

REPORT FOR DECISION

DECISION OF:	HUMAN RESOURCES & APPEALS PANEL / CABINET
DATE:	13 JANUARY 2020
SUBJECT:	Corporate Restructure Proposals
REPORT FROM:	Councillor David Jones, Leader of the Council Councillor Jane Black, Cabinet Member for Corporate Affairs & HR
CONTACT OFFICER:	Geoff Little, Chief Executive
TYPE OF DECISION	KEY Decision
FREEDOM OF INFORMATION STATUS	In the public domain
SUMMARY:	<p>This report proposes the final changes to the organisation structure which was proposed for the purpose on consultation on 23 September 2019 including:</p> <ul style="list-style-type: none"> • a single four-departmental structure across the Council and CCG incorporating a common Corporate Core, alongside establishing the One Commissioning Organisation • the realignment of teams within the new structure, to better support strategic objectives • associated savings from senior management costs, to maximise efficiency. <p>The final proposals include changes made based on consultation feedback and further detailed analysis.</p>
OPTIONS & RECOMMENDED OPTION	Recommendations appear at the end of this report.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	The proposals accord with the policy framework
Statement by the S151 Officer:	The original paper, approved by HRA and Cabinet in September 2019, identified savings of c£760k in relation to the proposed corporate restructure. The revised

Financial Implications and Risk Considerations:	recommendations in this paper (following the formal consultation process) do not materially impact on that assessment.
Equality/Diversity implications:	Final EIA attached Recruitment following the restructure will be in line with equality and diversity
Considered by Monitoring Officer:	Outside of the relatively small number of statutory posts, the Council has a wide discretion to create a senior manager structure to reflect the current needs of the Organisation. In accordance with the Constitution the Cabinet is to approve amendments to the overall departmental structure of the Council and any major restructuring within directorates/departments. Consequential amendments will be made to the delegations scheme in the Constitution, if approved.
Wards Affected:	All
Background papers	Reports to HRA and Cabinet: <ul style="list-style-type: none"> • 7 September 2018 • 23 January 2019 • 24 April 2019 • 23 September 2019

1. Purpose of Report

1.1 In a report to the HR and Appeals Panel on 23 September 2019 the Chief Executive made a series of proposals for organisation restructure and capacity, as follows:

- A single five-departmental structure within which all Council and CCG services will be integrated.
- The specific realignment of some teams within the structure to create the Corporate Core
- Associated savings from senior management costs, to maximise efficiency.

1.2 The proposals have been subject to a period of 90 days consultation. This report summarises the consultation process; key messages of feedback and associated changes proposed and the final recommendations which affect the Council workforce, for approval. A separate report will be made to the CCG Governing Body concerning changes to the CCG workforce establishment.

2. Original Proposals

2.1 The report of 23 September 2019 made the following proposals for structure change, to better align capacity with delivery priorities:

2.1.1 To replace the current organisation structure with the four new departments of Operations; Business Growth and Infrastructure; Department of Corporate Core Services; and Children and Young People – alongside a new single commissioning function, the Bury One Commissioning Organisation (OCO) The detail of structures in each department and the

OCO will largely be brought forward by the relevant Executive Director with a 'lift and shift' arrangement in the meantime. Specific proposals within the report, however, included:

- The establishment of a Public Protection and Regulation and Enforcement team (PPRE) should be established within the Operations department, within which all Council enforcement and regulation functions would operate
- the Head of Legal Services to assume the statutory role of Council Data Protection Officer
- Caldicott guardian responsibilities to be assumed by social care professionals and not be retained within the Corporate Core
- The Archives service to separate from the Libraries service and move to the Corporate Core as part of an expanded focus on "Culture".

2.1.2 To agree to the establishment of the following posts:

- Executive Director of Strategic Commissioning
- Joint Head of IT (with Bury CCG)
- Director of Community Commissioning
- Children's Commissioning Lead
- Chief Information Officer re-established as a joint post with Bury CCG
- Community Development Lead

2.1.3 To agree the deletion of the following posts on the grounds of redundancy:

- Executive Director, Business Growth and Infrastructure
- Executive Director, Communities and Wellbeing
- Assistant Director Strategy, Procurement and Finance
- Assistant Director – HR/OD
- Head of HR - Children's Workforce
- Head of Financial Management
- Assistant Director (Localities)
- Strategic Lead: Children's Strategy and Commissioning
- Head of Operational Community Safety
- Assistant Improvement Advisor
- Administration Support Officer (Corporate Policy)

2.1.4 To note outstanding budget pressure of £103 000 on the Chief Officer budget and to a corporately managed exercise to reduce costs over the next 12 months

2.1.5 To agree to vary the contracts of all Chief Officers to require posts to participate in the council's rolling 24/7 emergency planning on-call rota.

3. **Consultation process**

3.1. A 90 day consultation period has been applied with a range of opportunities for staff to make comments and ask questions, which have been responded to. This has involved:

- The option to attend question and answer sessions targeted at each of the proposed future departments/functional areas
- An email address for questions
- Regular reminders of the process and emerging questions and answers via global email.

3.2. In no particular order, key issues from staff feedback are set out below

- Over 250 points of feedback or questions have been received from staff, many more proportionately from CCG colleagues than from the Council. Q&As from the consultation sessions have been circulated to all staff.
- More detail was sought on the strategy and positioning of the One Commissioning Organisation (OCO) in particular, which has been provided.

- The systems leadership and technical content of the Council proposals for a joint IT role was felt to be under stated and additional specific requirements were provided including greater knowledge of the IT architecture across both organisations and leadership on data security compliance including Public Services Network (PSN) requirements and the NHS digital toolkit
- Libraries and archives made strong representations to remain as a single service and potentially move to the Core as part of the new “culture” offer
- Capacity to drive the Bury 2030 plans across the partnership network and, in particular, delivery of the borough’s year as GM Town of Culture 2020 was highlighted as a gap
- Feedback suggested the post title “Community Development lead” requires review as it sounds like the council is doing “to” and not “with” communities and it was also suggested that this post would better fit within the CIO remit to ensure alignment with policy and partnership capacity
- Some errors and queries around posts proposed to be in scope to move between departments and proposed ring fencing within changed structures
- The proposed inclusion of all Chief Officers on the emergency planning rota was considered to be excessive, on the basis that time on rota would be so infrequent that key skills would be lost
- There were representations made that Building Control and Planning teams are strongly aligned and therefore should remain in the same service area rather than separate across the Operations (PPRE) and Business growth and Infrastructure departments
- Concerns were raised around information governance capacity including the management of corporate complaints and to meet the Caldicott guardian responsibilities

4.0 Proposed Amendments to recommendations

4.1. On the basis of consultation feedback a number of changes are proposed, as described below. The updated functions map is appended together with details of affected staff where these have changed:

- It was clarified that the strategic objective of the proposals is the **integration** of Council and CCG structures in order that the two organisations work together in a formal partnership, with integrated delivery teams working as one; joint leadership and common support services to deliver quality outcomes and cost efficiency. In this context the future functions map (appended) was revised and the OCO is no longer described as a department, but a strategic partnership across the Council and the CCG. The OCO is the delivery vehicle for all Bury health and care commissioning which will operate within an integrated CCG and Council structure to a Joint Executive Team.

In parallel with the structure changes, to embed a shared approach, a comprehensive Organisation Development plan is being produced to create the shared purpose of the partnership; common values and new ways of working.

- The proposal to establish a **Public Protection and Regulation and Enforcement team** will be suspended, pending the new Executive Director of Operations taking up post. The following arrangements are proposed for services which were in scope of the proposed PPRE:
 - The Licensing and Trading Standards functions will move to the Operations department as planned, to work in collaboration with Environmental Health and Pest Control;

- the Building Control Service will remain within the Business Growth and Infrastructure department and is no longer proposed to be in scope of any PPRE function
- future arrangements for the Urban Renewal Team will be determined as part of the ongoing Housing Services Review; until this review is concluded the status quo applies
- The current job description for the Joint Head of IT post is withdrawn. The detail of this role and other direct reports to the Chief Information Officer (CIO) will be reviewed, in consultation with the CCG, in the context of consultation feedback as part of the next phase of implementation of proposed structure change. Pending the definition of sub structures and in view of the amount of work required to transform the Council IT platforms it is proposed that an interim IT transformation expert is engaged, part of whose engagement will be to work with the CIO to propose arrangements for a joint IT service and structure.
- The proposed role of **Community Development Lead** to be renamed Strategic Partnership Manager, reporting (at a lower grade than originally proposed) to the Chief Information Officer in order that the role may operate within the wider portfolio of performance information and strategic policy leadership. The post will have accountability for finalising and assuring delivery of the Bury 2030 strategy and Town of Culture delivery plans; drafting delivery of the associated Corporate Plan; reviewing and managing funding arrangements for the community sector and delivering corporate policy work including the equalities framework.

To meet the ambition of Bury 2030 plans, further capacity around complex programme management and expertise in public service reform is required but not currently available. Further proposals to address this gap will be brought forward for the Panel's consideration.

The Strategic Partnership Manager will assume responsibility for the Arts and Museums service but the Archives service will now move to the Operations department to remain with the Libraries Service. A new post of Partnership Co-Ordinator is also proposed as a direct report to the Strategic Partnership Manager, to be funded using budget from a vacancy that has arisen in Democratic Services since the consultation report was produced and associated proposals were made to bolster resource in that team. The Partnership Co-Ordinator will programme manage Bury 2030 delivery and the Town of Culture annual events plan, as well as driving a refresh of service and individual performance management plans which will be an early priority for 2020.

The Job Descriptions for both the Strategic Partnership Manager and Co-Ordinator are appended, subject to job evaluation.

- The **Interim Executive Director Communities & Wellbeing** to be slotted in to the Director of Community Commissioning post, on the basis that the role is over 60% comparable
- **Information Governance** capacity will be further developed to support proposed changes including:
 - Exploring data management
 - Training all Chief Officers to act as Freedom of Information reviewers
 - Capacity requirements to respond to complaints corporately. Pending more detailed work the only associated resource in scope will remain unchanged

- Determination of capacity to support the designation of Assistant Director of Adult Social Care (Operations) as Caldicott Guardian for adult social care.
- The number of **Chief Officers** to be included in the emergency rota is reduced to the Executive Team (Strategic Level) and their direct reports at Chief Officer grade (normally as Tactical Officers, although those who currently operate as Forward Incident Officers are invited to remain within this role). Other Chief Officers who are not included in the above arrangements will be required to make an alternative, equivalent, contribution eg to become a proactive corporate parent; school governor; coach or mentor. The responsibilities outlined will be within existing pay. Any additional payments which currently apply will be concluded following a three month notice period. The changes will be applied through a process of contract change. There will be no change in pay or arrangements to those staff below Chief Officer who are currently included on the rota.

5.0 Implementation

- 5.1 A detailed implementation plan will be developed, with a view to all changes being complete by the new financial year. Key activities within the plan will include:
 - 5.1.1 A parallel report to make changes proposed in this report to structures within the CCG will be considered by the CCG Governing Body on 16 January 2020
 - 5.1.2 Accountabilities for services to move, as applicable, to Executive Directors as proposed in this report with immediate effect
 - 5.1.3 The organisation's establishment records on the i-Trent system to be revised and cleansed, to inform accurate reporting
 - 5.1.4 Advertisement of the post of Executive Director Strategic Commissioning during January 2020. Pending this appointment the interim Transformation Director will assume accountabilities for the One Commissioning Organisation and development of the detailed sub structure
 - 5.1.5 Plans for individual departmental structures to implement changes in this report to be brought forward to the next meeting of the HR and Appeals Panel. As part of this process the posts in scope of new departments and the OCO will continue to be subject to review and further proposed moves may be identified, subject to appropriate consultation with affected individuals
 - 5.1.6 A consensual variation of contracts for all affected Chief Officers to incorporate new arrangement for emergency planning, as described above, will be undertaken during January for implementation from the new Financial Year
 - 5.1.7 Proposals to deal with the highlighted c£100 000 funding gap in Chief Officer pay will be brought forward by the Chief Executive within the next financial year as part of budget planning 2020/21
 - 5.1.8 A comprehensive Organisation Development plan will be developed and presented to the HRA, to deal with the culture, vision, values and behaviour change required to achieve the proposed integration

6. Recommendations

- 6.1 On the basis of the original proposals and feedback received, the HR and Appeals Panel is asked to endorse the following final recommendations to the Council's Cabinet:
 - 6.1.1 To replace the current organisation structure with the four new departments of Operations; Business Growth and Infrastructure; Children and Young People; and Corporate Core Services, alongside One Commissioning

Organisation. The detail of structures in each of these will be brought forward by the relevant Executive Director with a 'lift and shift' arrangement in the meantime. As part of this process the posts in scope of departments and the OCO will continue to be subject to review and further proposed moves may be identified, subject to appropriate consultation with affected individuals

6.1.2 To agree to the establishment of the following posts:

- Executive Director of Strategic Commissioning
- An interim appointment, pending the development of permanent capacity, to provide leadership of joint IT arrangements
- Director of Community Commissioning
- Children's Commissioning Lead
- Chief Information Officer re-established as a joint post with Bury CCG
- Strategic Partnerships Manager
- Partnerships Co-ordinator

6.1.3 To agree the deletion of the following posts on the grounds of redundancy:

- Executive Director, Business Growth and Infrastructure
- Executive Director, Communities and Wellbeing
- Assistant Director Strategy, Procurement and Finance
- Assistant Director – HR/OD
- Head of HR - Children's Workforce
- Head of Financial Management
- Assistant Director (Localities)
- Strategic Lead: Children's Strategy and Commissioning
- Head of Operational Community Safety
- Assistant Improvement Advisor
- Administration Support Officer (Corporate Policy)

6.1.4 To note outstanding budget pressure of £103 000 on the Chief Officer budget and to a corporately managed exercise to reduce costs over the next 12 months

6.1.5 To agree to vary the contracts of all Chief Officers in scope of the emergency planning on-call rota to reflect this requirement.