

Notice of Meeting



Scan here to access the public documents for this meeting

Special Executive

Thursday 17 May 2018 at 1.30pm

**in the Roger Croft Room, Council Offices,
Market Street, Newbury**

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcast, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Friday 11 May 2018

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To:	Councillors Dominic Boeck, Graham Bridgman, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, Marcus Franks, James Fredrickson, Graham Jones and Rick Jones
-----	---

Agenda

Part I

- 1. Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
- 2. Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

Item not timetabled in the Forward Plan

	Pages
3. New post of Executive Director (Communities) (CSP: MEC and MEC1) Purpose: To seek permission from the Executive to delete the post of Corporate Director (Communities) and replace it with a new post of Executive Director (Communities) to include the new role of Deputy Chief Executive, and to seek the funding required to support the new remuneration package.	5 - 42

Andy Day
Head of Strategic Support

West Berkshire Council Strategy Aims and Priorities

Council Strategy Aims:

- BEC** – Better educated communities
- SLE** – A stronger local economy
- P&S** – Protect and support those who need it
- HQL** – Maintain a high quality of life within our communities
- MEC** – Become an even more effective Council

Council Strategy Priorities:

- BEC1** – Improve educational attainment
- BEC2** – Close the educational attainment gap
- SLE1** – Enable the completion of more affordable housing



Agenda – Special Executive to be held on Thursday, 17 May 2018 (continued)

- SLE2** – Deliver or enable key infrastructure improvements in relation to roads, rail, flood prevention, regeneration and the digital economy
- P&S1** – Good at safeguarding children and vulnerable adults
- HQL1** – Support communities to do more to help themselves
- MEC1** – Become an even more effective Council

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



This page is intentionally left blank

New Post of Executive Director (Communities)

Committee considering report:	Special Executive on 17 May 2018
Portfolio Member:	Councillor Graham Jones
Date Portfolio Member agreed report:	10 May 2018
Report Author:	Robert O'Reilly/Nick Carter
Forward Plan Ref:	Urgent Item

1. Purpose of the Report

- 1.1 The purpose of the report is to seek permission from the Executive to delete the post of Corporate Director (Communities) and replace it with a new post of Executive Director (Communities) to include the new role of Deputy Chief Executive, and to seek the funding required to support the new remuneration package.

2. Recommendations

- 2.1 The Executive agree to delete the post of Corporate Director (Communities) and replace it with a new post of Executive Director (Communities) to include the new role of Deputy Chief Executive.
- 2.2 To agree the additional funding of £23,186 pa required to support the new post.

3. Implications

- 3.1 **Financial:** If approved the new post of Executive Director (Communities) will cost an additional £23,186 pa compared to the post of Corporate Director (Communities) at mid-point of the salary ranges.
- 3.2 **Policy:** If approved, this decision will change the Pay Policy statement of the salaries of senior posts.
- 3.3 **Personnel:** The proposal creates a new post within the Council's senior management structure and deletes another. There is a change in responsibilities in terms of the post deputising for the Chief Executive and there has also been a need to revise the remuneration package to ensure that the Council has a good chance of securing a satisfactory candidate.
- 3.4 **Legal:** None.
- 3.5 **Risk Management:** None.
- 3.6 **Property:** None.
- 3.7 **Other:** None.

4. Other options considered

- 4.1 In all other respects the Council's senior management arrangements remain unchanged.

Executive Summary

5. Introduction / Background

- 5.1 The 2016 Senior Management Review highlighted concerns regarding senior management remuneration. Following the Executive meeting in December 2016 an independent review of remuneration was commissioned which is yet to conclude. This is being undertaken by South East Employers (SEE).
- 5.2 The current Corporate Director (Communities) resigned in February 2018 and this has triggered the need to review the remuneration of the post. Given the current state of the employment market the view has been taken that a higher remuneration package will be needed to secure the right candidate.
- 5.3 The SEE Review is also considering broad management structure options which its expected will then be taken forward internally in association with the development of the Council Strategy.

6. Proposal

- 6.1 It is not proposed to make changes to the Council's overall management structure at this time however the following are being recommended;
 - the post of Corporate Director (Communities) is abolished and replaced by the new post of Executive Director (Communities) which will also attract the designation of Deputy Chief Executive;
 - it remains a 'twin hatted' role following the conclusions of the recent independent Test of Assurance;
 - that the salary for the new post is set in the range of £123,000 - £128,000 and that the additional funding required is met from the Council's revenue reserves.

7. Conclusion

- 7.1 Concerns regarding senior management remuneration were highlighted to the Executive in December 2016 and an independent review was commissioned last summer. This has yet to conclude.
- 7.2 The resignation of the Corporate Director (Communities) now brings this issue into sharp focus. Prior to the conclusion of the overall review it has been felt necessary to review the remuneration of this specific post and recommendations are now being made in this regard so that recruitment can commence with a realistic chance of success.
- 7.3 Some minor changes are being proposed to the role itself notably to the job title along with the addition of the designation, Deputy Chief Executive. The reasoning for this is set out in the supporting information.

8. Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Supporting Information

New Post of Executive Director (Communities)

- 8.3 Appendix C – West Berkshire Council – current management structure
- 8.4 Appendix D – West Berkshire Council – proposed management structure
- 8.5 Appendix E – Executive Director (Communities) – draft job description
- 8.6 Appendix F – Test of Assurance

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To create a new post of Executive Director (Communities)
Summary of relevant legislation:	n/a
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Robert O'Reilly
Date of assessment:	02/05/2018

Is this a:		Is this:	
Policy	Yes	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	Yes
Service	/No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To create a new post of Executive Director (Communities) to include the new role of Deputy Chief Executive
Objectives:	To create a new post of Executive Director (Communities) to include the new role of Deputy Chief Executive
Outcomes:	To create a new post of Executive Director (Communities) to include the new role of Deputy Chief Executive
Benefits:	Will allow the Council to fill a vital senior role.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.		
(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	None	

Disability	None	
Gender Reassignment	None	
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		
The post, if approved by the Executive, will be externally advertised. Applications from candidates with any protected characteristics under the EA will be welcome in accordance with the Council's recruitment policy.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	n/a
Timescale for Stage Two assessment:	n/a

Name: Robert O'Reilly

Date: 02/05/2018

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

New post of Executive Director (Communities) – Supporting Information

1. Introduction/Background

- 1.1 The Executive approved the 2016 Senior Management Review in December 2016 and it was subsequently implemented in April 2017. One of the recommendations that was approved at the time was that there should be a review of senior management remuneration following a national benchmarking exercise of unitary authorities. This highlighted that the Council was likely to be uncompetitive should it have to advertise certain senior management posts.
- 1.2 As a result South-East Employees (SEE) were commissioned to undertake a review of senior management remuneration during last summer. Following the initiation of this Review a decision was taken, in consultation with the Executive, that it would be useful for SEE to undertake a more responsive review of the senior management structure, mindful of the need to consider succession planning and the emergence of a new Council Strategy.
- 1.3 In February this year the Corporate Director (Communities) announced her resignation. The remuneration package of this particular post was highlighted in the earlier Senior Management Review as requiring review given changing market conditions. As a result the decision was taken to ask SEE to undertake a specific review of the remuneration package for this post. This has now been done.
- 1.4 SEE's review of senior manager remuneration has not yet been completed. Neither have their considerations of future senior management arrangements. Both are expected to be reflected in a report from SEE during the summer.
- 1.5 The purpose of this report is therefore not to consider wider senior management arrangements and remuneration but rather to seek authority to increase the remuneration package of this specific post, and to alter the post title, so that recruitment can proceed.

2. Supporting Information

- 2.1 The Council's senior management structure was last reviewed in 2016. The proposed changes were implemented in April 2017. The current structure chart is set out at Appendix C. The Council's senior management structure is based on 'People, Place and Resources' model which is common in other upper tier authorities like West Berkshire. The Chief Executive and Corporate Director (Communities) are both 'twin hatted'. The former also assumes the role of Corporate Director (Resources) and the latter is both the statutory Director of Children's Services and the Director of Adult Social Services. This, coupled with relatively low remuneration levels, leaves West Berkshire with a very cost effective senior management structure.
- 2.2 The 2016 Senior Management Review did not move the Council away from the 'People, Places and Resources' model. It's focus was on reducing the number of

Heads of Service and realigning some of their responsibilities. The Review did however highlight potential alternative structural models to that which the Council has adopted since 1998.

- 2.3 In addition to the structural changes highlighted above, the Executive agreed, when the 2016 Senior Management Review was considered in December 2016, that a review should be undertaken of senior management remuneration. South East Employers were subsequently commissioned last year and their report is expected in the summer. In addition to this, conversations with South East Employers (SEE) have led to a further debate about future structural options. These have been triggered by succession planning issues, the emergence of a new Council Strategy, and changes in the environment within which the Council is operating. It is expected that when SEE report in the summer they will also reflect on what structural options could be considered. It is expected that this will result in further work internally alongside the development of the Council Strategy before any final decision is taken.
- 2.4 The resignation of the Corporate Director (Communities) has come part way through this review. The view has been taken that given market changes over the past 5 years the remuneration package must be revised. SEE have undertaken this review and concluded that a salary package in the range £123,000 - £128,000 will need to be offered. This compares with the current range of £95,969 - £108,668 (SCP 72 -77).
- 2.5 The advice from SEE is that this combined role should be paid on a salary range consisting of six spinal column points at intervals of £1,000. The spinal column points will increase by 2% on 1st April 2019 and will shadow the NJC 'cost of living' pay awards in future years. The successful candidate could be appointed on any point on the new pay range so the additional cost is estimated at mid point between the old and new pay ranges. The additional cost at mid-point is £23,186 per annum.
- 2.6 In addition to this it is felt that the post should be retitled Executive Director (Communities) and that it should also carry the designation Deputy Chief Executive. These changes do not signal a change in the 'People, Places, Resources' model or in the overall management structure as can be seen in Appendix D. The designation 'Deputy Chief Executive' simply relates to the post deputising for the Chief Executive when he/she is not present. The change in designation is seen to give the Council maximum flexibility should it decide to change the senior management arrangements at a later date.

3. Options for Consideration

- 3.1 As stated earlier, the resignation of the Corporate Director (Communities) has not, and should not, trigger a review of the Council's senior management arrangements. It has however come at a time when the Council is independently reviewing remuneration and broad structural options.
- 3.2 The status quo has not been seen as an option. Remuneration concerns were highlighted in December 2016 and the pressure has increased since then. Whilst ideally it would have been beneficial to wait until the current review was complete there is a widely held view that going to the market with the current salary package will not attract the required calibre of candidate. Proposals to increase the

remuneration are therefore being put forward for which additional budgetary provision will need to be made.

- 3.3 Whilst there is no desire to unravel the senior management structure at this point it is relevant to consider whether the current ‘twin-hatted’ arrangement should be dissolved. This arrangement has been in place within the Council for the last 7-8 years and is generally viewed to have worked well. The Council has recently commissioned an independent Test of Assurance which has confirmed that the Council’s ‘twin hatted’ arrangements are secure. On this basis no change is being proposed although it is clearly an option should Members wish to consider it.

4. Proposals

4.1 The following proposals are being made;

- (1) that the senior management model based on ‘People, Place and Resources’ remains unchanged as agreed by the Executive in December 2016;
- (2) the post of Corporate Director (Communities) is abolished and replaced by the new post of Executive Director (Communities) which will also attract the designation of Deputy Chief Executive;
- (3) that the post of Executive Director (Communities) remains ‘twin hatted’ following the conclusions of the independent Test of Assurance in February 2018;
- (4) following the concerns raised with the Executive in December 2016 that the remuneration of the above post is set at £123,000 - £128,000 creating a budget pressure of circa £23,000 and that this is funded from the Council’s revenue reserves;
- (5) that the Members note that a report from SEE is due in the summer with further work on the senior management structure continuing beyond that, in association with the development of the new Council Strategy; and that the proposals set out here will not compromise the future direction of those discussions.

5. Conclusion

5.1 The post of Corporate Director (Communities) has become vacant and it is appropriate to reflect on the role prior to starting a recruitment campaign. Following the Executive meeting in December 2016 it was agreed that a review senior management remuneration should be conducted. This is still underway so the timing is unfortunate. That said it is clear that the current remuneration is inadequate and following independent assessment, proposals are being put forward to address this.

5.2 The current independent work on remuneration will include a review of potential structural options. This work will however not conclude until the new Council Strategy has been finalised. Given the nature and significance of the role it is being proposed that the job title is changed and that the post is designated as Deputy Chief Executive. As can be seen in the attached job description this will not alter the current senior management arrangements other than formalise who will

deputise for the Chief Executive in his/her absence. Care has been taken to ensure that these proposals do not compromise any potential future consideration of structural options later this year/early next.

- 5.3 Other structural options have not been considered however the option of splitting the DCS and DASS roles is explored in the main report. Potential options regarding future management arrangements are likely to emerge later in the year in a separate report aligned to the new Corporate Strategy.

6. Consultation and Engagement

6.1 Corporate Board

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected:

All

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

- MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priority:

- MEC1 – Become an even more effective Council**

The proposals contained in this report will help to achieve the above Council Strategy aim and priority by ensuring the appropriate senior management structure was in place.

Officer details:

Name: Nick Carter/ Robert O' Reilly
Job Title: Chief executive/ Head of HR
Tel No: 01635 519101/ 01635 519358
E-mail Address: nick.carter@westberks.gov.uk/robertoreilly@westberks.gov.uk

West Berkshire Council Senior Management Structure (updated April 2018)

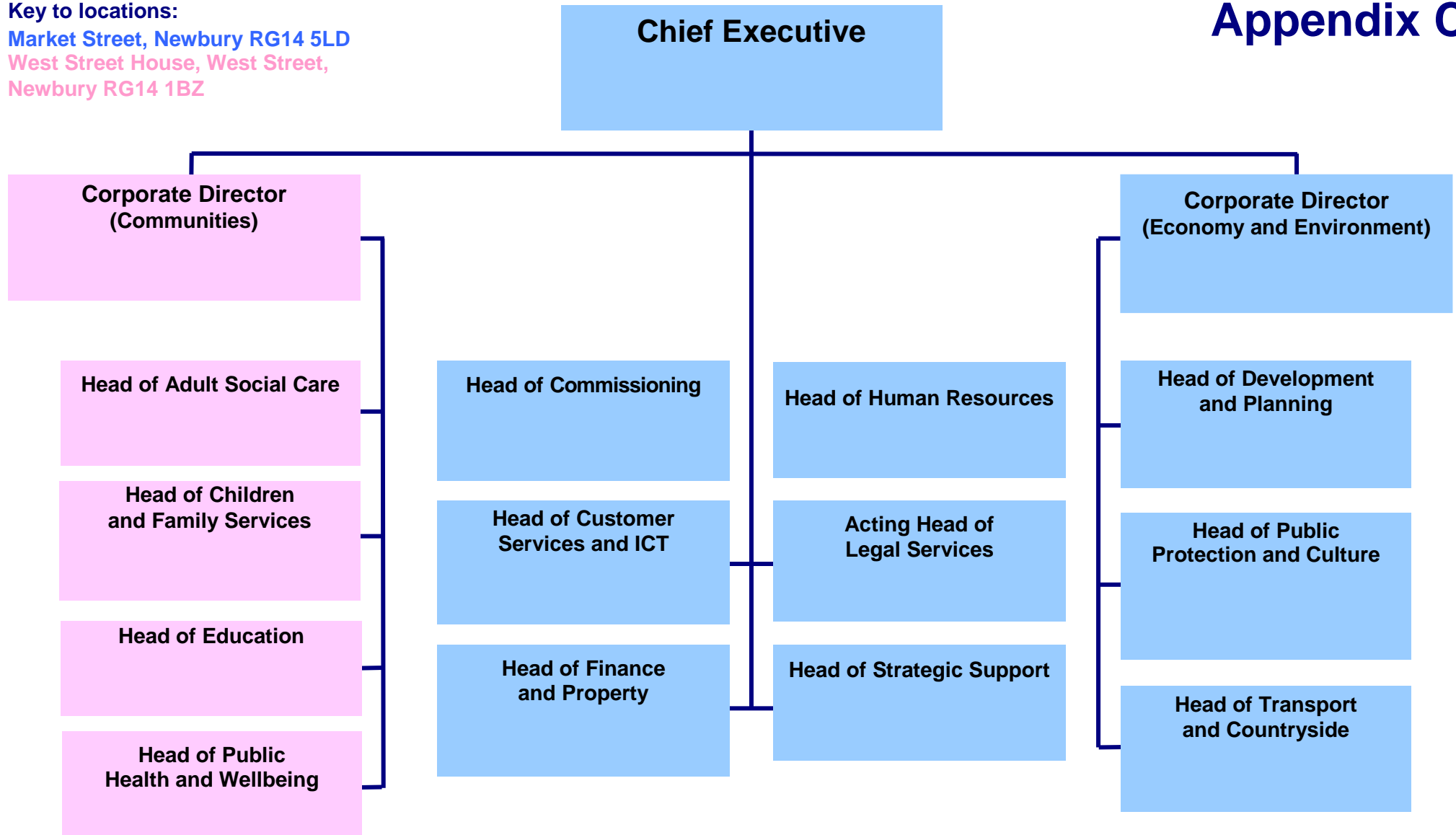
Note: All telephone numbers are direct lines. The area dialling code is 01635 if required.

Key to locations:

Market Street, Newbury RG14 5LD

West Street House, West Street,
Newbury RG14 1BZ

Appendix C



Communities

Resources

**Economy &
Environment**

This page is intentionally left blank

West Berkshire Council Senior Management Structure (updated April 2018)

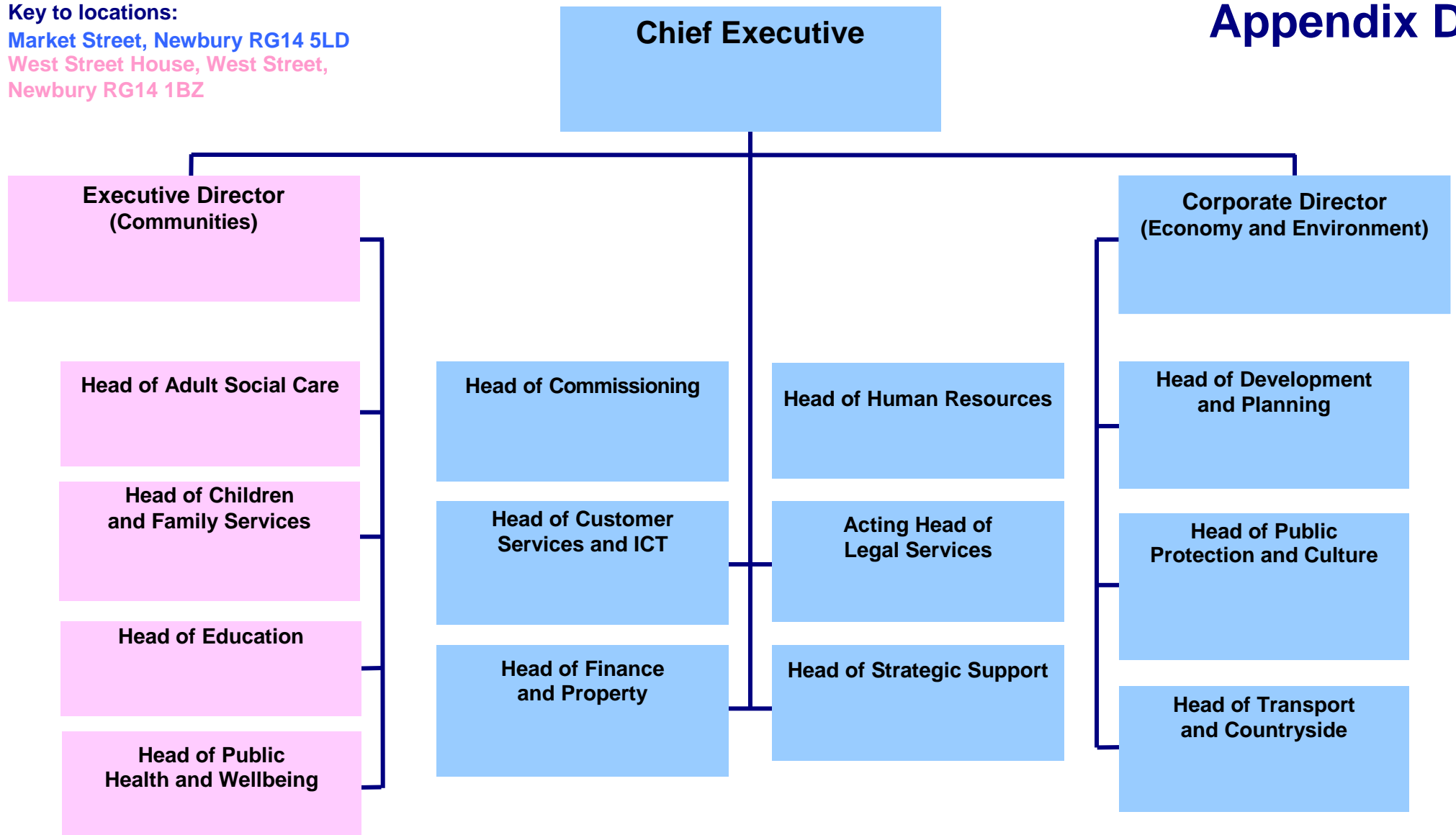
Note: All telephone numbers are direct lines. The area dialling code is 01635 if required.

Key to locations:

Market Street, Newbury RG14 5LD

West Street House, West Street,
Newbury RG14 1BZ

Appendix D



Communities

Resources

**Economy &
Environment**

This page is intentionally left blank

Appendix E

Draft Job Description and Person Specification

Job title:	Executive Director
Directorate:	Communities
Service:	N/A
Team:	N/A
Post number:	03710
Salary grade:	Executive Director (ED) £123,000 to £128,000
Work location:	West Street House
Reports to:	Chief Executive
Supervises:	Heads of Service for Education; Children and Family Services; Adult Social Care; and Public Health and Wellbeing

Job Purpose

- To lead and manage the Communities Directorate to ensure the delivery of best value in accordance with the Council's vision.
- To contribute to strong and effective corporate management of the Council.
- To work in partnership with other organisations to deliver effective and efficient services to the community.
- To undertake the statutory role of Director of Children's Services (DCS).
- To undertake the statutory role of Director of Adult Services (DAS).
- To undertake the role of Deputy Chief Executive as defined in this job description.

Structure Chart

See separate document attached

Main Duties and Responsibilities

Corporate Management

- To be the Deputy Chief Executive in the absence of the Chief Executive and as required.
- Promote the Council's values and ensure the aims of the Council Strategy and Business Plan are achieved, by providing a clear sense of purpose and direction within the Communities Directorate and the wider Council.
- Lead on key corporate issues and priorities as required.
- Manage corporate projects, as agreed by elected members and the Chief Executive, to ensure that the Council delivers services to a high standard and in a consistent manner.
- Take a lead on preparation of the Council's Medium Term Financial Strategy and the annual preparation of the Council's revenue and capital budgets.
- Take a lead on development, implementation, monitoring and review of the Council Strategy alongside elected members, the Chief Executive and other Corporate Directors.
- Work closely with elected members on major corporate issues to support them in delivering

Main Duties and Responsibilities

effective solutions.

- Promote the interests of the authority externally and represent the Council at a national, regional and local level.
- Promote equal opportunities and tackle discrimination both within and outside the Council, making equality mainstream within all the activities of the directorate, and ensuring all services are accessible.
- Lead, oversee and assist in required emergency planning activity.

Directorate Management

- Manage heads of service within the directorate (and elsewhere if appropriate), including supervision of professional standards and competence, individual performance and development, service development, budgetary control and resource management.
- Manage a programme of directorate and corporate projects, in partnership with internal/external stakeholders, to meet customers'/stakeholders' needs and organisational and statutory requirements.
- Keep operational services, structures and partnership arrangements under review, in order to ensure that they respond to legislative change, national initiatives and the current and future needs of the local community.
- Ensure that a clear policy planning and performance management framework exists within the directorate which provides strong co-ordination across all services and the involvement of all relevant stakeholders.
- Work closely with elected members on directorate issues and support them in delivering effective solutions, ensuring that members are effectively engaged and supported in the work of the directorate.
- Build and maintain effective relationships with key partners, service providers, stakeholders and the wider community to facilitate high quality services and improve outcomes, including securing arrangements for the provision of joint/integrated services where this will be the most cost-effective means of enhancing service provision. Maintain an effective framework for consultation with local stakeholders.
- Fulfil the duties assigned to Directors within the Council's Constitution and Scheme of Delegation (e.g. health and safety, discipline, capability and grievance, complaints etc.).
- *LSCB and SAB*

Specific Job Responsibilities

- To be the Deputy Chief Executive in the absence of the Chief Executive and as required.
- To act as the Director of Adult Social Services and as Director of Children's Services as required by the Local Authority Social Services Act 1970 (as amended by the Children's Act 2004).
- Lead, co-ordinate and support effective partnerships of all those interested in children and young people and associated services, whether as looked after children, pupils, students, parents, families, carers, head teachers, governors, leisure, sport or heritage customers, staff, volunteers or employers.
- Advise officers and elected members of the Council on the needs of children and young people and associated services, ensuring that Council plans and strategies are met and the Council is equipped to meet Government requirements and inspection requirements.
- Work with schools and other key partners to prepare a strategic vision for the delivery of

Main Duties and Responsibilities

services to children, young people and their families which ensures their safety, and enables them to achieve their full potential.

- Support the West Berkshire Health and Wellbeing Board and play a lead role in helping to implement the West Berkshire Health and Wellbeing Strategy.
- Lead in promoting independence for older people and vulnerable adults and the delivery of efficient and effective adult social care and housing services to the local community.
- Work with key partners in preparing a strategic vision for the delivery of adult social care services which promotes the independence, safety and wellbeing of older people and vulnerable adults.
- Work with Health partners to support the integration of health and adult care services locally, across Berkshire West and where appropriate across the local sustainability and transformation partnership.
- Draw up proposals for the Council's Capital Programme, and oversee its implementation as it relates to the Communities Directorate.

General duties

- Promote equality as an integral part of the role, treating everyone with fairness and dignity.
- Comply with WBC health and safety policies, procedures and rules, taking reasonable care of self and others.
- Adhere to the standards set out in the WBC competency framework.

Scope (impact on/control of resources, people, money etc)

Budget	Revenue	xxxx
	Capital	xxxx
Staffing	Headcount	xxxx
	Full time equivalent	xxxx

Person Specification

Qualifications	Essential/ Desirable
Educated to degree level or equivalent	E
Professional qualification relevant to the service	E
Membership of relevant professional body	E
Management qualification (e.g. ILM7/MBA)	D
Experience	
Significant, demonstrable successful management experience at senior level in a large, complex, multi-service organisation	E
Track record of successful leadership in a directly related service environment	E
Experience of managing significant organisational change to a successful conclusion, including implementing new organisational structures, systems and new ways of working.	E
Experience of working successfully in partnership, with internal and external partners	E
Significant, demonstrable successful management experience at senior level in a large, complex, multi-service organisation	E
Knowledge and understanding	
Understanding of the workings of local government including in-depth knowledge of major legislative and other matters facing local government in directorate service areas, both at present and in the future	E
Understanding of, and commitment to, equality of opportunity in its widest sense.	E
Understanding of and commitment to the development of policies to promote sustainable development and community partnership.	E
Skills and abilities	
Ability to use Outlook, and a web browser to access information	E
Ability to use Microsoft Office (Word, Excel, PowerPoint etc)	E
Ability to interpret and analyse complex performance and finance information	E
Ability to lead and manage people effectively	E
Ability to facilitate change and oversee continuous improvement	E
Ability to develop productive working relationships with colleagues and stakeholders	E
Ability to manage projects and performance to achieve results	E
Ability to use resources effectively	E
Ability to manage performance to achieve results	E
Excellent communication, negotiating and influencing skills	E
Ability to form effective relationships with elected members	E

Work-related personal qualities	
Creativity and innovation	E
Personal resilience and resources to deal with pressure in a rapidly changing environment	E
Personal integrity and commitment to public service and the values of the Council, and to continuous improvement at all levels	E
Flexible and open-minded approach to work	E
Able to relate to people at all levels	E
Able to work irregular hours to meet the demands of the role	E
Creativity and innovation	E
Personal resilience and resources to deal with pressure in a rapidly changing environment	E
Other work-related requirements	
This role has been identified as public facing in accordance with Part 7 of the Immigration Act 2016, and therefore the ability to fulfill all spoken aspects of the role with confidence in English will be required. Conversing at ease with members of the public (including pupils), providing advice and using any specialist terminology appropriate to the role is essential for the post	E
Enhanced DBS check with relevant barred list/s	Yes
Is this post politically restricted?	Yes

This page is intentionally left blank

West Berkshire Council

Test of Assurance – Arrangements for Discharging Director of Children’s Services Functions

February 2018

1. Background

The “Statutory guidance on the roles and responsibilities of the Director of Children’s Services and the Lead Member for Children’s Services” was issued by the Department for Education in April 2013. The document provides statutory guidance for local authorities issued under sections 18(7) (Director of Children’s Services) and 19(2) (Lead Member for Children’s Services) of the Children Act 2004) and states that:

“It is legally permissible for the DCS (Director of Children’s Services) and LMCS (Lead Member for Children’s Services) to be combined with other operational and political functions of the local authority. However, given the breadth and importance of children’s services functions that the DCS and LMCS cover, local authorities should give due consideration to protecting the discrete roles and responsibilities of the DCS and LMCS before allocating any additional functions to individuals performing these roles.

In particular, local authorities should undertake a local test of assurance so that the focus on outcomes for children and young people will not be weakened or diluted as a result of adding such other responsibilities.”

The guidance also states that “Local Authorities will, as a matter of course, want to ensure their structures and organisational arrangements enable them to:

- fulfil their statutory duties effectively (including ensuring that children, young people and families receive effective help and benefit from high educational standards locally);
- be transparent about responsibilities and accountabilities
- support effective interagency and partnership working.

2. Scope and Methodology

The test of assurance covered the areas required by statutory guidance, namely:

- Leadership and accountability
- Management capacity
- Performance Management
- Stakeholder views

- Child protection arrangements
- Multi-agency and partnership arrangements.

In doing so the following elements of the statutory guidance were tested to provide assurance that effective arrangements are in place:

- clarity about how senior management arrangements ensure that the safety and educational, social emotional needs of children and young people are given due priority and how they enable staff to help the local authority discharge its statutory duties in an integrated and coherent way;
- clarity about how the local authority intends to discharge its children's services functions and be held accountable for them from political, professional, legal and corporate perspectives;
- the seniority of and breadth of responsibilities allocated to individual post holders and how this impacts on their ability to undertake those responsibilities (especially where a local authority is considering allocating any additional functions to the DCS and LMCS posts);
- the involvement and experiences of children and young people in relation to local services;
- clarity about child protection systems, ensuring that professional leadership and practice is robust and can be challenged on a regular basis, including an appropriate focus on offering early help and working with other agencies in doing so; and
- the adequacy and effectiveness of local partnership arrangements (e.g. the local authority's relationship with schools, the courts, Children's Trust co-operation arrangements, Community Safety Partnerships, health and well-being boards, Youth Offending Team partnerships, police, probation, Multi-Agency Public Protection Arrangements and Multi-Agency Risk Assessment Conferences) and their respective accountabilities.

3. The Test of Assurance

The test of assurance was commissioned by the Chief Executive of West Berkshire Council. It was conducted in February 2018 by Rachel Dickinson, an experienced serving Executive Director, People (Director of Children's and Director of Adults Services) for Barnsley Metropolitan Borough Council, South Yorkshire.

A test of assurance was completed for the Council by Rachel Dickinson in 2016 and this second test was undertaken following changes to the corporate structure implemented in April 2017. Since this time, public health has been included in the portfolio of the Corporate Director and the previously held responsibilities for housing and commissioning were transferred to other directorates.

This test of assurance also considered recent changes to the senior management and impending changes. Specifically, the Head of Children and Families Service left the Council for a development opportunity in December 2017. This post has been recruited to and is covered on an interim basis until March 2018. The Head of Prevention and Safeguarding is leaving in February 2018 to pursue other interests and the Corporate Director is leaving to take up a development opportunity in May 2018.

The test of assurance was based on:

A review of the Council's web-site and a review of documentary evidence submitted by the Council including:

- a self-assessment;
- council strategy 2015-19
- medium term financial strategy 2017/18-2019/20
- council constitution and scheme of delegation;
- the forward plan;
- West Berkshire's 'Need to Know Policy (reporting guidance);
- structure charts;
- job descriptions;
- portfolio holders remits;
- terms of references for key boards/committees;
- the Corporate Director's diary for the preceding three months;
- latest performance reports including the Annual Complaints Report 16/17 ;
- key policies and strategies;
- Ofsted Single Inspection of West Berkshire Children's Services July 2017;
- Agenda papers and minutes from decision-making bodies.

A series of interviews held over two days on site (20 – 21 February 2018):

- the Deputy Leader of the Council
- the Portfolio Holder for Adult Social Care
- the Portfolio Holder for Children, Young People and Education
- Chief Executive
- a focus group of front line staff (non-managerial/participation/young people's voice)
- Corporate Director - Communities
- Head of Education
- Head of Prevention and Safeguarding
- Head of Adult Social Care
- Interim Head of Children and Family Services
- Public Health Manager
- the chair of the local safeguarding children board

- the Children and Families Leadership Team – Service Managers

4. The Findings

4.1 Evidence and assurance: Leadership, governance and accountability

Elements:

- clarity about how senior management arrangements ensure that the safety and educational, social emotional needs of children and young people are given due priority and how they enable staff to help the local authority discharge its statutory duties in an integrated and coherent way;
- clarity about how the local authority intends to discharge its children's services functions and be held accountable for them from political, professional, legal and corporate perspectives.

Criteria:

Assurance in leadership and accountability arrangements is founded on the following:

- Clarity of senior roles and responsibilities
- Clear and unbroken lines of accountability for areas of service (particularly areas of statutory responsibility)
- Sufficient focus of the Director on outcomes for children and young people
- Strong visible leadership to drive improvement
- Confidence of the Director, and in the Director, to carry out all the areas of responsibility across adults and children's services.

Documentary Evidence Considered:

- Council constitution and scheme of delegation
- Job descriptions for the corporate director and heads of service
- Organisation structure charts for the Council, Directorate, and Children and Family Services
- Need to Know reporting guidance – what needs to be brought to the Directors attention
- Directors diary for preceding three months
- Terms of reference for key partnership boards
- West Berkshire Children's Delivery Group Strategic Summary 2016-18
- Budget outturn report

Feedback from evidence reviews and interviews

Throughout the test of assurance I heard and read consistently of high levels of confidence in current leadership and accountability. It was evident that the Corporate Director was held in very high regard. Staff had just heard about the Corporate Director's impending departure from the Council and universal regret was expressed about this. However, there was also a significant level of confidence that current arrangements are supporting improvements to children and young people's outcomes in West Berkshire and that these would continue.

This confidence appeared to be based upon a shared commitment to the values of the Council which were positively regarded; the commitment of the political leadership of the Council to Children and Young People's Services; the experience of the current Chief Executive (who took up post in 2005) and who was described as being "very interested in Children's Services"; and well established systems of governance and accountability.

There was no evidence or sense of a let up in pace following the Ofsted judgement in 2017, a post Ofsted action plan is in place and was well understood.

The culture of the Directorate and indeed Council was universally described as "high challenge – high support". There was considerable assurance that within this culture concerns would be escalated, heard and responded to. The test of assurance found that roles and responsibilities are clear as are the lines of accountability which are unbroken from the Corporate Director to the front line. Lots of examples were provided that indicated a high level of contact of the Corporate Director with the front line and there was significant confidence that the Corporate Director knew what was happening at the front line.

The Corporate Director expressed confidence in her ability to carry out all areas of responsibility across adults and children's services. All the interviewees expressed a high level of confidence in the Director's ability to carry out these responsibilities.

The LSCB (Local Safeguarding Children Board) chair took up post in September 2017 and has a clear communication line to the Corporate Director. The arrangements for keeping in touch with the Chief Executive are not yet in place.

There was limited evidence of Scrutiny acting as a critical friend and adding value to governance and accountability by creating high quality challenge.

4.2 Evidence and assurance: Management capacity and workforce development

Element:

- the seniority of and breadth of responsibilities allocated to individual post holders and how this impacts on their ability to undertake those responsibilities (especially where a local authority is considering allocating any additional functions to the DCS and LMCS posts)

Criteria:

Assurance in management capacity is founded on:

- Sufficient skill mix and experience in the senior management team
- Sufficient resilience in the senior management team
- Sufficient capacity in the senior management team to discharge their responsibilities
- Designated Heads of Service with responsibility for and time to deal with safeguarding adults and children.

Documentary evidence considered:

- Organisation charts showing Council, Directorate and Children and Family Services
- Council constitution and scheme of delegation
- Job descriptions for the corporate director and heads of service
- Directors diary for preceding three months
- Employee Performance Management Policy and Procedure

Feedback from evidence review and interviews

There was no indication from the written evidence or the interviews that the structural changes introduced in April 2017 had negatively impacted on management capacity in the Directorate. Throughout the test of assurance I read and heard consistently of significant confidence in the current structure of the Directorate. There was an acknowledgement of the improvement in outcomes for both children and vulnerable adults that the structure had delivered. However, there was also a legitimate concern about the significant financial risks that the Council faces in meeting local need for adult social care services and the future positioning of the Council to manage these risks.

A review of the current structure diagrams and job descriptions indicates that there is sufficient skill mix within the senior management team roles to support the Director to discharge the statutory responsibilities of both Director of Children's Services and

Director of Adult Services. A review of attendance at key meetings, the Director's diary and individual interviews strongly suggested that there is currently sufficient capacity within the senior team roles to discharge their responsibilities. The structural changes introduced in April 2017 had not negatively impacted on this. It was evident that a system of supervision and appraisal was in place.

The more pressing issue now is that this is a senior management team in transition and resilience within the team during this phase needs careful consideration. The current structure is made up of five heads of service roles. Two of these heads of Service posts are covered on an interim basis (with appointed post holders due to take up role in March and April). A further two heads of service in the directorate have significant experience of operating at that level within the Council. A fifth head of service (prevention and safeguarding) was due to leave in eight days' time. The Corporate Director will leave in May. The level of experience in the senior team as a whole will be significantly reduced through these changes.

The newly appointed Head of Children and Families Services will be operating at this level for the first time when they take up the role in March. There was a view expressed by those who had engaged in the recruitment process, that a good appointment had been made. This view was also held about the newly appointed Head of Public Health who takes up post in April.

The departure of the Head of Prevention and Safeguarding provides an opportunity to consider how best to take forward the quality assurance agenda within the directorate. This post was created in 2014 and brought important additional capacity to a service subject to intervention. The authority is now judged by Ofsted to be 'good' and is post-intervention. It is appropriate that time is being taken to carefully consider the future of this role.

The impending departure of the Corporate Director in May 2018 means that the Council will need to ensure that sound cover arrangements are in place for the role in an interim period. It will also need to ensure that strong recruitment arrangements are deployed for a new Corporate Director. This matter was being considered by the Council as part of a strategic exercise it has embarked upon to consider future council strategy for 19/20 and beyond.

Careful consideration needs to be given to transition planning to a leadership team where (from May 2018) half the post holders will be newly appointed. Importantly, thought was being given to securing appropriate levels of support for newly appointed senior officers, which included a full induction process and objective setting in line with the employee performance management policy; securing mentors; re-negotiating corporate expectations for prescribed periods; increased level of support from the Chief Executive. The Corporate Director was reducing external commitments to ensure an inward focus to complete the work necessary to support an effective transition to new senior management personnel and senior management

arrangements. Confidence was expressed in the experienced heads of service and the strong contribution they would make in a transitional phase.

There was a high level of confidence in resilience at service manager level within the Directorate. Indeed, service managers identified themselves as a source of resilience. Front line staff also expressed an increased level of confidence. This was a notable difference to the test of assurance undertaken in 2016 and was ascribed by many to the approach West Berkshire had taken to securing rapid and significant improvement. The restorative approach adopted by the Directorate and the Council has evidently grown capability at all levels within the directorate signalling that effective workforce development is in place.

There has been a strengthening of the capacity to improve quality assurance in adult social care and progress has been made to implement all the elements of the Care Act. The establishment of the 'adults' principal social worker was positively regarded and mirrors the established role in children and family services. The test of assurance found from the evidence written and heard that the structure provides for designated heads of service with responsibility and time to deal with safeguarding adults and vulnerable children.

4.3 Evidence and Assurance: Performance management and quality assurance

Elements:

- clarity about senior management arrangements ensure that the safety and educational, social emotional needs of children and young people are given due priority and how they enable staff to help the local authority discharge its statutory duties in an integrated and coherent way;
- clarity about how the local authority intends to discharge its children's services functions and be held accountable for them from political, professional, legal and corporate perspectives.

Criteria:

Assurance in performance management arrangements is founded on:

- Clear service strategies and policies in place for areas of service weakness or challenge
- Robust arrangements for agreeing performance measures and targets
- Regular monitoring of service performance
- Evidence of performance is drawn from a range of sources
- Performance data is interrogated
- Clarity about performance reporting arrangements.
-

Documentary evidence considered:

- Council Plan
- Children and Family Services Plan 2107 – 2020
- Performance framework and data report for January 2018
- Self-evaluation produced for the annual conversation with Ofsted
- Quality assurance framework
- Employee Performance Management Policy and Procedure

Feedback from evidence review and interviews

Assurance in this element requires confidence that there is evidence of key strategies and policies, robust performance management arrangements that include regular reporting and action planning and wider quality assurance arrangements. Throughout the test of assurance significant evidence was presented to secure confidence that the requirements of the test were met.

There is a clear architecture of performance reporting in place within the Directorate and the Council and this was both well understood and seen to support the delivery of improved outcomes. It was apparent from the evidence that a golden thread exists from the Council Plan to individual service planning and delivery. The corporate performance team works with services to develop plans, set performance indicators and agree targets. These plans are agreed and signed off by the Corporate Director.

During the test of assurance I heard lots of examples demonstrating how data and quality assurance material was used within a culture of high support and high challenge to continuously improve services. The Director's behaviour in being curious, asking questions and responding in a thoughtful way was evidently highly respected and other leaders were described as behaving in the same way.

The evidence demonstrated that reporting arrangements are clear and that individual responsibilities within both the performance management and quality assurance frameworks were well understood. Following the outcome of the Ofsted inspection in 2017 the Improvement Board chaired by the Director was dis-established. A post-Ofsted Action Plan is now in place. A Quality Assurance Board chaired by the Director meets to review audit outcomes and data from a range of sources including complaints. I heard more than once that "You don't turn up to the Quality Board unprepared".

The implementation of a new case management system had temporarily interrupted production of the monthly performance report (Datazone). Leaders were well sighted on the issues which were addressed leading to the production of reports of progressively improving quality. There was evidence that performance reports are both interrogated and used to drive improvement. Performance reports are shared within a regional benchmarking process which brings an additional source of challenge.

Quarterly performance and quality reports are provided and discussed with portfolio holders and at the Council's corporate board. Quarterly reports on children and adult safeguarding matters are also reviewed at corporate board. Corporate Parenting Panel chaired by the portfolio holder now appears to play a more effective role in supporting and challenging performance of services for children in care.

Front line staff reported that they understood their responsibilities to deliver performance to the required standard. They have confidence that managers know and understand both the level of service compliance with standards and the quality of services provided.

4.4 Evidence and assurance: Stakeholder and service user views

Elements:

- the involvement and experience of children and young people in relation to local services

Criteria:

Assurance in the area of engagement with stakeholders is founded on:

- Services and procedures that drive engagement with children and young people
- Feedback from children, young people, families and front staff is encouraged and taken into account
- These views drive service development and improvement.

Documentary evidence considered

- Annual complaints report 2016/17
- Annual safeguarding report
- Corporate Parent Forum Annual Report
- Children and Young People's Plan
- Children in Care Council
- Voice, influence and participation strategy

Feedback from evidence review and interviews

The test of assurance heard evidence of the engagement of the Corporate Director with services users at key events; celebrations of achievement, learning events; and the Foster Carers Party were just a few examples. The test also heard evidence of stakeholder views shaping service development and improvement. The Children in Care Council provides feedback to the Corporate Parenting Panel, recently the Panel heard directly from care experienced young people about their lives. This is

supporting the development of the 'Offer to Care Leavers'. Young people with additional needs guided the development of the 'local offer' for children and young people with special educational needs and disabilities. Young people also participate in the recruitment process for key staff roles.

Evidence was read that service user's views had been heard and acted upon. The development of the "What to expect" information is one example of the service learning from complaints. The MOMO app (Mind of My Own) is facilitating participation of children and young people in care to work with their social workers on their plans. There was evidence that this is well used and effectively supporting increased participation in individual case work leading to better plans and better outcomes. Audit activity undertaken within the Quality Assurance Framework was reported to be showing that casework is stronger at responding to the 'voice of the child'.

Evidently progress has been made in securing the involvement and experiences of children and young people in relation to local children and family services. There was a general consensus that there is more to do to secure the involvement and experiences of children and young people in relation to the business of the Council as a whole.

The test of assurance heard considerable evidence from staff and managers about their engagement in the work to continue to develop and improve services. There is opportunity through "conversations with the Leader and Chief Executive" for staff to share views beyond the Directorate. The Directorate is in touch with and responsive to the views of the social work workforce (children's and adults) through the annual social work health check. In Children and Family Services there is evidence of improved retention rates and reduced use of agency workers. Frontline practitioners described West Berkshire as a "good place to work"; a place where senior managers challenge practice to improve; take account of views in improvement work; want to know about their well-being; are quick to give praise, and; to say thank you.

4.5 Evidence and assurance: Child protection arrangements

Element:

- clarity about child protection systems, ensuring that professional leadership and practice is robust and can be challenged on a regular basis, including an appropriate focus on offering early help and working with other agencies in doing so.

Criteria:

Assurance in child protection arrangements is founded on:

- Clarity about child protection systems
- Arrangements to ensure that professional leadership and practice is robust
- The Director meets regularly with the safeguarding adults and Children's Board Chair(s) and there is an open channel of communication to the Chief Executive
- Practice can be challenged by the public and partners and an escalation procedure is in place
- The Director working with partners ensures a strong focus on early help.

Documentary evidence considered:

- Structure diagrams
- Performance framework and practice
- Quality assurance framework and practice
- Complaints Annual Report 16/17
- Early help strategy

Feedback from evidence review and interviews:

Throughout the test of assurance I heard and read consistently of clarity about child protection arrangements. It was evident that significant progress had been made on the practice model with the implementation of the Family Safeguarding Model, building on the work already undertaken to implement a 'strengths based' social work model within West Berkshire.

The work of the Principal Social Worker has supported professional leadership and improvements in the quality of social work practice where children are in need of safeguarding. Examples were provided on the impact on the effectiveness of work with children and families and the improved outcomes. Alongside this was a shared commitment to continue to improve the quality and consistency of practice.

The implementation of a Multi-Agency Safeguarding Hub (MASH) in autumn 2016 has strengthened partnership child protection arrangements and these were judged by Ofsted to be effective in July 2017. The MASH has since been further developed and improved as a result of greater time commitment from schools.

The Council and the partnership is attending to the need to strengthen the focus on early help and targeted intervention and mitigate the impact of staff turnover which occurred alongside the implementation of a revised service model. This is an area of priority for the Children's Delivery Group and the LSCB and was evidently an issue well in the sight of the Corporate Director.

Three West of Berkshire LSCBs share the same independent chair who was jointly appointed in September 2017. The new chair has been commissioned by the three LSCBs to lead a process of merging the three boards into one. This step anticipates the new Working Together to Safeguard Children guidance to be finalised and published in 2018. There is an open communication line between the independent chair and the Corporate Director. There is no keeping in touch arrangement between the independent chair and the Chief Executive. This needs to be in place to support both the work of the independent chair and establish an open communication line to facilitate a direct escalation route for the chair to the Chief Executive in the event that the need arises.

4.6 Evidence and assurance: Multi-agency and partnership arrangements

Element:

- the adequacy and effectiveness of local partnership arrangements (e.g. the local authority's relationship with schools, the courts, Children's Trust co-operation arrangements, Community Safety Partnerships, health and well-being boards, Youth Offending Team partnerships, police, probation, Multi-Agency Public Protection Arrangements and Multi-Agency Risk Assessment Conferences) and their respective accountabilities.

Criteria:

Assurance in multi-agency and partnership arrangements is founded on:

- Clarity for partners and partnership boards on who represents the Council
- Local authority led by the Director supports and plays an active role in partnerships
- Council representative on key boards has authority to speak for the organisation
- Clear links and direct reporting mechanisms between and from the Safeguarding Board and lead members and clarity about how a challenge can be made
- Clear links and reporting mechanisms between key Boards

Documentary evidence considered:

- Terms of reference for key partnership boards
- Minutes of meetings with safeguarding board chair
- Governance arrangements for key boards including links and reporting mechanisms between boards

Feedback from evidence review and interviews:

The test of assurance consistently heard that there is clarity for partners and partnership boards about Council representatives within partnership arrangements. The Director regularly attends the adult and children's safeguarding boards and the Health and Wellbeing Board. The Lead Members regularly attend the adults and children's safeguarding boards. The LSCB has a new chair, who is experienced and well established. The governance arrangements for key boards are clear, as are reporting routes. The links between boards are both clearly described and well understood.

The children's sub-group of the Health and Well-being Board has developed into a Children's Delivery Group which now serves as the Children and Young People's Partnership for West Berkshire. The Group supports the Health and Well-being Board to consider children and young people's issues. Most recently the Future in Mind Transformation Plan and the annual report of the LSCB were considered by the Health and Well-being Board.

The Children's Delivery Group has a clear set of priorities and associated business plan. The Corporate Director does not attend the Delivery Group which is chaired by a Head of Service, but has oversight of its work both through the managerial relationship and her role as a member of the Health and Well-being Board.

The Youth Offending Partnership arrangements sit within Community Safety Partnership. There is a School Improvement Partnership in place chaired by the Corporate Director.

I heard consistently of a strengthened culture of partnership working characterised by a shared commitment to improvement, openness, challenge and respect. Escalation processes were used appropriately by partners and there was no evidence brought forward of a defensive response to escalated matters.

5. Key Findings and Recommendations

This test of assurance was undertaken externally with full access to a range of evidence. I met engaged staff, managers, senior leaders and elected members who were all positively committed to the assurance process; committed to improving outcomes for local people of all ages and committed to West Berkshire Council.

The test of assurance concludes that effective arrangements are in place within the Council to discharge the statutory role and responsibilities of the Director of Children's Services in the areas of leadership and accountability; management capacity; engagement with stakeholders; performance management; multi-agency and partnership arrangements; and child protection arrangements. As a result I conclude that the arrangements pass in my assessment the national expectations of a test of assurance. Four recommendations have been highlighted in the body of the report:

- Keeping in touch arrangements between the Chief Executive and the Chair of the LSCB need to be agreed
- The role of Scrutiny needs to be developed to provide effective challenge:
- Council needs to give careful consideration to transition planning to the new senior leadership team;
- Council needs to ensure strong recruitment arrangements for the DCS role.

LOCAL TEST OF ASSURANCE SUMMARY

Statutory Duties	Met
Accountabilities and Responsibilities	Met
Effective partnership and inter-agency working	Met

Rachel Dickinson

**Executive Director for People
Barnsley Metropolitan Borough Council
February 2018**



This page is intentionally left blank