

To the Chair and Members of the

CHIEF OFFICERS APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

**INTERNAL RECRUITMENT PROCESS FOR POPULATING THE NEW
STRUCTURE AT DIRECTOR AND ASSISTANT DIRECTOR LEVEL**

EXECUTIVE SUMMARY

1. The purpose of this report is to consider and endorse the proposed arrangements for the appointment of internal candidates into the new Council structure at Director and Assistant Director Levels.

RECOMMENDATION

2. It is recommended that the Committee notes and endorses the proposals for internal recruitment at Director and Assistant Director levels as outlined within this report.

BACKGROUND

3. Like all Council's Doncaster is facing significant reductions in Government funding. For this Council the challenge is to find £70m savings over the next four years, £30m of which is to be saved in 2011/12. It has been identified that by widening management roles and increasing spans of control we can improve the way we operate and considerably reduce our management costs.
4. With this aim in mind, following consultation, a new structure has now been agreed for the Council at Director level. This new structure logically groups services together where there are key crossovers and is consistent with the wider proposals for improvement and efficiency. The structure comprises a reduction in the number of Directors from six to four posts and also proposes a further significant reduction in the number of Assistant Directors. In addition there will be a temporary Director of Change for a period of two years. (A copy of the structure and further proposals is attached at appendix 1.)
5. To accommodate the new structure revised job descriptions and person specifications have been written and are currently being externally evaluated. Independent evaluation helps to safeguard the Council against pay related challenge.

INTERVENTION BY THE SECRETARY OF STATE

6. Members will be aware of the intervention of the Secretary of State for Communities and Local Government and the Direction dated 29th June 2010. Under the terms of that Direction, the Secretary of State determined that in relation to the appointment of Chief Officers the function of appointing the three statutory officers (the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer) should be exercised by the Secretary of State. In relation to all other Chief Officers (for these purposes the Directors and Assistant Directors referred to within this report) the function of appointing those officers shall be exercised by the three Commissioners, namely Sir John Harman, Jessica Crowe and Julie Kenny. In both cases, the functions are exercisable in this way for a period of three years from 1st July 2010.
7. This report deals with the appointments which are to be undertaken by the three Commissioners. Separate arrangements are being made for the appointment of the Chief Finance Officer and Monitoring Officer by the Secretary of State.
8. Notwithstanding the roles to be played by the three Commissioners, the Commissioners have expressed a desire for the involvement of elected Members by the creation of an advisory panel which will assist the Commissioners in the discharge of their responsibilities when appointing to these posts.

RECRUITMENT PROCESS

9. The posts of Director and Assistant Directors of Children and Young People Services are unchanged. Therefore the current postholders are to be assimilated into the relevant posts without interview. However, for the Director of Adults and Communities, Director of Regeneration and Environment and the two year temporary Director of Change post the following approach is proposed:
 - A ring fence will operate.
 - Directors will be asked to declare 1st, 2nd and 3rd preferences against posts in ring fence.
 - Individuals interviewed will be carried out for 1st preferences, whether or not there are other applicants
 - First round of appointments will then be made and confirmed with immediate effect.
 - Any remaining applicants not appointed in the first round will then be interviewed against 2nd/3rd preferences if vacancies still exist
 - Any vacancies remaining at the end of this process will then be externally advertised as soon as possible.

10. Once these Directors are appointed the structure at Assistant Director level and areas of responsibility will be finalised as a priority. Where roles and responsibilities are largely unchanged assimilation will be applied. The process for appointing to all remaining Assistant Directors will be the same as that outlined above.
11. In order to maximise the financial efficiencies associated with the structural and staffing changes and to move forward with further necessary structural changes it is essential that the recruitment of these Directors and Assistant Directors is completed quickly.

RECRUITMENT PANEL

12. In line with the proposal from the Commissioners, the Committee is asked to note and endorse the Commissioners' proposal for an advisory panel which will interview the ringfenced candidates and, together with the Chief Executive, make recommendations to the Commissioners for appointment to the relevant posts. It is the Commissioners' wish that this appointments process replicates the Council's own processes as far as possible. At least one of the Commissioners will attend the Director interviews. The Chief Executive will attend the Director interviews and participate in the process and/or the newly appointed Directors will attend the relevant Assistant Director interviews for the same purpose. The relevant portfolio holders will also be invited to attend each interview as appropriate.

OPTIONS CONSIDERED AND RECOMMENDED OPTIONS

13. Under the terms of the Direction, the appointment to these posts is a function which must be exercised by the Commissioners. No other alternatives are permissible. The Commissioners have, however, proposed the creation of an advisory panel that will allow appropriate participation of elected Members within the appointment process. This process will also facilitate the recruitment to the posts in a timeframe which is consistent with the Council's Improvement Agenda and allow the Council to maximise the financial efficiencies associated with the staffing changes.

IMPACT ON THE COUNCIL'S KEY OBJECTIVES

14. The recruitment process and panel itself will have no significant impact on the Council's key objectives; however the successful candidates will have an impact in all areas.

Doncaster Priorities	Implications of this initiative
A Prosperous Place	
Skills & Lifelong Learning	
Healthy & Caring	
Safer, Cleaner & Greener	
Equality of Opportunity (Cross-Cutting)	

Improving Neighbourhoods Together (Cross-cutting)	
Protecting The Environment (Cross-cutting)	
Achieving Excellence	All of these posts have the potential to have a direct and major impact on the quality of Leadership and service delivery across the Council. reputation with the public and media and also to improve communications within and outside the Council, supporting clear and effective leadership.

CONSULTATION

15. Extensive consultation on this proposal has been undertaken with both the Chair of COAC, Cllr Ken Knight, and The Mayor Peter Davis. The Director of People & Performance Improvement and the Assistant Director of Resources (Legal and Democratic Services) have also been consulted.

RISKS AND ASSUMPTIONS

16. The Council has a responsibility to realign it's management structure in order to achieve efficiencies required by its Improvement Agenda. The Council also has a responsibility towards its employee's to manage the transition in a supportive way. These proposals support both of those requirements.

HUMAN RESOURCE IMPLICATIONS

17. The leadership structure has been determined through consultation with staff and trade unions; the arrangements recommended for doing so are fair and will enable the Council to meet its key objectives as quickly as possible. It will be possible to make further progress on a structure below this level only after the structure at Director and Assistant Director Level has been populated. Consideration will need to be given to the implications of recruitment decisions for individuals currently working at Director and Assistant Director Level who are not appointed to posts in the new leadership structure. This will include consideration of redundancy, redeployment and early retirement.

FINANCIAL IMPLICATIONS

18. The financial implications of the proposed changes to the structure will be included in the budget setting process for 2011/12. Costs associated with the internal recruitment process will be minimal and met from current budgets in this financial year.

LEGAL IMPLICATIONS

19. As set out in this report, the function of appointing to these posts was taken from the Council and passed to the Commissioners under the terms of the Direction of the Secretary of State. The advisory panel is not a Committee of the Council and it will not be discharging any function. The members of the panel will, however, assist the Commissioners in the discharge of their appointment function by carrying out interviews and making a series of recommendations to the Commissioners.
20. For redundancy to be a fair reason for dismissal, a redundancy situation, as defined in the Employment Rights Act 1996, must apply and a fair procedure must be followed, which includes a fair selection procedure, individual and union consultation and consideration of suitable alternative employment.
21. In looking for suitable alternatives, some employee's posts will not change dramatically i.e there will only be minor changes to the existing terms and conditions. Here the Council will need to offer those posts to the affected employee. For other posts the job will either have gone or has drastically changed. For these posts whether there is a suitable alternative for each affected employee, and therefore whether interviews are required, is dependant on the job description for each post.

BACKGROUND PAPERS

22. None

REPORT AUTHOR & CONTRIBUTORS

Cath Winfield, Head Organisational Development
Tel. 01302 737030 cath.winfield@doncaster.gov.uk

Rob Vincent
Chief Executive