

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**COUNCIL**

**THURSDAY, 18 JULY 2024**

**Report of the Executive Director - Adult Social Care and Health**

**Changes to Senior Leadership Structure within Adult Social Care & Health**

**1. Purpose**

- 1.1 The purpose of this report is to seek approval from Full Council to approve the remuneration on appointment of the Director of Strategic Commissioning, Integration and Partnerships and the Director of Quality Assurance, Performance and Safeguarding.

**2 Information and Analysis**

- 2.1 Adult Social Care & Health currently consists of three service areas led by three Directors as shown in the organisation chart Fig.1.

Fig 1: Current Structure



- 2.2. All three posts within the current structure are full time positions and the review of the Adult Social Care and Health senior team structure has determined that two roles will continue to be required, these are the Director of Public Health and the Director of Adult Social Care. The Director of Adult Social Care and Director of Transformation are both occupied currently on a temporary basis until end of September 2024. The salary package for the Director of Adult Social Care was approved by Council on 13<sup>th</sup> June 2019 and a recruitment exercise to fill this role on an established basis will also be undertaken at the same time as recruiting to the two new Director roles.
- 2.3 In 2021 the Adult Social Care service moved to its current senior leadership structure in order to build in dedicated transformation capacity at a strategic leadership level to drive the delivery of the Better Lives / Best Life Derbyshire programme. Now that the majority of that transformational activity is completed the service area needs to readjust its senior leadership team accountabilities in order to have the right resources to address current priorities and shape the future.

Since the previous restructure of the Adult Care service, it is clear that the operating context has changed significantly. Adult Care continues to face substantial and increasing demand, and significant budget pressures and also experience significant challenges in service delivery and the recruitment and retention of personnel. Adult Care are also now subject to formalised regulatory inspection arrangements delivered by the Care Quality Commission (CQC).

To ensure that we have appropriate strategic leadership capacity to deliver to our duties, ambitions, strategy and operating pressures we need to remodel our structure to focus on the following core business areas:

#### Strategic commissioning, partnerships and integration

Adult Care needs to have focused strategic leadership that enables us to strengthen our commissioning arrangements both internally and across the system partnership and supports us to better deliver on our market management duties through shaping and driving a joined up strategic approach with partners to ensure that we can develop the right volume of the right type of services and support capacity to meet future demand, seeking opportunities to grow the collective workforce but also using our collective, and limited, resource to best effect to improve outcomes for people.

## Operational delivery and strategic leadership across the whole service area

Adult Care needs to maintain a focus on the delivery of our statutory duties and to make sure that we are running services, both assessment and delivery, in line with our strategic ambitions whilst also meeting regulatory and legislative requirements. There also needs to be a lead, deputising function which would take a 'first amongst equals' role to ensure collaboration and collective operating across the department.

## Quality, performance, improvement, assurance and safeguarding

Adult Care needs to ensure that at the same time as delivering to our business-as-usual operations, driving change towards our new operating model and delivering substantial efficiencies, that we also maintain a strong strategic leadership focus on quality assurance, performance, and safeguarding vulnerable adults across the whole market, both for directly delivered services and via independent providers. We have a commitment to ensure that we are driving high quality services and delivering continuous improvement and we will require dedicated strategic leadership capacity to develop and drive our quality assurance strategy and work in a supportive way but where required, enforcing compliance to make sure that we can have assurance that quality services and support are in place.

Adult Care also needs to ensure that we have focused strategic leadership in place for the Principal Social Worker (PSW), which is a statutory function, as well as supporting our safeguarding functions and leadership into the regional Association of Directors of Adult Social Service (ADASS) space on this.

It is proposed the role of Director of Transformation would be removed and a new role of Director of Strategic Commissioning, Integration and Partnerships would be created which would hold responsibility for key areas including:

- Working as part of the Adult Social Care senior leadership team ensuring that service strategies reflect the national social care policy agenda and priorities and the Council's values and strategic priorities; developing and leading delivery of the strategic commissioning strategy across the Council's Adult Social Care Services, including system partners, wider stakeholder groups and other Council departments to deliver the Council, system and department's vision and long-term direction.

- Leading and directing market shaping and market management activity to enable the redesign and remodelling of care and support services across the whole market, including Derbyshire's directly delivered Adult Social Care Services, to ensure the appropriate levels of the right type of care and support services are in place to achieve a financially sustainable Adult Social Care system for Derbyshire.
- Proactively supporting the culture, system and process changes required across the Adult Social Care workforce, partners, and stakeholders, to deliver the Council's longer-term health and wellbeing agenda and improve outcomes and value for money.
- Supporting the delivery of the Department's financial savings targets including determination of how savings will be achieved.
- Leading on embedding a culture across all Adult Social Care services, both directly delivered and those procured within the wider market, which is asset based, independence promoting, performance and improvement focused, and manages risk effectively.
- Actively developing strategic partnering relationships within both the wider health & social care service, integrated care system and other public sector bodies and maximise integration opportunities with health partners.

A Job and Person Profile has been created and the evaluation completed by Korn Ferry Hay has confirmed the post as Grade 18.

It is also proposed to add a further additional new post to the structure of Director of Quality, Performance & Safeguarding. This new post will hold responsibility for key areas including:

- Working as part of the leadership team ensuring that service strategies are aligned across the three core functions of the department and that they reflect the national social care policy agenda and priorities and Council's values, and strategic priorities.
- Leading on the development and deployment of a quality assurance strategy for the delivery of care services within a complex internal and external market.
- Working with the market to deploy the quality assurance and contract management strategy to achieve the council's ambition, setting performance targets and continual improvement strategies and leading on enforcement action and provider failure management where necessary.

- The role would also provide leadership and direction on key areas including:

- Readiness for single and multi-agency inspections.
- Multi Agency Public Protection Arrangements (MAPPA), local multi agency safeguarding arrangements and audit processes, and Derbyshire Safeguarding Adults Board arrangements.
- Regional ADASS safeguarding activity.
- Quality strategy and performance management.
- Workforce and organisational development strategies.
- Business services functions across Adult Care Services.

- Working in collaboration with the Director of Strategic Commissioning, Integration and Partnerships to ensure that quality and performance strategies are aligned to and support the interdependencies of the broader commissioning strategy.
- Ensuring that strategies are constantly evolving meet future demand.
- Leading the Adult Care Services self-evaluation and service planning processes and the Adult Care Services contribution to corporate processes including Council Plan development, monitoring and evaluation.
- Acting as the Adult Social Care lead on regional improvement initiatives including co-ordination of peer review activity, research and development of regional data and performance systems.
- Providing leadership for Adult Social Care co-production strategies ensuring well structured, creative, and cost-effective methods are in place to gain feedback for service improvement and to assist co-design of services.
- Working closely with the Cabinet Member for Adult Social Care Services, and other members of the Cabinet, and lead Opposition and Scrutiny members in developing and reporting on the performance of services within the department.
- Leading and directing performance management, monitoring and assurance activity across the Adult Social Care department and the wider market to drive continuous improvement and ensure that core performance requirements are identified, delivered, and audited.
- Providing assurance to key stakeholders that the appropriate level of high-quality service is in place. Leading the departments safeguarding arrangements, ensuring that requirements are clearly identified, activity is robustly overseen and audited and that individual safeguarding episodes are undertaken in line with making safeguarding personal.

- Proactively supporting the culture, system and process changes required across the Adult Social Care workforce, partners, and stakeholders, to deliver the Council's longer-term health and wellbeing agenda and improve outcomes and value for money.
- Proactively supporting the delivery of the Department's financial savings targets including determination of how savings will be achieved.
- Leading on embedding a culture across all Adult Social Care services, both those directly delivered and those procured within the wider market, which is asset based, independence promoting, performance and improvement focused, and managing risk effectively.
- Actively developing strategic partnering relationships within both the wider health & social care service, integrated care system and other public sector bodies and maximise integration opportunities with health partners.

A Job and Person Profile has been created and the evaluation completed by Korn Ferry Hay has confirmed the post as Grade 18.

- 2.4 In order to stabilize the senior leadership team within Adult Care as soon as possible, the intention is to commence the recruitment by October 2024 for the Director of Quality, Performance & Safeguarding and the Director of Strategic Commissioning, Integration and Partnerships.

Due to the grades of the proposed posts of Director of Quality, Performance and Safeguarding and Director of Strategic Commissioning, Partnerships and Integration both being evaluated at Grade 18, the salary for these roles exceeds the £100k salary threshold, which requires consideration by Full Council.

Fig 2. Proposed Adult Social Care Structure



2.5 The Managing Director considered a report setting out the proposed changes to the structure and agreed to support the amendments on 12th July, subject to Council approving the salary package for the roles of Director of Quality, Performance and Safeguarding and Director of Strategic Commissioning, Partnerships and Integration as Grade 18. The changes to the senior leadership structure in Adult Care as outlined in the report would require the Pay Policy Statement to be amended to reflect the new roles and job titles.

2.6 In addition, any additional references in the Constitution to the existing role title will require amendment to reflect the new title.

### 3 Consultation

3.1 The Executive Director is authorised (by virtue of the constitution) to make changes to departmental structures relating to changes to Director roles in conjunction with the Director of People and Organisational Change. In exercising delegated powers, it is the duty of an officer to whom the exercise of powers is delegated to consult such other officers, Director of Finance and Director of Legal and Democratic Services, as may be appropriate in the circumstances and to have regard to any advice given.

3.2 There is no requirement for formal public consultation on the proposal, planned communications will take place with both Trade Unions and employees across Adult Social Care and Health.

### 4 Alternative Options Considered

- 4.2 The Council could decide not to approve the salary for the Director of Strategic Commissioning, Integration and Partnership and the Director of Quality, Performance and Safeguarding. However, these roles are crucial to the development and implementation of the Adult Care Strategy, performance and compliance across the service.

## **5 Implications**

- 5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **6 Background Papers**

- 6.1 None Applicable

## **7 Appendices**

- 7.1 Appendix 1 – Implications

## **8 Recommendation(s)**

That Council:

- a) Approves the remuneration on the appointment of the Director of Strategic Commissioning, Integration and Partnerships and the Director of Quality, Performance & Safeguarding, both posts having been evaluated at Grade18 with a salary in excess of £100,000.
- b) Approves the amendments to the Pay Policy Statement to reflect the changes to the Adult Care leadership roles as outlined in the report; and
- c) Authorises the Monitoring Officer to make the necessary amendments to the Constitution to reflect the changes to the jobs and role titles.

## **9 Reasons for Recommendation(s)**

- 9.1 To comply with the necessary legislation, statutory guidance and Constitutional requirements.
- 9.2 To ensure that the Pay Policy Statement and Constitution remain up to date.



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## **Appendix 1**

### **Implications**

#### **Financial**

- 1.1 The mid-point cost of the Director of Strategic Commissioning, Integration and Performance - Grade 18 post including on costs would be £139k.
- 1.2 The mid-point cost of the Director of Quality, Performance and Safeguarding - Grade 18 post including on costs would be £139k.
- 1.3 The current budget for the Executive Director and his Leadership Team can support the revised new structure assuming that new postholders are recruited at the bottom of the Grade and that external funding is maintained for two of the Assistant Director positions. This funding is from long standing national arrangements which are unlikely to cease.

#### **Legal**

- 2.1 The amendments to the structure of the Adult Care Leadership Team have been approved by the Managing Director as Head of Paid Service. The Head of Paid Service derives power from statute to agree the manner in which the discharge by the authority of their different functions is co-ordinated; the number and grades of staff required by the authority for the discharge of its functions; and the organisation of the authority's staff.
- 2.2 The Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act provides that full council should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment. The Secretary of State considers that £100,000 is the right level for that threshold to be set. For this purpose, salary packages should include salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment. As set out in the Constitution, Appendix 1 – Responsibility for functions, approval of

remuneration on appointment in excess of £100,000 is the responsibility of full Council.

- 2.3 Subject to approval of the salary by Council as these roles are deputy chief officer roles because they report directly to the Executive Director of Adult Social Care & Health, recruitment to the posts will be carried out in accordance with the Officer Employment Procedure Rules in the Constitution. The Officer Employment Procedure Rules stipulate that the appointment of Directors (excluding the Director of Public Health) as Deputy Chief Officers is by a politically balanced panel, and following the recruitment process, all members of the Cabinet will be notified of the proposed appointment to these roles and any objections will be considered before any appointment is made.
- 2.4 The Monitoring Officer is authorised to make changes to the Constitution to reflect any changes to job or role titles; however, any such amendments must be reported retrospectively to the Governance, Ethics and Standards Committee and to Full Council for noting. To avoid the need to prepare additional reports, Council is recommended to approve the necessary amendments.

### **Human Resources**

- 3.3 Recruitment will be undertaken in accordance with the Council's recruitment procedures and the constitutional requirements of the Deputy Chief Officer positions.

### **Information Technology**

- 4.1 No implications

### **Equalities Impact**

- 5.1 The Council has put in place a number of measures in its recruitment process in order to promote equality. These include:
- providing disabled job applicants with adjustments throughout the recruitment process to help make the process fairer, such as making reasonable adjustments at interview
  - providing all disabled people who meet the essential criteria with a guaranteed interview and by ensuring that any test or assessment is fair to everyone and focuses on the skills and knowledge needed for the job.

### **Corporate objectives and priorities for change**

6.1 These structure changes will enable the Adult Social Care Department to have the appropriate level of senior leadership capacity to deliver to the three core ASC service areas as identified in the body of this report as well as to deliver to the following key Adult Social Care and Corporate priorities:

- Delivering to statutory and regulatory business activities in accordance with the Care Act 2014
- Delivering to the profiled savings requirements in the Mid Term Financial Plan to 2028
- Enabling the culture and service change required to move to a more efficient, effective, and sustainable operating model.
- Ensuring that appropriate levels of assurance can be provided to the Council around safeguarding activity, quality assurance and market management.
- Driving closer system integration and partnership working
- Developing a co-produced approach to ensuring support and services are enabling the people of Derbyshire to maintain and maximise independence.

**Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 Not applicable