

APPENDIX 2

DUDLEY MBC

REVIEW OF SENIOR MANAGEMENT AND ORGANISATIONAL STRUCTURE

SUMMARY OF CONSULTATION RESPONSES: OFFICER CONSULTATION MEETINGS

1.0 BACKGROUND

1.1 All existing second and third tier officers were offered individual consultation meetings with the Chief Executive and a representative of West Midlands Employers. Meetings were scheduled and all the eligible officers took the opportunity to participate in a meeting. Six officers also took up the offer of a second meeting to provide a further chance to express their views on the proposals. A number of officers also provided their views in writing to the Chief Executive as well as participating in the meetings. The views expressed in those meetings and through written submissions are summarised below.

1.2 A small number of fourth tier officers also submitted written comments on the overall structure following briefings at management group meetings. Trade Unions were also consulted and no indications have been received that they are unhappy with the proposals following clarification of how the selection pool arrangements would operate in the event of the Council deciding to proceed with the restructure of its senior management.

2.0 RATIONALE BEHIND THE PROPOSALS

2.1 The vast majority of consultees emphasised their support for the broad thrust of the proposals. They fully understood that the Council had to be pro active in taking steps that made it a fit for purpose organisation and achieve the significant savings levels required by the sharp reductions in revenue support funding from central government. A number of respondents saw the need to try and protect front line services through a rationalised senior management structure.

3.0 PROPOSED ORGANISATIONAL STRUCTURE

3.1 There was widespread support for the basis of the structure in terms of the three Directorate model with the focus on People, Place and Resources each being led by a Strategic Director (SD). A couple of respondents argued that the Resources and Transformation Directorate should be slimmer in terms of the functions it contains and emphasised its enabling nature with the need to maximise capacity and resources in the other two Directorates. A small number of respondents cautioned against the sheer size of the proposed People Services Directorate and the fact that it would receive about 70% of the Council's overall budget- it must not become a mini Council acting on its own.

3.2 Positive comments were received in respect of the proposal to have individual Chief Officers for Children's Services and Adults who would also act as the respective Statutory Officers in these areas. This was applauded as was the general scope of the People Services Directorate with the alignment of the Health and Well Being functions within this group of services. The placing of Education and Lifelong Learning functions within the Chief Officer (CO) block for Children was also welcomed and that they were correctly positioned as being under a Head of Service (HOS) rather

than attracting a separate CO for Education in the light of the now well established pattern of school and college autonomy. The Council still, however, has statutory roles in respect of education (e.g. Special Educational Needs, School Place Planning and School Improvement) so senior officer leadership will still be required in this area.

3.3 The positioning of the statutory role of Director of Public Health (DPH) within the Health and Well Being Chief Officer was supported by consultees. Public Health England (PHE) and the Faculty of Public Health (FPH) who have a statutory role in the appointment of any DPH are also fully supportive of this positioning within the structure and the broadening of the DPH role across the Council in that it will help the Council meet its strategic ambitions around improving the health of local residents. The alignment of Environmental health and Trading Standards within HWB also attracted positive support.

3.4 There was good support in respect of the proposals around the Place (Environment, Economy and Housing) as a Directorate although there was some debate about a small number of individual functions and their optimum place in the structure- these are detailed below in para.3.12.

3.5 A number of consultees felt that the proposed structure was more supportive of partnership working locally, sub regionally and regionally with Strategic Directors and the Chief Executive having a strategic outward facing lead alongside political leadership.

3.6 The main area where various opposing views were expressed by consultees was in relation to the Resources and Transformation Directorate and the proposal to have just two Chief Officers with one of the two also taking on a key statutory role of either Section 151 Officer or Monitoring Officer (MO). Some respondents felt strongly that the two statutory roles should each merit individual CO posts. This view implies that the block of corporate customer and transactional services (such as HR payroll or Revenues and benefits) would be split up between the two CO posts instead of having a separate CO responsibility for Corporate and Customer Services as per the formal Cabinet proposal.

3.7 In essence the issue is that, given the need to look at just two CO posts in the Resources and Transformation Directorate whether more weight is given to Governance (151 officer and Monitoring Officer) at the expense of a coherent responsibility under a CO for a range of key Customer and Corporate Services and where the post holder can drive forward a coherent programme of service transformation with potential major benefits for customers and significant savings in developing new processes and ways of serving customers and clients.

3.8 Informal consultation was also held with the Council's external auditor on the Governance issue and Grant Thornton referred to statutory guidance on the section 151 officer role and CIPFA guidance. The external auditor had no objections to the proposed structure as long as the Council met the statutory guidance requirements.

3.9 With regards to the Monitoring Officer position the external auditor expressed no concerns or firm views as to whether the role be located within a second, third or fourth tier post. There is no specific statutory guidance on the MO post. The intention would be that if the MO post holder is appointed at either the CO or HOS tier he/she would have access to all corporate management team papers alongside other statutory post holders and attend meetings where appropriate and relevant.

3.10 There was some comment about whether there is sufficient senior leadership around the HR/Organisational Development functions and whether this would be a challenge to either a Strategic Director with the wider brief for Resources and Transformation as well as to any Head of

Service appointment to lead HR within the next phase of the restructure. In the latter instance would locating the HR/OD lead at fourth tier be appropriate given the need to influence senior managers on developing the Council's workforce and to also lead key negotiations with trade unions on a host of employment matters.

3.11 Views were also expressed that there may need to be temporary capacity at a senior level to ensure that the transition from the current structure to the new structure is effectively undertaken and that new ways of working are developed that support the intention to create a fit for purpose organisation committed to transforming ways of working to the benefit of service users and residents of the Borough. This will include work on leadership cultures and behaviours that can deliver the Council's key priorities.

3.12 There were a number of alternative suggestions around individual service functions listed below but it was generally accepted that it would be best to look at these when the next phase of restructuring at 4th tier /Head of Service is developed and consulted upon. The following gives a flavour of the varied views received around the allocation of a number of service functions- the list is not exhaustive.

- Should Dudley Council Plus be located in the Place Directorate given the very high percentage of calls are in relation to functions within this Directorate?
- Should Leisure Centres be aligned into the Health and Well Being portfolio of functions given their key role in supporting physical activity and related health improvement?
- Should the procurement function be decentralised across the whole structure given substantial commissioning and procurement activity in key areas such as Adult Care?
- Should Licensing (other than taxi and private hire) be aligned with the Regulatory services within HWB and the taxi and private hire moved to within the Environment, Economy and Housing Directorate to preserve and develop further synergy through the one stop community based setting that has recently been established in the Borough?
- Should Corporate Landlord functions be separate from Property Management and Valuation in different Directorates as per the proposal or integrated within the Place Directorate? There were some mixed views on this issue. Should Health & Safety be aligned with the Corporate Landlord given that this is where a lot of its business is generated?
- Should all Housing and property related services be located under a single CO position given the political agenda around housing and its importance?
- Should Safeguarding as a potential single Head of Service function be firmly located within the CO (HWB) responsibility rather than being seen at present as a function reporting directly to the SD (People Services) where the post holder's role is outwardly facing and strategic?
- Should Library and Archive services be kept together with the Life Long (Adult) Learning function especially if a future option is to provide these services via a Trust? Are Library Services best aligned with Customer Services as libraries are often key contact points for customers of the Council?
- Should Bereavement Services be located alongside the Registrar's service within a Corporate and Customer Services function? Or alternatively should the function be combined with Citizenship services within the HWB part of People Services?
- Should HR/OD functions be split as proposed with transactional services aligned with corporate and customer service functions and the advisory and strategic HR functions reporting directly to the SD (Resources & Transformation)? Is there a case to keep all HR service functions as a coherent whole?

3.13 Some concerns were expressed about whether the next phase at 4th tier and below would contain sufficient capacity to release senior managers to act and work strategically and provide support to other officers with heavy responsibilities for the operational effectiveness of services. These concerns included a need to ensure greater empowerment, encouragement and space to innovate ensuring that the enabling service and infrastructure supports effective decision making. There was also a reference to whether succession planning would be more difficult with widening gaps between the management tiers (e.g. COs having strategic as well as operational responsibilities compared with current Assistant Directors).

3.14 Some comment was received about as to whether the political leadership and Cabinet member responsibilities would effectively align with the SD and CO responsibilities with duplication and overlap minimised. The alignment of the Scrutiny function was also raised and whether changes to Scrutiny would need to be made to take account of the new organisational structure. These issues will need to be considered by elected members when the eventual structure is finalised and appointments made to posts.

4.0 PROPOSED JOB DESCRIPTIONS AND PERSON SPECIFICATIONS

4.1 The job descriptions and person specifications were largely regarded as fit for purpose even if a little lengthy (they must be sufficiently detailed to inform the job evaluation exercise necessary to decide upon pay and grading).

4.2 Some inconsistencies have been picked up in the generic parts of job descriptions across some CO posts and these will be addressed in the final versions where the same generic content will be used across the whole CO tier. These inconsistencies largely relate to how partnership and transformation responsibilities are described and whether the post holder leads or contributes to these activities.

4.3 A number of consultees felt that the CO job description should contain a stronger focus on the strategic element of the roles which was seen by some as the primary purpose of the role rather than an operational focus. The proposed structure has been based upon the CO posts being fully accountable for service delivery under the direction of the relevant SD. The CO would also be fully expected to liaise with the relevant Lead Member on service delivery issues. These posts would, however, also be expected to make a significant contribution in supporting the SDs in the ongoing development of strategy in their areas. This balance has been addressed in the final versions of job descriptions and person specifications.

4.4 The FPH as a statutory consultee on the DPH post which is integrated within the CO (HWB) post has asked that the full content of the DPH exemplar job description issued by the FPH is included in the current issue of the job description for proposed CO post as opposed to a summary version of the DPH duties and responsibilities which has been blended with the wider HWB responsibilities. PHE which is also a statutory partner in the DPH appointment process has argued for a stronger expression of the DPH's strategic leadership role in the job description.

4.5 The CO (HWB) job description has been modified within a further draft to retain as its core the wider HWB responsibilities and corporate focus whilst the statutory requirements of the DPH role have been included in their entirety as an annex to the main job description and cross referenced with the core part of the document where appropriate.

5.0 PROPOSED PAY GRADES

5.1 This area attracted a significant number of comments with respondents roughly equally divided as to whether there should be a single pay band or as proposed two pay bands at CO level with the Statutory Officer positions attracting a higher pay band as per the outcomes of job evaluation undertaken by WME.

5.2 A number of respondents argued the case strongly that there should be a differential given that there were greater risks and more complex levels of responsibility with posts associated with the statutory officer roles. Others argued that a starting position with differential pay within the CO tier potentially undermined the need for this group to gel and display unity in taking the Council forward. A few officers argued that there were inherent risks within the EEH Directorate CO roles that weren't necessarily articulated to the extent that they might be in People Services for example.

5.3 The issue of differential pay was seen as less of an issue at the SD tier where there appeared to be a greater level of consensus that the SD (People Services) should be paid on a higher salary scale than the two other SDs

5.4 There was an acknowledgement that should posts need to be advertised externally there may well be a need to apply a market factor to take salary above the proposed rates for COs and possibly SD posts. Some respondents emphasised that this should only be applied if there was a need to appoint from outside the Council rather than attaching a market factor irrespective of whether there was a need to advertise externally. The provisions of the Council's existing Market Force Supplements will be applied where relevant.

5.5 PHE and the FPH both felt that the CO (HWB) post inclusive of the DPH duties would require a market supplement of possibly 20% of base salary for the post to attract a quality candidate in a very tight DPH market. Benchmarking activity undertaken by West Midlands Employers has indicated, however, that many metropolitan borough and unitary councils are employing DPHs on salary bands very similar to that currently proposed through the paper considered by Cabinet on 3rd July 2014. It will be recommended to the Appointments Committee that the CO (HWB) post including the DPH role is advertised at the proposed salary band of £95k to £99k.

5.6 A large number of consultees felt that there should only be fixed spot salaries rather than incremental scales as proposed. These respondents stressed that there was possible reputational issues in that the first round of incremental progression would see the highest earners enjoying a pay rise when the rest of the Council could possibly be subjected to a further pay freeze or a below inflationary rise. Incremental progression is, however, a feature of all other pay scales across the authority and the original proposal if adopted ensures a consistency of approach for all employees regardless of status.

5.7 Other comments included reference to the challenge of trying to meet any demands or public expectations that the incremental rises are linked in some way to performance and how this would be measured. Alternatively the basis of an increment to reflect a year's experience in the post was seen as inappropriate with further comment that at such a senior level the appointee should be expected to master their responsibilities from the first day of office.

5.8 Some respondents emphasised that the proposed salary levels for SD and CO posts now reflected the regional rates for similar posts. Comment was also made that the significant reduction in senior managers envisaged by the proposals with a 45% decrease in the number of officers at

third tier and above would have a major impact on job size and scope of responsibilities for those remaining posts. Given this reduction comment was made that the proposed salaries reflected that fact and are also at a level that should attract high quality candidates should any post be subject to external advertisement.

6.0 SELECTION POOL ARRANGEMENTS AND ASSOCIATED TIMESCALES

6.1 There was no adverse comment on the proposed selection pool arrangements and all understood that appointments from the selection pool could not be guaranteed and that subject to the implementation of its Redeployment Policy the Council may decide to eventually advertise any of the proposed posts on the open market.

6.2 The indicative timescale was understood without any views expressed that it was inappropriate. The main comment in this area related to the timing of the appointment of the new Chief Executive and whether the appointed candidate could play any part in the appointment of the SDs and COs given the close proximity time wise of the two selection processes for the Chief Executive and the SD/CO posts. A number of respondents felt that the Chief Executive Designate should participate in the selection process for 2nd and 3rd tier officers.

7.0 OTHER COMMENTS

7.1 A number of officers especially those in acting posts welcomed the opportunity to comment on the proposals and felt that the whole process of the senior management restructuring was to date being well managed. Negative comment on the process was minimal.

7.2 Many consultees expressed the view that the new structure would help the Council move its agenda forward within challenging budgetary conditions. A number of respondents referred to the need to support the restructure at all levels through well considered leadership on cultural change and that it was vital to appoint the right senior officers who could inspire and motivate employees. The need for an accompanying cultural change programme to support the new posts was raised by a number of officers in the consultation round.

7.3 The restructure was seen as a radical and brave step for the Council in the eyes of a number of respondents. Overall there was much support for the need to take such steps even allowing for the resultant anxiety that will be experienced over personal job security and uncertainty of future position.