of Adult Social Services ensures that all the social care needs of local communities are given equal emphasis and managed in a co-ordinated way through the Joint Strategic Needs Assessment (JSNA) and joint planning.
- 1.7 The Director of Adult Social Services is a key senior role to deliver the council's vision and priorities.
- 1.8 The responsibilities of the Director of Adult Social Services include:
 - Accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services
 - Professional leadership, including workforce planning
 - Leading the implementation of standards
 - Managing cultural change
 - Promoting local access and ownership and driving partnership working
 - Delivering an integrated whole systems approach to supporting communities
 - Delivering council vision and priorities
 - Reducing inequalities that exists within Harrow
 - Promoting social inclusion and wellbeing

- Ensure that the council maintains clear operational focus on safeguarding vulnerable adults and that relevant statutory requirements and other national standards are met, those at risk are protected from harm
 - Director of Adult Social Services will ensure strength-based practice is embedded to promote independence and minimise the need for council provided services
- 1.9 Without prejudice to the generality of the aforesaid, such functions include but are not limited to powers of the Social Services authority under the following legislation:
- National Assistance Act 1948
 - Disabled Persons (Employment) Act 1958
 - Mental Health Act 1959
 - Health Services & Public Health Act 1968
 - Chronically Sick and Disabled Persons Act 1970
 - Mental Health Act 1983
 - Health & Social Services & Social Security Adjudications Act 1983
 - Disabled Persons (Services, Consultation & Representation) Act 1986
 - National Health Service & Community Care Act 1990
 - Carers (Recognition & Services) Act 1995
 - Community Care (Direct Payments) Act 1996
 - Local Government Act 2000 • Health and Social Care Act 2001
 - Nationality, Immigration and Asylum Act 2002
 - Community Care (Delayed Discharges etc) Act 2003
 - Health & Social Care (Community Health & Standards) Act 2003
 - Carers (Equal Opportunities) Act 2004
 - Mental Capacity Act 2005 • Health and Social Care Act 2012
 - Mental Health (Amendment) Act 1982
 - Equality Act 2010
 - Care Act 2014

2. Legal Implications

- 2.1 The Director of Adult Social Services function is a statutory function, and a local authority is required to appoint a statutory chief officer with responsibility for delivering that function.
- 2.2 In accordance with Harrow Council Constitution, the Chief Officers' Employment Panel appoints the DASS and approves remuneration packages of £100,000 or over for any Council post.
- 2.3 The Panel is required to report back to Council for information purposes on all such approved remuneration packages.
- 2.4 As the Director of Adult Social Services is a statutory post an offer of employment can only be made once members of Cabinet have been given 5 days to express any well-founded objections.

3. Options considered

- 3.1 The Corporate Director of People has considered a permanent recruitment, but a due to forthcoming service redesign of the Adult

Social Care directorate, which may affect the senior management roles, the process has been put on hold.

4. Financial Implications

- 4.1 The salary for the Director of Adult Social Services is fully accounted for in the directorate annual budget.
- 4.2 This arrangement will achieve a saving of an equivalent of 6 months' salary of this post.
- 4.3 There are no other financial implications to the council

5. Staffing/workforce

- 5.1 The Director of Adult Social Services provides a key professional leadership role for staff working in adult social care services. She/He also has a key role in ensuring accountability of services to local communities through consultation with local residents and, in particular, users of the services.

6. Performance Issues

- 6.1 This role (during the interim arrangements) will report directly to the Chief Executive, who will ensure effective performance management of the role.
- 6.2 The permanent DASS role reports to Corporate Director of People and this arrangement will continue when the permanent DASS is in post.

7. Risk Management Implications

None identified.

8. Council Priorities

The proposal considers and has been prepared in line with the Council's vision of Restoring Pride in Harrow and in accordance with priorities set out below:

- A Council that puts residents first
- A borough that is clean and safe
- A place where those in need are supported

9. Equalities implications / Public Sector Equality Duty

- 9.1 This role has a responsibility to deliver the Council's vision and values by addressing inequalities in access to care provision within Harrow.
- 9.2 The responsibility of this role is to promote equality, diversity and inclusion and the reduction of inequalities ensuring that everyone can contribute through everyday actions to deliver the required health and wellbeing outcomes.

Section 3 - Statutory Officer Clearance

Statutory Officer: Dawn Calvert – Chief Financial Officer

Date: 7 December 2022

Statutory Officer: Hugh Peart – Monitoring Officer

Date: 7 December 2022

Chief Officer: Pat Flaherty – Chief Executive

Date: 7 December 2022

Section 4 - Contact Details and Background Papers

Contact: senel.arkut@harrow.gov.uk

Background Papers:

None

If appropriate, does the report include the following considerations?

- | | |
|-----------------|-----|
| 1. Consultation | YES |
| 2. Priorities | YES |

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LONDON BOROUGH OF HARROW

Director of Adult Social Services

Responsible to: - Corporate Director, People Services

JOB PURPOSE

The post is specifically responsible for the strategic and general management of the council and specifically the Adults Services including Children with Disabilities.

To be the Council's Director of Adult Social Services (DASS) and responsible for duties as set out in the statutory guidance on role and responsibilities.

MAIN ACCOUNTABILITIES

Leadership

1. Together with the Corporate Director and in collaboration with elected members, establish and implement a vision for Harrow in the development of its services, organisation and workforce.
2. Demonstrate effective strategic leadership and good governance through high standards of personal behaviour
3. Ensure that structures and processes inform sound decision-making and service delivery
4. Deliver efficiency and value for money and sound financial management
5. Develop and maintain systems and processes to develop capability, skills and knowledge at all levels within the organisation
6. Develop and maintain a culture that encourages innovation and improvement
7. Develop and maintain a healthy and effective interface between the Council Members and Officers
8. Provide well-evidenced and sound advice directly to the Chief Executive, Corporate Director, Cabinet, portfolio holders and other members of Council and attend Council, Cabinet and other committees and events as required
9. Promote a positive image of Harrow externally and represent the Council at local and national level, attending and presenting at such conferences, seminars, meetings and working parties as may be required including London ADASS.

10. Represent the Council and/or the Corporate Director in discussions with partner organisations and other stakeholders.
11. Lead and direct corporate and cross council activities as specified by the Chief Executive and/or Corporate Director
12. Review papers and attend CSB as and when required.
13. Deputise for the Corporate Director within functional areas and other areas as specified by the Corporate Director.
14. Maintain and develop effective systems and processes for identifying the needs of the local community and the resources available to deliver agreed outcomes.
15. Maintain and develop an effective framework for consultation and engagement with service users, staff, trades' unions, voluntary and community organisations, partners and other stakeholders.
16. Ensure services are commissioned to enable achievement of agreed outcomes through effective, efficient, equitable and sustainable service delivery.
17. Lead innovation in the development of new approaches to service delivery to ensure continuous improvement in value for money, performance and quality of services for Council Taxpayers
18. Oversee and ensure implementation of service development and delivery plans
19. Ensure service agreements and contract arrangements enable service delivery against agreed outcomes
20. Ensure monitoring and review arrangements are in place to enable evaluation of service delivery and impact on achieving agreed outcomes.
21. Ensure in conjunction with strategic partners, government and other agencies the achievement of council objectives and the fulfilment of statutory obligations and national requirements.

Partnership

22. Maintain and develop effective relationships with key partners, service providers and stakeholders and the wider community to facilitate high quality commissioning of services.
23. Maintain and develop effective relationships with relevant government departments and other national or regional bodies.
24. Ensure the council is equipped to meet government requirements and inspection requirements.

Performance and Resource Management

25. Provide effective management arrangements to ensure delegated resources are used to best effect to deliver agreed outcomes
26. Sustain a culture to encourage meaningful contribution by employees through their continuing development and commitment
27. Develop and maintain effective governance and performance frameworks to clarify accountabilities, expectations and ensure that effective monitoring, reporting and challenge mechanisms are in place
28. Provide effective management arrangements to ensure implementation of the Council's Safety Policy and Safety Management Systems, including any service specific Safety Policy, Codes of Practice and Safe Systems of Work
29. Participate in effective civil emergency planning, leadership and management.

Equality and Diversity

30. Provide leadership, communication and action, which will exemplify the Council's values, sense of purpose and commitment to ensure equality of opportunity and strengthen cohesion in the local community.

ROLE SPECIFIC ACCOUNTABILITIES

31. Fulfil the statutory role of the Director of Adult Social Services and ensure that the associated statutory duties are discharged (See Statutory Guidance for further details)
32. Deputise for the Corporate Director of People to ensure that the associated statutory duties are discharged.
33. Lead and direct the strategic and general management of the Adult services / functions on behalf of the council:
34. Lead and direct the effective implementation of the Adult Social Care Vision – October 2017, Transforming Adults Social Care: A Model to develop Community Resilience in Harrow on behalf of the Council.
35. To act as lead officer and directly advise the Corporate Director but has direct access to the Chief Executive, relevant council committees and panels including Cabinet and Scrutiny sub-committees and council Members on all strategic policies and practices relating to the People Directorate.

DIMENSIONS

- Responsible for the effective management of delegated budgets
- Revenue budget in the order of £80m

- Capital budget in the order of £10m
- Directly manages 5 Heads of Service and has overall responsibility for approx. 325 employees
- Direct budget responsibility for £80m of revenue and £10m of capital.