

APPENDIX 1

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: AHWB.012.2021 BCF Funded Leadership Capacity Extension 1001 Days Pilot

BOX 1

DIRECTORATE: Adults, Health & Wellbeing

DATE: 09/03/2021

Contact Name: Stacey Chaplin

Tel. No.: 01302 735447

Subject Matter: Approval of Better Care Fund (BCF) funding from the earmarked reserve to support the extension of the leadership capacity, originally approved in April 2019 to align with the 1001 days pilot.

BOX 2

DECISION TAKEN

Following the recommendation from Joint Commissioning Operational Group (JCOG) and virtual approval from the Joint Commissioning Management Board (JCMB) to agree to provide Children's Services with a total of £97,710, so that the existing transformational programme and leadership capacity, which was originally approved in April 2019, can be extended to ensure that it aligns with the revised end date of the 1001 days pilot.

The funding would support existing resources employed by Doncaster Council comprising:

- 1 FTE Transformation Manager to September 2022 (extension of 6 months)
- 1 FTE Project Officer to September 2022 (extension of 18 months)

Funding would be due to commence from 1st April 2021, from the Non Recurrent BCF Earmarked Reserve allocated to the Place Plan.

This is in accordance with recommendations made in a Cabinet Report dated 27th March 2018, which approved the spending plan for the non-recurrent BCF Ear Marked Reserve, as set out in the report, and delegated detailed spending decisions for the implementation of the Doncaster Place Plan £3m, other Integrated Functions £0.7m and unallocated balance £0.7m, to the Director of People in consultation with the Chief Finance Officer and relevant Portfolio Holder.

BOX 3

REASON FOR THE DECISION

The BCF is a programme spanning both the NHS and local government to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them with 'wrap around' fully integrated health and social care, resulting in an improved experience and better quality of life.

The Place Plan is one of the major transformational change programmes that makes up the Doncaster Growing Together portfolio. Work is focussed around areas of opportunity as the starting point for creating and testing new models of care; these include First 1001 days – conception to 2 years of age and Vulnerable Adolescents.

It remains critical that projects are delivered individually but more importantly avoid unnecessary duplication and missed opportunities for learning. Leadership and project capacity is required to support and challenge the transformation across all areas, ensuring pace and consistency.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Option 1 – Do Nothing (Not recommended)

The decision not to provide this funding would mean that the resources and additional capacity required to deliver the programme would not be available. Not undertaking the extension of contracts could mean that:

- The suitable budgetary and contract management and oversight tasks are not performed for the length of the projects
- Projects are not managed effectively for length of their proposed delivery leading to delays and potential scope creep
- The projects do not meet their required objectives and deliver the expected service improvements or efficiency savings
- Risks, issues, and progress on the projects are not effectively communicated with the wider management and stakeholders for the full length of the projects
- The projects develop in isolation leading to duplication and missed opportunities

Option 2 – Approve funding (Recommended)

BOX 5**LEGAL IMPLICATIONS**

S112 of the Local Government Act 1972 allows a local authority to appoint such officers as are necessary for the proper discharge of its functions, on such reasonable terms and conditions as it thinks fit. Salary grade should be determined by job evaluation.

The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 confirm that employees should not be treated less favourably on the ground they are fixed term unless this is objectively justified. Less favourable treatment means, but is not limited to pay and terms and conditions.

In order for liability in relation to, inter alia, unfair dismissal, to be limited there must be a legitimate reason for a fixed term contract and the employee must be made aware of this reason and of the anticipated length of the contract at the commencement of the contract. After the 4th year of renewal the Employee may be entitled to the position on a permanent basis (unless this rule has been varied under a collective agreement). If the length of the contract exceeds 1 year upon termination the Employee may be entitled to be placed on the redeployment register and after 2 years may be entitled to a redundancy payment.

The Council has a policy covering recruitment which should be followed.

Name: Gemma Ashton **Signature:** G Ashton **Date:**
11.03.2021

BOX 6**FINANCIAL IMPLICATIONS:**

The business case to extend the posts highlighted above was approved at JGOG on 9th March 2021 and approved by virtual sign off with JCMB members. This scheme is already part of the Place Plan and the additional £97k will be added to the current scheme and funded from the Better Care Fund Earmarked Reserve.

Cabinet approved to delegate detailed spending decisions for the unallocated balance of non-recurring BCF earmarked reserve to the Director of People in consultation with the Chief Finance Officer and relevant Portfolio Holder on the 27th March 2018.

Name: Helen Rowlands **Signature:** by email **Date:** 10/03/21

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

OTHER RELEVANT IMPLICATIONS

HUMAN RESOURCES IMPLICATIONS

Looking at the information and the previous ODR from 2019 the name of the post are different the original ODR stated Team Manager 1001 Days (Transformation Manager) extension of 6 months until September 2021 is JE ID 7645 @ Grade 9 and 1001 days Key person (Project Officer) JE ID 7632 @ Grade 7 extension of 18 months until September 2022.

Employees who were employed before 6 April 2012 and have 1 year's continuous service, or after 6 April 2012 and have at least two years continuous service, accrue employment rights. Employees who complete 2 years continuous service accrue rights to a redundancy payment.

Fixed-term employees have the right not to be treated less favourably than comparable permanent employees because they are on a fixed-term contract. This means you must treat fixed-term employees the same as comparable permanent employees unless there are 'objectively justifiable' circumstances for not doing so (i.e. there is a genuine, necessary and appropriate business reason). This means the same or equivalent (pro-rata) pay and conditions, benefits, pension rights and opportunity to apply for permanent positions within the business.

Under the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002, employees who have been on a fixed-term contract for four years or longer will usually be legally classed as permanent if their contract is renewed or if they are re-engaged on a new fixed-term contract.

The only exemptions are when employment on a further fixed-term contract is objectively justified to achieve a legitimate business aim or when the period of four years has been lengthened under a collective or workplace agreement.

Name: Sarah Brown Signature:  **Date: 12th March 2021**

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8

EQUALITY IMPLICATIONS:

Decision makers must consider the Council's duties under the Public Sector Equality Duty of S149 of the Equality Act (2010). The duty requires the public sector such as the Council and NHS, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share it.

Although there are significant equality implications for the Place Plan, the specific implications to resourcing the transformation are not applicable.

BOX 9

RISK IMPLICATIONS:

The risk of not having this resource capacity is that projects may be developed in isolation.

BOX 10

CONSULTATION

Officers

The proposal has been discussed at the Joint Commissioning Operational Group and approved at the Joint Commissioning Management Board, which includes officers and members.

Members

The decision requires counter-signing by the relevant portfolio holder.

BOX 11

INFORMATION NOT FOR PUBLICATION

In accordance with the Freedom of Information Act 2000, it is in the Public's interests for this decision to be published in full, redacting only the signatures.

Name: Gillian Parker **Signature** by email **Date:** 23/03/2021

Signature of FOI Lead Officer for service area where ODR originates

BOX 12

BACKGROUND PAPERS

Please confirm if any Background Papers are included with this ODR **YES/NO**

(If YES please list and submit these with this form)

**BOX 13
AUTHORISATION**

Name: Phil Holmes Signature:  Date: 30/03/2021

Director of Adults Health and Wellbeing

Does this decision require authorisation by the Chief Financial Officer or other Officer

YES/NO

If yes please authorise below:

Name: Faye Tyas Signature:  Date: 24th March 2021

Assistant Director of Finance and Section 151 Officer.

Consultation with Relevant Member(s)

Name: Rachael Blake Signature:  Date: _____

Designation Cabinet Member for Adult Social Care

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest YES/NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.