

Joint Personnel Committee

Review and Implementation of the Joint Senior Management Structure

14 June 2011

Report of Chief Executive

Purpose of Report

To propose a structure for the Joint Management Team together with appropriate job descriptions, person specifications and terms of employment.

This report is public

Recommendations

The Joint Personnel Committee is recommended to:

- (1) Approve the Joint Management Structure outlined in Appendix 1 as the basis for consultation with affected staff *and recognised Trade Unions*.
- (2) Agree that the ring fence arrangements are extended to all posts in scope as a result of the proposed Joint Management Team Structure.
- (3) Approve the job descriptions and person specifications set out in appendices 2, 3, 4 and 5 and agree that they are issued as part of the consultation process.
- (4) Approve the additional Joint Terms of Employment set out in Appendix 6 and agree that they are circulated as part of the consultation process.
- (5) Agree that the "Employer" be determined following a comprehensive risk assessment.
- (6) *Note* that any liabilities/costs arising from future employment of the Joint Management Team will be a joint responsibility.
- (7) Agree that the three further posts of communications, programme management and corporate performance are appointed by the Chief Executive to a support team in the transition period.

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- (8) Approve that the report, arrangements for consultation and proposed timetable are formally issued to all employees within the scope of the review and *recognised Trade Unions*.
- (9) Agree that the arrangements for receipt of feedback on 13 July 2011 will be as set out in section 5 of this report.

1. Introduction

- 1.1 Following my appointment to the post of Joint Chief Executive to Cherwell District and South Northamptonshire Councils I have reviewed the business case and recommendations of the Joint Arrangements Steering Group with the support of Janet Beaumont, external Independent HR Consultant and Joanna Atkinson, external Independent Legal Adviser.
- 1.2 This report sets out key recommendations for the first phase of the implementation of the proposed joint structure taking account of the work already undertaken and the identified core messages from Members of both Councils. A case for 3 Directors, 8 Heads of Service and 3 additional officers to undertake communications, programme and corporate performance management has already been made and agreed in principle prior to my appointment. There is no justification to repeat the case made in detail, so I have set out my vision of a workable structure within the limits set out and agreed in December 2010.
- 1.3 The term 'first phase' is because it is my intention to work with the new team to develop innovative approaches to present to Members which will place our joint working arrangements in a strong position to deliver sustainable, efficient and cost effective services to the customers of both Authorities in this time of economic constraint.
- 1.4 To this end, I view the structure proposed as one which will need to be flexible and which will inevitably require ongoing review to meet the changing demands placed upon both Councils.

2. The Joint Structure

- 2.1 The proposed structure is attached at Appendix 1. This represents a workable option based on research undertaken at Councils with joint arrangements in your own business case and based on my own personal experience as a Chief Executive.
- 2.2 The role of Director and Head of Service will be generic in title and core content, with specific allocated tasks to ensure delivery of the key internal and external services of the joint and individual Council

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arrangements. Directors and Heads of Service will take responsibility for a geographic area in rotation as well as coordinating services provided across the joint structure. In addition Directors will all be delegated to act in the absence of the Chief Executive. At the heart of this approach is the need for flexibility to meet new and changing demands in the future.

- 2.3 In the longer term the day to day functions relating to communications, corporate performance and transformation will sit within the Head of Service remit. However, I am recommending that the three additional shared roles covering communications, programme management and corporate performance identified in the business case are located within the Chief Executive support team during the transition period. As has already been identified in the business case these activities will be crucial to success. This arrangement will be regularly reviewed and it will be expected that the flexibility within the Director and Head of Service roles will allow ease of movement of these personnel at an appropriate time. This structure will allow:

- Flexibility
- Focused clusters of services
- Optimal resources
- Corporate responsibility
- Value for money
- Clear customer service support
- Cohesive and meaningful joint activity
- Shared joint values to support Members and individual authority needs

3. Joint Job Descriptions and Person Specifications

- 3.1 The job descriptions and person specifications have core generic requirements. The job descriptions are attached at Appendix 2 (Director) and Appendix 3 (Head of Service). The person specification for Director and Heads of Service are at Appendix 4. The job descriptions and person specifications for the three further roles can be found at Appendix 5.

4. Joint Terms and Conditions

- 4.1 The Joint Management Team posts are shared between the two authorities and are therefore unique. As such there is the ability to recognise the joint posts without impacting on the terms and conditions of the balance of employees employed within the separate authorities. It has already been acknowledged that the responsibility levels and

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travel arrangements of these posts will need to be recognised as part of a new and discreet remuneration package.

- 4.2 A schedule of proposed terms is attached at Appendix 6, which offers a modern cost effective approach to travel reimbursement is attractive as a recruitment and retention incentive and addresses the joint responsibility through the Hay job evaluation process. The posts are currently being evaluated and recommendations on salary levels will be presented at the meeting.
- 4.3 Hay have also been asked to indicate how the roles of Section 151 and Monitoring Officer might impact on salary once the recruitment process determines the most appropriate level in the new structure (to Head of Service or Director level).
- 4.4 Cherwell District Council acts as the Employer for my post and I am currently assessing whether this would make economic sense for all Joint Management Team posts for pay and rations purposes only. Joint posts are shared equally between the Councils and will have more than one office base. It is therefore proposed that travel between the two bases should be reimbursed.
- 4.5 The schedule of terms excludes officers at this level from either council's formal flexible working arrangements. It is important however, to ensure that no officer is required to work beyond reasonable expectations and that reasonable time off for excessive evening meetings is agreed by prior arrangement and subject to the exigencies of the service.
- 4.6 I have been appointed on the existing terms and conditions for employees of Cherwell District Council, but I am proposing that I should migrate to the new terms and conditions as proposed for the Joint Management Team with effect from 1 October 2011.
- 4.7 The three further posts should be appointed to work directly with me as already set out in this report. However, their general terms and conditions and their employer should remain unchanged at this stage in the change management process.

5. Consultation - Joint Management Structure

- 5.1 Following approval by this Committee a briefing will take place with directly affected employees.
- 5.2 Responses to the consultation and any proposed amendments will be presented to the Joint Personnel Committee on 13 July 2011. It is noted that the JNC conditions allows for individuals to attend the meeting on 13 July to make an oral presentation directly to the Committee. This arrangement will potentially lead to a delay in the

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decision-making process and it will not be possible to achieve the goal as stated in the business case of implementation by September 2011. I am therefore recommending that individuals be afforded a one-to-one interview with myself as an alternative. An agreed record of the discussion will then be presented to the Committee as part of the report. Any employee or recognised trade union representative still wishing to attend will not be precluded from personally presenting the agreed record of the one-to-one sessions.

6. The Selection Process for the Joint Posts

- 6.1 The business case proposed a ring fence around the Director posts followed by the Head of Service posts. Having assessed the implications of this approach it is proposed that the ring fence covers all posts affected by the Joint Management arrangements.
- 6.2 The new structure will place all existing employees covered by the business case at risk of redundancy.
- 6.3 The new posts of Director and Heads of Service will be subject to a formal recruitment process with Members. The three further posts are not Member appointments, but will be subject to the same competitive process.
- 6.4 Widening the ring fence will maximise opportunities to secure alternative employment, ensure overall fairness in the selection process, enable a more effective recruitment process and avoid unnecessary advertising costs.
- 6.5 Affected employees will be asked to indicate their preferred future roles and will be able to indicate more than one post for which they wish to be considered. They will also be able to indicate if they would wish to be considered for voluntary redundancy/early retirement. The initial selection process will not prohibit further applications to posts at a later stage should vacancies remain after the first round. The agreed assessment process will take place even if there is only one candidate.
- 6.6 At the end of this selection process consideration may be given to unrestricted internal and external recruitment to fill any outstanding vacancies.
- 6.7 Every endeavour will be made to support the individuals who are unsuccessful in the process and who are left "at risk". However, to achieve the timescales for implementation and to achieve the savings identified and banked there may be no alternative to redundancy.

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7. Timetable

14 June - Agree recommendations at Joint Personnel Committee

15 June - Chief Executive meets affected staff and recognised trade unions and agreed report issued for consultation.

28 June (12noon) – Deadline for written comments from recognised trade unions and completion of one-to-one interviews.

13 July - Joint Personnel Committee receives report with comments from the consultation and agreed individual reports. Approval of final structure, job descriptions, person specifications, salaries and process.

14 July - “At risk” letters issued and opportunity to express an interest in voluntary redundancy/early retirement.

26 July (CDC) and 27 July (SNC) - Recommendations of Joint Personnel Committee presented to Council meetings for final approval.

28 July - Final report issued seeking expressions of interest in new posts

30 August (12 noon) - deadline for expressions of interest in new posts

Week commencing 5 September - Director interviews (JPC meets 9 September)

Week commencing 19 September - Heads of Service Interviews (JPC meets 22 and 23 September)

Week commencing 26 September - communications, corporate performance and programme management interviews (Officer appointments)

28 September (SNC) and 29 September (CDC) - report to Council meetings seeking approval for appointment of Section 151 Officer and Monitoring Officer

Week commencing 3 October - review of any outstanding vacancies.

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Key Considerations

(Financial, Legal and Risk and other implications e.g. Equalities, Human Resources, Data Quality, Risk, Crime and Disorder and Environmental where relevant)

Financial Implications: The original business case essentially set out the 'financial envelope' for delivery of the Shared Senior Management Team staffing costs. The budgets at each authority have been set to reflect this. Once the "Employer" is confirmed, information is received from HAY in relation to recommended salaries and travel costs can be estimated then a final cost for the structure can be prepared. The expectation being that the new structure will be contained within existing budgets.

The costs of the external Legal and HR advice are being funded through the implementation cost budget.

Comments checked by:

Martin Henry, Head of Finance – South Northamptonshire Council

Direct Dial 01327-322234

Email: martin.henry@southnorthants.gov.uk

Karen Curtin, Head of Finance – Cherwell District Council

Direct Dial 01295-221551

Email: karen.curtin@cherwell-dc.gov.uk

Legal Implications: The Council's external employment law adviser has been consulted in the preparation of this report and in connection with the recommendations being proposed to try and ensure that all external legal and internal policy requirements are met. There are no specific legal issues arising at this stage and assuming that the recommendations are adopted by the Committee, legal advice will continue to be sought to try and minimise any adverse legal and specifically, employment law, implications arising from the process and to highlight such issues to the Committee as they may arise.

Comments checked by external legal adviser:

Joanna Atkinson, Solicitor, JMA HR & Legal Limited

Direct Dial: 01252 821792

Email: joanna@jma-hrlegal.co.uk.

Wards Affected

All

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Corporate Priorities	Fundamental to the achievement of all priorities at both Councils
Portfolio Holder	Councillor Mary Clarke – South Northamptonshire Council Leader Councillor Barry Wood – Cherwell District Council Leader
Key Decision	Yes

Document Information

Appendix No	Title
Appendix 1	Joint Management Structure
Appendix 2	Job Description - Director
Appendix 3	Job Description – Head of Service
Appendix 4	Person Specification – Director & Head of Service
Appendix 5	Job description and person specifications – Communications Officer/Performance Management Officer/Programme Manager
Appendix 6	Terms and Conditions
Background Papers	
Business Case from the Joint working Group on a shared senior management team between South Northants Council and Cherwell District Council December 2010	
Report Author	Sue Smith, Shared Chief Executive Cherwell District Council and South Northamptonshire Council
Contact Information	0300 0030100 Sue.Smith@cherwellandsouthnorthants.gov.uk