

## Slough Borough Council

<b>Report To:</b>	Employment Committee and Council
<b>Date:</b>	16 April 2024 (Employment Committee) 25 April 2024 (Full Council)
<b>Subject:</b>	Senior Management Restructure Update
<b>Chief Officer:</b>	Chief Executive
<b>Contact Officer:</b>	Stephen Taylor – Monitoring Officer Surjit Nagra – AD Human Resources
<b>Ward(s):</b>	None
<b>Exempt:</b>	No
<b>Appendices:</b>	Appendix A – Organisation Chart Appendix B – Article 12 and the Officer Scheme of Delegation (Part 3.6 of the Constitution - Sections 3 and 4) Appendix C – Decisions of Commissioners in relation to the appointments of the Head of Paid Service and the S151 Officers

### 1. Summary and Recommendation

1.1 This report to the committee is an update on the senior management restructure that was consulted and approved in September 2023, highlighting the progress of the recruitment into the new posts created. It also highlights the arrangements that are to be in place following the resignations of two statutory officers – Head of Paid Services (Chief Executive) and Section 151 Officer.

#### Recommendation:

Employment Committee is recommended to:

- Note and endorse the contents of this report.
- Recommend the report to Full Council.

Council is requested to:

- Note the appointment of Will Tuckley as interim Head of Paid Service with effect from 15 April 2024;
- Note the appointment of Christopher Holme as interim Executive Director of Finance and Commercial Services – S151 Officer for the period 26 April 2024 to the 6 May 2024;

- Note the appointment of Annabel Scholes as interim Executive Director of Finance and Commercial Services – S151 Officer with effect from 7 May 2024
- Approve the updated organisation chart at Appendix A, together with revisions to Article 12 of the Constitution and the Scheme of Delegation at Appendix B;
- Approve the designation of the statutory post of Returning Officer, Acting Returning Officer, Local Returning Officer, and Electoral Registration Officer to the role of Monitoring Officer; and
- Authorise the Monitoring Officer to update the Constitution, as necessary.

## Commissioner Review

Commissioners have reviewed the report and are supportive of the recommendations.

## 2. Report

### Introduction

- 2.1 As articulated in the Council’s Corporate Plan, the Council is on a long-term path to recovery, however, to deliver this the Council needs senior corporate capacity.
- 2.2 Employment Committee Members have been updated regularly on how the senior management restructure has been articulated and the consultation process that was undertaken to reorganise the senior management structure of the Council.
- 2.3 The focus of the reorganisation was to create capacity and to respond to the need to drive through activities related to the recovery programme at pace. This report covers the next stage of implementation of the proposals and details the recruitment process to the newly created Director’s role.
- 2.4 The newly created Directors posts (which have replaced the Associate Directors (AD)) will have greater strategic authority and as such will be more empowered to progress the recovery and improvement of the Council at pace in their areas and corporately and be accountable for the decisions they make.
- 2.5 To remind members, with effect from 1 September 2022 and following the Commissioners’ initial six-month report to the Secretary of State, the Minister expanded the Directions to the Council in Annex B of the Directions to include the following:
 

*“5. All functions to define the officer structure for the senior positions, to determine the recruitment processes and then to recruit the relevant staff to those positions.”*
- 2.6 Senior positions’ is defined in Annex B of the Directions as ‘direct reports to the Chief Executive and their direct reports, and their Group Managers – tier one, tiers two and three.’ This tiering has changed in the new structure and are now Directors and Heads of Service roles.

- 2.7 On that basis, the Commissioners have been kept fully informed through the process and have the power to intervene in any stage of the process if they so wished. The appointment process for the Chief Officer and Deputy Chief Officer posts has been agreed with the Commissioners.

### Progress on recruitment

- 2.8 The recruitment to the Directors posts is nearing completion. To assist with our search for high calibre candidates and ensure we get the very best candidates an external recruitment partner, Starfish, was appointed through a procurement exercise. They had a specific brief to attract candidates from a diverse background as part of the search process. They were successful in that, and the search outcome yielded a very good response for all the above posts.

- 2.9 Commissioners fully participated in the selection process and appointed the successful candidates. To date, the following posts have been recruited to:

Role	Appointee	Start Date
Director of Commissioning	Jane Senior	1 December 2023
Director of Financial Transactions	Andy Jeffs	1 January 2024
Director of Education	Neil Hoskinson	1 April 2024
Director of Public Health	Tessa Lindfield	8 April 2024
Director of Law & Governance	Sukdave Ghuman	1 May 2024
Director of Property & Assets	Peter Hopkins	1 May 2024
Director of HR & Workforce Transformation	Bal Toor	20 May 2024
Director of Adult Social Care	David Coleman-Groom	5 June 2024
Director of Environment & Highways	Matthew Hooper	17 June 2024
Director of Housing	Lisa Keating	To be confirmed

- 2.10 Four directors above have already started in the roles, with the remainder starting on the dates listed above. There are currently two further Director roles which are going through the selection process, and these are:

- Director of Strategy, Change and Resident Engagement
- Chief Planning Officer

- 2.11 A review of the new structure will take place in September 2024 in line with our organisational change policy. However, since the September 2023 reorganisation there have been a number of changes to the approved structure which will need to be taken into account. In particular, the post of Executive Director (ED) Strategy and Transformation has been deleted; a separate Chief Executive's office is being created; and there have been a number of minor rearrangements such as the Cemetery and Crematorium

have been placed with ED Regeneration, Housing and Environment, and the Library service is with the ED Children's Service.

- 2.12 An updated organisation chart is attached at **Appendix A**, and Article 12 of the Constitution together with the Scheme of Delegation will need to be updated with the consequential changes as attached at **Appendix B**, which Council is asked to approve.
- 2.13 Inevitably, this has adversely affected the pace of the recovery as substantial senior management time has been taken up with the appointments process. The council has been managing with an unstable workforce for some time. This restructure forms a vital part of stabilising the workforce and the council, but it is recognised that there could be further disruption in the short term. A key part of our next steps will be to minimise that disruption as we implement the structure, and institute a thorough induction or onboarding process to enable the new appointees to be effective in their roles.
- 2.14 As the recruitment process for this level has not been concluded, it is envisaged the next meeting of this committee will be provided with further information to demonstrate whether the approach with the recruitment partner was successful and what lessons Slough can learn for future recruitment exercises.

#### **Head of Paid Service, S151 Officer and Director of Public Health**

- 2.15 Following the departure of the Head of Paid Service on the 12 April and the S151 Officer on the 25 April, interim arrangements have been put in place. Will Tuckley has been appointed by the Commissioners as interim Head of Paid Service with effect from the 15 April 2024, following consultation with the Group Leaders.
- 2.16 So far as the S151 Officer role is concerned, the Commissioners have appointed Annabel Scholes as the interim S151 Officer with effect from 7 May 2024. In order to ensure continuity in post of a S151 Officer for the period 26 April to the 6 May, the Commissioners have appointed the current Deputy S151 officer, Christopher Holme, as the interim S151 Officer. Notification of those appointments are attached at **Appendix C**.
- 2.17 As members will know, Slough shared the Director of Public Health (DPH) post with Bracknell Forest Council and the Royal Borough of Windsor and Maidenhead. The decision was taken that Slough needed its own DPH in order that the DPH is able to focus on the particular issues facing the Borough. The Commissioners have appointed Tessa Lindfield, the previous holder of the joint post, as the DPH following a recruitment process involving the Commissioners, Members and the Faculty of Public Health.

## **Returning Officer roles**

- 2.18 The Council is required to have in place an officer to cover the statutory roles of Returning Officer, Acting Returning Officer, Local Returning Officer, and Electoral Registration Officer.
- 2.19 Previously in Slough these electoral roles have been designated at various times and for various reasons to the Chief Executive, Chief Operating Officer or the Monitoring Officer. So far as designating the roles to the Chief Executive is concerned, having consulted with the Lead Commissioner this is not recommended in the current circumstances for reasons of capacity and focus; the incoming interim Head of Paid Service / Chief Executive will be fully engaged at the outset with the Recovery and Improvement programme.
- 2.20 Alternatively, the role could be fulfilled by the current interim Monitoring Officer who is an experienced Returning Officer and has operational responsibility for Electoral Services as this is within his portfolio. If this role is attached to the Monitoring Officer role, the incoming Monitoring Officer, who also has election experience, would take on the Returning Officer responsibilities in due course.
- 2.21 On balance, therefore, it is recommended that the Monitoring Officer be appointed to the statutory roles of Returning Officer, Acting Returning Officer, Local Returning Officer, and Electoral Registration Officer. Obviously, this situation can be reviewed in due course should circumstances warrant it.

## **3. Implications of the Recommendation**

### **3.1 *Financial implications***

- 3.1.1 As advised in previous reports to the Employment Committee, the new job descriptions have been evaluated to provide accurate costings. The cost of the restructure, as stated in the original Consultation Document, compared to the current structure is overall cost broadly neutral once the entire restructure is completed. That means once these roles have been fully recruited to and the restructure of those roles reporting into the new Director roles have also been completed. However, we are currently only part way through the transition.
- 3.1.2 Now that appointments are being made into the structure, there are some posts that have attracted market supplements and not all appointments have been made at the bottom of the scale. Any posts not appointed at bottom of the scale will have had to be approved with sound evidence as to a reason why. Any pressure that this creates given the budget was estimated at lower mid-point needs to be managed within the service that this relates to, just as any market supplements will also need to be managed by the service too.

- 3.1.3 The changes to the Director of Public Health post are assumed to be cost neutral to the local authority as these costs are charged to the ring fenced Public Health Grant from OHID (Office for Health Improvement and Disparities). As per each Directorate budget, the Public Health is a cash limited budget, and the total employment cost of the Director must be contained within that overall cash limit.
- 3.1.4 The costs of the new posts were originally estimated prudently at lower mid-point – while the intention is to recruit at the bottom of the scale. Additionally, these are the expenditure effects, and some posts may be at least in part be charged to other grants or external recharges in practice. These costs are excluding recent salary uplift (and uplift for 2024/25 onwards is not assumed). However, the budgets for all these roles will be updated for the pay rise. The overall position is neutral as the over costs are similar and subject to the same % uplift as council wider senior posts.
- 3.1.5 Transitional costs of redundancy, pension strain and the overall transformation are allowed for by the reserve and c/fwds created for this purpose in the original council plans and at the last year end. There is an earmarked reserve of £7.5m. As advised these funds will assist with Pension strain and redundancy, other costs of transformation including any overlap costs. The Council are expecting to fully use this reserve.
- 3.1.6 Directorates need to manage the costs within their existing cash limit budgets and there is an assumption posts will be recruited at bottom of scale. Budgets will be adjusted as restructure progresses where budgets for deleted posts will be removed and reused for new posts.

## 3.2 ***Legal implications***

- 3.2.1 The rules governing recruitment and appointment of staff are set out in the Constitution. This includes the rules for appointment of chief officers, which includes the need for elected members to decide on these appointments, except when the Commissioners choose to exercise their intervention powers, or an interim is being appointed pending permanent recruitment. The DLUHC statutory Directions give powers to the appointed DLUHC Commissioners to make decisions on senior officer recruitment for the top three tiers of the organisation. All other recruitment decisions, including those decisions where the commissioners decide not to exercise their power are made by the Chief Executive, as Head of Paid Service, or an authorised officer. In general, executive directors are responsible for agreeing and implementing restructures within their services.
- 3.2.2 The Localism Act introduces duties in relation to transparency in pay policies and arrangements. The guidance associated with this legislation states that due to public interest in the level and frequency of severance payments being made in particular to senior officers, to ensure that decisions to spend local taxpayers' money on large payoffs are subject to the appropriate level of accountability, local authorities should offer full council the opportunity to vote before packages over £100,000 are approved. In appropriate circumstances

an individual may be permitted to be paid in lieu of notice. The Localism Act and associated guidance also requires local authorities to have a pay policy statement and recommends that full Council should approve new posts paid at £100,000 or more.

3.2.3 The Returning Officer (local elections), Local Returning Officer (PCC elections) and Acting Returning Officer (parliamentary elections) have statutory responsibilities in relation to the running of elections and the Electoral Registration Officer has statutory responsibility in relation to registration of electors. Section 35(1) of the Representation of the People Act 1983 requires the Council to appoint one of its officers to the role of Returning Officer. A Returning Officer is personally responsible for the administration of local government elections and for ensuring that the experience of voters and those standing for election is a positive one.

### **3.3 *Risk management implications***

3.3.1 There is an inherent level of risk with any restructure, including whether it has the expected impact on performance, service delivery and efficiency and whether it is possible to recruit to the new structure. This will be mitigated through ongoing review of the impact and a 12-month review of the structure.

3.3.2 There are additional risks for the Council. These include the disruption that restructure at this scale causes, this disruption is already happening and will continue until significant numbers of the new posts are recruited to and postholders have started their jobs. That said, the council has been coping with instability in the work force for some time and clarity over senior roles and permanent recruitment will begin to drive more stability in the organisation. Organisational leaders and managers will need to manage ongoing delivery and risks in their areas using a variety of tools to mitigate disruption and maintain delivery. There are several interims in post at the associate director level and it is anticipated that many of these staff will stay with Slough until permanent recruitment is undertaken, minimising the risks of gap.

3.3.3 There is the potential for the loss of institutional memory and knowledge in staff leaving either through redundancy or as they seek other employment during the process. This will be mitigated through thorough hand over expectations of those leave.

### **3.4 *Environmental implications***

3.4.1 There are no specific environmental implications arising from this report.

### **3.5 *Equality implications***

3.5.1 As part of the consultation process an Equality Impact Assessment was conducted.

3.5.2 Officers are seeking to mitigate any equalities impacts by putting a very high premium on diversity in all its forms. This was the key criteria in the selection of the recruitment partner.

### 3.6 ***Procurement implications***

3.6.1 Not applicable for this report to the committee.

### 3.7 ***Workforce implications***

3.7.1 The consultation process has followed the Council's Organisational Change Policy and Procedure and trade unions have been involved in this change programme.

### 3.8 ***Property implications***

3.8.1 Not applicable for this report to the committee.

## 4. **Background Papers**

None