

**REPORT OF:
The Chief Executive**

**TO
Workforce Panel**

ON

24th January 2023

TITLE: Senior Leadership Arrangements & Appointments

RECOMMENDATIONS:

That the Workforce Panel is asked to consider the content of the report to note and agree:

- The suggested way forward for separating the statutory roles of Director of Children’s Services (DCS) and Director of Adult Services (DASS) creating two new posts of Executive Director for Children’s Services and Executive Director for Adult Social Care and Health Partnerships.
 - The membership of the Appointment Panel(s) for these posts.
 - That the Appointment Panel(s) be delegated to agree the final details of the recruitment and selection arrangements as follows: -
 - (a) Agree the role profile.
 - (b) Agree an external recruitment approach.
 - (c) Agree the detail of the selection process.
 - (d) Agree the use of external executive search and support for the process.
 - (e) Appoint a suitable candidate and notify Cabinet Members allowing any objections to the offer to the City Mayor.
 - The redesignation of senior posts as detailed in the report.
 - To recommend to Council that the two posts are each established at a salary range of £125,000 to £140,000 in accordance with the recommendations to Council in the separate report to Workforce Panel concerning the Pay Review.
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EXECUTIVE SUMMARY:

This report sets out the proposed arrangements and process in relation to the recruitment, selection, and appointment to the statutory roles of the Director of Children’s Services (DCS) and Director of Adults Social Services (DASS) following the resignation of the current Strategic Director for People (a post that currently holds both the statutory roles of DCS and DASS).

BACKGROUND DOCUMENTS:

KEY DECISION: N/A

DETAILS:

1. Background & context

At a meeting of the Workforce Panel on 25th May 2015 the decision was taken to combine the statutory roles of Director of Children's Services (DCS) and Director of Adult Services (DASS) creating a new post of Strategic Director for Children and Adult Services following the retirement of the Strategic Director for Community Health & Social Care. Consequently, the Strategic Director for People also held the statutory responsibilities as both the DCS and DASS.

This decision was taken in the context of further planned integration of health and social care and the creation of the Integrated Care Organisation hosted by Salford Royal Foundation Trust from 2016, together with a national shift to this approach, with over 60 local authorities with 'twin hat' directors at that time with five local Greater Manchester authorities operating with this arrangement (Bolton, Oldham, Stockport, Tameside and Trafford). **A trend that has subsequently reversed** with latest figures highlighting that the number of "twin-hat" directors, who hold statutory responsibility for both children's and adult social services at the same local authority, has fallen to its lowest in 12 years. The Association of Directors of Children's Services' (ADCS) annual directors of children's services (DCS) update, shows that there were 22 Local Authorities with 'twin hat' directors across all 152 English local authorities on 31 March 2022. The reduction in "twin hat" directors is linked largely to the increase in complexity and expectations of both roles.

The number of directors holding dual roles has been in decline since its peak in 2015 when 61 DCSs held responsibility for adult and children's social care. Regionally, the report shows a "notable" decline in the number of "twin-hatters" with just the East Midlands showing a slight increase in the number of directors with dual statutory duties. Across Greater Manchester Salford is the only remaining Local Authority to have a single role holding statutory responsibility for both Children's and Adults.

Whilst it is legally permissible for the roles of DCS and DASS to be combined the authority must ensure that outcomes for children and young people in the DCS role are not weakened or diluted by the additional responsibilities of the DASS. In particular a local assurance test must be undertaken to demonstrate that the decision to combine the roles does not compromise statutory responsibilities or strategic priorities.

Whilst a local assurance test is not required to support a proposal to split the statutory responsibilities of DCS and DASS across different roles the council should be mindful to test the extent to which proposed organisational structures ensure the capacity to provide effective leadership and fulfil key criteria such as meeting statutory responsibilities, transparency of accountabilities and responsibilities, and support effective inter-agency and partnership working.

Further changes in 2019 included the creation of the current role of Director of Public Health (DPH) which was aligned with the People Services Directorate with direct line management for the DPH sitting with the Strategic Director for People. In line with statutory requirements the post has a dotted line to the Chief Executive and is a member of the Corporate Management Team.

Since this point the organisational landscape and local, regional, and national context and position has changed as a result of:

- Wider public service reform agenda
- Further integration of health and social care (including single commissioning arrangements and integrated place-based teams)
- A global pandemic
- Transfer of responsibility for health under the recent ICS changes
- Focus on early intervention and prevention
- Transformation
- Complexity of need and increased demand

The resignation of the current postholder provides the opportunity to review the operation of the role(s) in light of this changing context and ensure the safe discharge of the functions of both statutory roles going forwards.

2. Statutory Roles

2.1 Director of Children's Services

Key Points from Statutory Guidance on the Roles and Responsibilities of the DCS:

- The Children Act 2004 requires every upper tier local authority to appoint a Director of Children's Services (DCS) and designate a Lead Member for Children's Services (LMCS).
- The DCS and LMCS are appointed for the purposes of discharging the education and children's social services functions of the local authority. The functions for which they are responsible are set out in section 18(2) of the Children Act 2004. This includes (but is not limited to) responsibility for children and young people receiving education or children's social care services in their area and all children looked after by the local authority or in custody (regardless of where they are placed).
- Within this legal framework, it is for individual local authorities to determine their own organisational structures in the light of their local circumstances. However, local authorities must ensure that there is both a single officer and a single elected member each responsible for both education and children's social care. The DCS and LMCS should each have an integrated children's services brief, ensuring that the safety and the educational, social, and emotional needs of children and young people are central to the local vision. Between them, the DCS and LMCS provide a clear and unambiguous line of local accountability.

- The DCS has professional responsibility for children’s services, including operational matters; the LMCS has political responsibility for children’s services. Together with the Chief Executive and Leader or Mayor the DCS and LMCS have a key leadership role both within the local authority and working with other local agencies to improve outcomes for children and young people.
- The DCS is a politically restricted statutory chief officer post; they should be a first-tier officer and report directly to the Chief Executive.
- Local authorities should, as a matter of course, assure themselves that their arrangements enable them to discharge their education and children’s social care functions effectively.
- 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 to them any additional functions other than children’s services.

2.2 Director of Adult Social Services

Key Points from the Guidance on the Statutory Chief Officer Post of the Director of Adult Social Services

- This statutory guidance instructs local authorities about arrangements for establishing a Director of Adult Social Services (DASS) post. The intention of this guidance is to create, within each council responsible for providing social services, a post 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. The local authority shall take steps to ensure that the postholder is given the necessary authority to pursue this agenda, is enabled/given the necessary resources to provide professional leadership (including delivering workforce planning) in social care and deliver the cultural change necessary to implement person-centred services and to promote partnership working, and such other responsibilities as the Authority determines.
- The creation of the ‘Director of Adult Social Services’ post, alongside the Director of Children’s Services, will ensure that all the social care needs of local communities are given equal emphasis and are managed in a co-ordinated way through joint strategic needs assessment and joint planning.
- The DASS will provide a key professional leadership role for staff working in adult social care services. He or she will also have a key role in ensuring accountability of services to local communities through consultation with local people and, in particular, users of services.
- The local authority shall ensure that the Director of Adult Social Services is made accountable for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended), other than those for which the Director of Children’s services is responsible, in respect of adults.

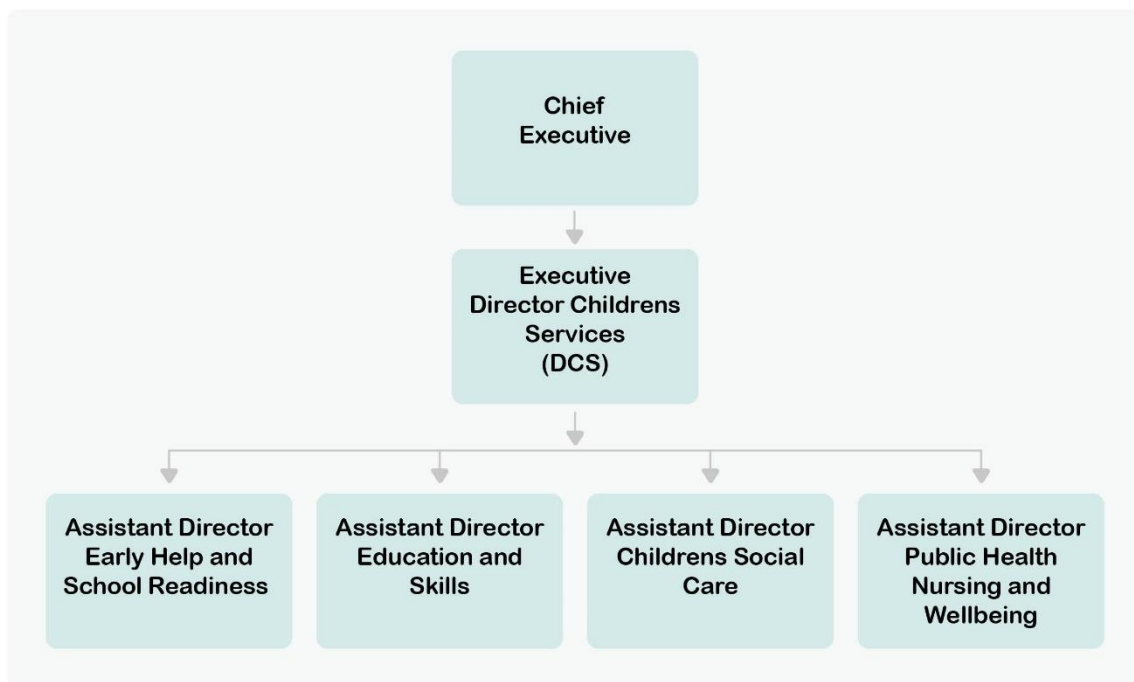
- The Director of Adult Social Services is a politically restricted statutory chief officer post under Section 2 of the Local Government and Housing Act 1989 (as amended). This means that he or she may not be a member of the local authority. As is the case with former Directors of Social Services, the appointment of the Director of Adult Social Services is not a function of the executive. This means that the full council can take the decision or may choose to delegate the decision.
- Local authorities shall ensure that the DASS is directly accountable to the Chief Executive of the local authority and comparable, in terms of seniority, with the Director of Children's Services.

The Local Authority Social Services Act 1970 (as amended) allows local authorities to jointly appoint a single Director of Adult Social Services to cover their local authority areas. The partnership arrangements provided for by the Health Act 1999 also enable joint funding of posts between a local authority and an NHS body. A joint appointment of a person to a DASS post and a post in the NHS is therefore possible. Where such a joint appointment occurs the DASS must remain an employee of the local authority for the full range of social services responsibilities. In addition, local authorities may extend the DASS's responsibilities to cover other local authority services and responsibilities (such as leisure, housing, transport, and adult education). It is for authorities themselves to determine whether to utilise/make use of these provisions given their particular circumstances

3. Proposed Approach

- 3.1 To ensure capacity, resilience, and expertise for the safe discharge of the statutory responsibilities of the DCS and DASS it is recommended that these roles be separated and no longer delivered through a single post holder. This will ensure sufficient leadership capacity to lead the delivery of these statutory functions and ensure local resilience in light of an imminent inspection of local authority children's services (ILACS) framework review of children's services, together with the ongoing adults reform agenda including the new CQC inspection process, the care cap review and is in line with the findings of and the recommendations from a recent independent review of the Integrated Care Organisation. Alongside this, recent health and care reforms transferring the responsibility for the leadership of the integrated health and care system at a local level to the City Council through the Place Based Lead role increases the level of accountability and responsibility for the Chief Executive in this role and need for increased leadership capacity across the corporate management team.
- 3.2 It is therefore proposed that the vacant Strategic Director for People post be redesignated as the Executive Director of Children's Services and hold the statutory role and responsibilities of the DCS. This post would also have service responsibilities for Children's Social Care, Early Help and School Readiness, Education and Public Health Nursing and Wellbeing.

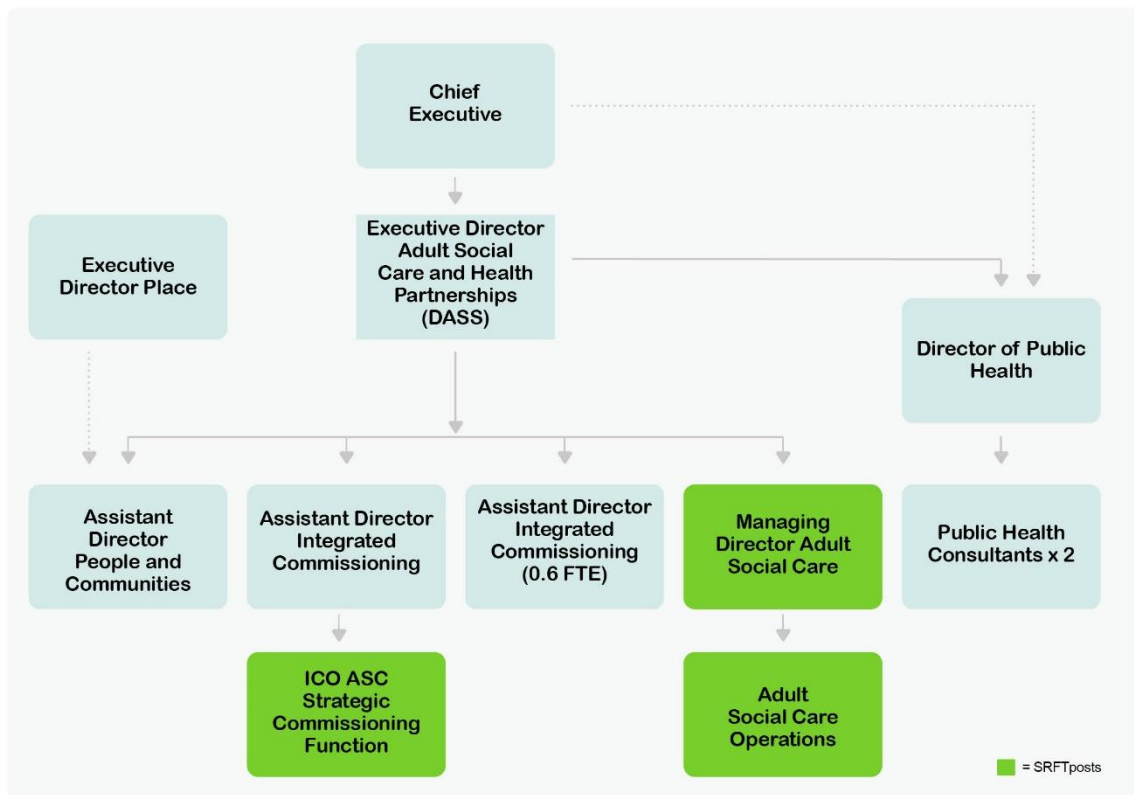
Executive Director Children's Services – responsibilities and reporting lines



- 3.3 The role of Director of Social Care which is currently hosted by Salford Royal Foundation Trust as part of the Integrated Care Organisation leadership arrangements is substantively vacant with an 'acting' arrangement in place following the resignation of the permanent postholder. It is proposed that this post transfer (with any attached funding) to the Local Authority and be designated as the DASS. This new post of Executive Director of Adult Social Care and Health Partnerships would initially take responsibility for Adult Services, a strengthened integrated commissioning function, and Public Health. The post will provide Director leadership to Salford Care Organisation and be part of the Salford Care Organisation leadership team.

Whilst the Director of Public Health (DPH) role will report directly to the Executive Director of Adult Social Care and Health Partnerships (DASS), in line with statutory requirements the post will retain a dotted line to the Chief Executive and contribute to the corporate management of the council, in particular through membership of the Corporate Management Team. In the revised arrangements it is proposed that the Assistant Director for People and Communities, whose role includes the management of housing options, homelessness and supported tenancies has a dotted reporting line to the Executive Director of Place to build greater alignment with the place lead responsibility for delivering affordable housing without losing the alignment of housing support with the delivery of services to people.

Executive Director Adult Social Care and Health Partnerships - responsibilities and reporting lines



- 3.4 A report considered and agreed by the Workforce Panel in June 2019 details the revised arrangements for the statutory Director of Public Health (DPH) and the position and role of public health in Salford. The DPH is the strategic lead for achieving population health and therefore provides professional intelligence, analysis, and guidance within the council and for health partners to inform needs assessment that leads to effective commissioning and delivery plans across health and social care but also Place. The DPH leads on specific public health functions but also provides leadership of a system-based approach to delivering on population health.

It was identified at that point that there needs to be strong collaboration between the Director of Public Health and the Strategic Director for People. The DPH role continues to have line management responsibility for the Public Health Consultants and responsibility for health protection and the core public health functions and team including strategic intelligence and public health intelligence analytics. The DPH role continues to develop closer alignment of public health with all directorates to ensure that population health strategy and delivery is integrated across all services. In light of this it is not recommended that a separate public health department be created and under these revised arrangements it is proposed that this post be aligned with Adult Services with direct line management for the DPH sitting with the Executive Director for Adult

Social Care and Health Partnerships (DASS). Whilst the DPH role will report directly to the DASS, in line with statutory requirements the post will retain a dotted line to the Chief Executive and contribute to the corporate management of the council, in particular through membership of the Corporate Management Team.

- 3.5 It should be acknowledged that the portfolio responsibilities outlined above are not fixed and are transitional and will be subject to ongoing and future review to be flexible and adaptive to respond to a constantly changing environment, transformation, financial challenges, and the ability to deliver the Mayoral priorities.
- 3.6 The landscape for health and care integration has radically changed the direction of travel for Adult Social Care during recent years. Likewise, the Children and Education arena remains as heavily regulated and faces significant demand challenges regionally and nationally. All of this requires a new approach as outlined in the report.

However, there is a clear need to build on the current strengths of a single People Directorate and maintain the benefits of this approach. In summary we need to ensure continuing collaboration and joint working both strategically and politically to prevent the emergence of silo working.

The following is proposed to ensure this strategic and political intent is maintained:

As statutory Directors the DCS and DASS with the DPH will provide strategic leadership to Council priorities impacting on people and communities' including commissioning intentions and decisions.

To support the 'people' agenda there will be a minimum of a monthly joint informal briefing with the cabinet members for Children and Adults. This will primarily drive strategic conversation on cross cutting work which will also provide mutual assurance and oversight for key decisions and developments.

The Directors will formally consider the impact of any savings and efficiencies or service reviews on all age pathways, through joint strategic planning meetings. Proposals for Children's and Adults will be mutually signed off by the DCS and DASS

As statutory Directors for safeguarding functions the directors will in each other's absence support the lead cabinet member and Assistant Directors in respective areas on Safeguarding decision making if required.

Day to day operational management will be separate. However, cross directorate issues which require urgent consideration will be covered by the respective Director.

The Managing Director for Adult Social Care Operations will have a managerial and professional line of accountability to the DASS and provide assurance on

the statutory duties and progress of the delivery of adult social care operations through the ICO.

The Managing Director will attend corporate SLT, Cabinet Briefing and other relevant forums as and when required to remain connected to the council and corporate business and advise accordingly on adult social care matters and the ICO.

4. Pay Matters and recruitment timetable

4.1 Pay Matters

It has been recognised that there are issues regarding the competitiveness of pay rates within the city council compared to regional neighbouring local authorities for posts at this level with Salford's pay rates being statistically lower and not comparing favourably.

To rectify this, it was agreed that an organisational-wide pay review should be conducted with the clear objectives of ensuring fair and equitable pay across all levels of the council. This will also allow for the installation of competitive salaries with other similar public bodies in order to attract a high calibre of talent required to deliver high quality services which is indicative of Salford's strong ethos of equality within its workplace culture. The review has considered our local pay structures and pay-line in its entirety and has been conducted jointly with the recognised trade unions at a local level.

As part of this review a comprehensive benchmarking exercise has been undertaken which has included these senior roles. The findings from this have informed the recommendations which are in the process of being taken forward through formal governance and decision making. The salary range for these posts under that review is outlined below:

Executive Director	Band A	£125,000 - £140,000
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4.2 Recruitment Arrangements

It is one of the responsibilities of the Workforce Panel to establish a Committee or Sub-Committee to act as the appointment panel for the recruitment and appointment to external posts at this level.

4.2.1 Appointment Panel Executive Director Children's Services (DCS)

In respect of this post, it is suggested that the Panel be convened from the membership of the Workforce Panel as follows: -

- City Mayor

- Statutory Deputy City Mayor
- Lead Member for Children & Young People Services
- Executive Support Member for Education & Learning
- Executive Support Member for Finance, Procurement, Workforce, and Industrial Relations
- Leader of the Opposition or nominated representative

The Chief Executive and the Assistant Director for HR & OD will advise the Panel.

4.2.2. Appointment Panel Executive Director Adult Social Care and Health Partnerships (DASS)

In respect of this post, it is suggested that the Panel be convened from the membership of the Workforce Panel as follows: -

- City Mayor
- Statutory Deputy City Mayor
- Deputy Mayor and Lead Member for Adult Social Care
- Executive Support Member for Finance, Procurement, Workforce, and Industrial Relations
- Executive Support Member for Social Care & Mental Health
- Leader of the Opposition or nominated representative

The Chief Executive and the Assistant Director for HR & OD will advise the Panel.

The Appointment Panel(s) will have delegated responsibility to agree the final details of the recruitment and selection arrangements as follows: -

- (a) Agree the role profile.
- (b) Agree an external recruitment approach.
- (c) Agree the detail of the selection process.
- (d) Agree the use of external executive search and selection support for the process.
- (e) Appoint a suitable candidate and notify Cabinet Members allowing any objections to the offer to the City Mayor.

It is proposed that these posts are advertised on an external basis in the MJ and on the greater.jobs website with external support for the executive search and selection process.

5. Job titles

To reflect the change in context and following the conclusion of the pay review the following posts should be redesignated to more accurately reflect the level of responsibility and accountability, provide clarity and is in line with similar roles in other organisations.

The current posts of Strategic Director will be re-designated as Executive Director and Assistant Director posts will be redesignated as Director.

6. Vision, values, and leading Salford

The City Mayor has set out his vision for a 'fairer, greener and healthier Salford for all' and whatever their role our people are all here to make that vision a reality. This vision gives our people direction and a shared sense of purpose.

The City Mayor has set out his priorities for achieving a fairer, greener, and healthier Salford 'the Great 8' which are:

Tackling poverty and inequality

- Ensuring poverty prevention and reduction is at the heart of everything we do in the city
- Support people currently experiencing poverty through continuation of personalised care to the most vulnerable residents
- Work to reduce inequalities wherever they exist

Creating vibrant places and spaces

- Deliver commitments within the city's new Culture Strategy, including creation of a Salford Heritage Commission to support the city's vibrant cultural assets
- Ensure local access to, and benefit from, the city's world class cultural assets such as the Lowry and RHS Bridgewater
- Build on the city's strong voluntary, community, and social enterprise sector to build resilient community support and ensure Salford is a supportive and safe place
- Create and support vibrant neighbourhood centres at the heart of their local community

Tackling the climate emergency

- Secure investment and development in green spaces and green infrastructure across the city, including electric vehicle charging points, affordable energy
- Encourage active travel and improvements in air quality
- Invest in green skills and green economic sectors to strengthen the city's future economic resilience

Skills and education (A Learning City)

- Develop skills pipelines and a connected education system to link people to new job opportunities in productive growth sectors in the city
- Supporting young people to continue with their education in high quality and safe settings
- Support the transition of young people and recently unemployed into decent and sustainable jobs, focusing on growth sectors in the Salford and GM economy
- Support business development and innovation for the creation of new jobs and employment opportunities

Affordable housing and reducing homelessness

- Continue efforts to reduce homelessness and rough sleeping

- Strengthen our commitment to provide decent and affordable social housing including through the council's own ethical housing company Derive

Promoting transport and digital connectivity

- Support the development the cycling and walking network across the city
- Lobby for further investment in a connected public transport system, including extension of the GM Metro-link and GM bus franchising
- Invest in our digital infrastructure and skills to ensure no resident or business in the city is digitally excluded

Creating an economy for all

- Maintain confidence to invest and develop in the city, focussed on our strategic opportunities and sectors, and provide foundations for inclusive economic growth
- Maximise the social value and impact from our role as an anchor institution, including by prioritising local suppliers and local supply chains wherever possible, and committing to a strengthened Salford Social Value Alliance and 10% Better Campaign
- Supporting the development of alternative economic models and community wealth building to support residents to benefit from the local economy
- Lobby for a fair funding settlement for Salford to guarantee effective public services

Tackling health inequalities and providing the best possible care

- Work to become a Marmot City
- Ensuring access to mental health care and support
- Ensuring children and young people are safe and have the best possible start in life
- Strengthening our unified model of health and care, including a valued care workforce

To achieve this vision and deliver the priorities we have a strong set of values - pride, passion, people, and personal responsibility which capture the spirit and ambition of the city and inform the way we operate. The values influence our choices, behaviours and how we make decisions and deliver services. Living the values day in and day out creates a supportive environment which allows all our people to thrive and contribute to achieving our vision. The Spirit of Salford represents our culture, our social conscience and pride – our organisation is about people and the communities that we serve. We are renowned for our resilience and coping positively with change, we make the most of opportunities.

The #LeadingSalford leadership framework has been developed with clear expectations of leaders and managers in Salford. This framework is intended to address the issue of clarity of expectations in terms of how leaders and managers operate and their behaviours. It is underpinned by a consistent approach to leadership development and has been designed to enable everybody to understand what it means to be a leader in Salford.

Effective leaders and managers are critical to the delivery of excellent services, partnership working, our commitment to engagement and co-production and innovation in local government. Therefore, investment in our leaders and developing their skills is essential.

The framework is based on values-based leadership and describes the behaviour required for leadership of self, others, outcomes, and the way forward. There are four main components to the framework - leadership behaviours, management skills, development activities and our values. The values-based leadership element is at the heart of the framework to ensure that all our leadership expectations are grounded in modelling and embedding the values in the way managers and their teams work. Effective leaders are values driven and trustworthy, their behaviour is consistent and ethical, and they follow through and deliver on commitments.

The #LeadingSalford leadership framework and expected behaviours are now the cornerstone by which all leadership roles are designed and how we recruit and select our leaders.

KEY COUNCIL POLICIES:

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:

Are contained in the body of the report.

ASSESSMENT OF RISK: n/a

LEGAL IMPLICATIONS Supplied by: Gareth James, Head of People, Place and Regulation, Shared Legal Service.

The report sets out the proposal to disestablish the post of Strategic Director of People and replace it with two separate Executive Director posts, namely Executive Director of Adult Social Care and Health Partnerships and Executive Director of Children's Services. These will include the statutory posts of DASS and DCS, respectively.

As set out in the body of the report, each local authority with responsibility for adults and children's social care functions must appoint a DASS and DCS. One postholder can hold both posts, as has been the case in Salford previously. However, there has been a move away from a single postholder holding two posts back towards separate postholders within Greater Manchester and nationally. Where the posts are separate, the roles should each report to the Chief Executive of the Council and should be equal in seniority.

The two posts are statutory chief officer posts. The Council's Officer Employment Procedure Rules provide that when appointing a chief officer, either Council or Workforce Panel shall establish a committee or subcommittee to act as an Appointment Panel. The Appointment Panel will make arrangements for recruitment and appointment to take place. The Appointment Panel needs to be politically balanced and must include at least one Member of the Cabinet.

Both Appointment Panels proposed in this report are politically balanced and include at least one Cabinet Member. The proposed delegations to the Appointment Panels are appropriate.

Changes to the level of remuneration at or above £100,000 must be approved by Council. Workforce Panel is being asked to recommend to Council that the posts are remunerated at Executive Director Band A level with a salary range of £125,000 to £140,000. This is in accordance with revised salary levels in the Pay Review report that will be taken to Workforce Panel on 24th January 2023 (and which includes recommendations to Council concerning posts where the remuneration is or will be at or above £100,000).

The Council's scheme of delegation provides that the Chief Executive will determine the remuneration of the posts in consultation with the Appointment Panel and the Assistant Director of Human Resources, within the salary range approved by Council.

Before either post can be offered to the successful candidates, the Assistant Director of Human Resources will need to write to each member of the Cabinet notifying them of the intention to offer the post in accordance with the Annex 1 procedure set out in the Officer Employment Procedure Rules.

FINANCIAL IMPLICATIONS Supplied by: Joanne Hardman, Chief Finance Officer

The existing budget for the Strategic Director for People will be utilised to meet the costs of the Executive Director of Children's Services post. The funding held for the Director of Social Care will transfer to the council and be applied to the cost of the new post of Executive Director of Adult Social Care and Health Partnerships with a small addition from the corporate budget set aside to meet the cost of increments linked to restructures. The cost associated with the impact of the pay review on senior posts as set out within the report is included within the overall costs of the review and has been factored into budget projections.

PROCUREMENT IMPLICATIONS Supplied by: n/a

HR IMPLICATIONS Supplied by:

Are contained within the body of the report.

CLIMATE CHANGE IMPLICATIONS Supplied by: n/a

OTHER DIRECTORATES CONSULTED: ALL

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WARDS TO WHICH REPORT RELATES: ALL