

APPOINTMENTS AND REMUNERATION COMMITTEE

15 February 2019

Present:-

Councillors J Hart (Chair), A Dewhirst (representing Councillor Connett), R Hannaford, J McInnes and A Leadbetter

Apologies:-

Councillors A Connett

* 49

Minutes

RESOLVED that the minutes of the meeting held on 15 January 2019 be signed as a correct record.

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Items Requiring Urgent Attention

(An item taken under Section 100B(4) of the Local Government Act 1972).

The Chair had decided that the Committee should consider this item as a matter of urgency, in order that they could be made aware of the recent appointment of a Deputy County Solicitor.

The County Solicitor: Chief Officer for Legal, Human Resources and Communications circulated a Report that highlighted, over the last 12 months, her role had experienced an increase in its responsibilities to include all Human Resources services and Corporate Health & Safety. With the introduction of new corporate work streams and systems this had necessitated a greater amount of time devoted to the wider corporate agenda, leaving less time to deal with the demands of the management of the Legal Section. Coupled with the incumbent Deputy County Solicitor reducing their hours to three days a week from April 2019, a new second post of Deputy County Solicitor had been created which would share the functions of the existing Deputy County Solicitor and have corporate tasks allocated to it.

The Committee noted that a recruitment process for the post had been undertaken.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor McInnes, and

RESOLVED that the Committee note the appointment of Mr Andrew Yendole to the role of Deputy County Solicitor, which includes the responsibility of acting as Deputy Monitoring Officer in support of the County Solicitor.

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Developing Joint Commissioning Arrangements for the Devon Footprint with the NHS Clinical Commissioning Group

The Committee considered the Joint Report of the County Solicitor and the Chief Officer for Adult Care and Health on Developing Joint Commissioning Arrangements for the Devon Footprint with the NHS Clinical Commissioning Group.

The Report highlighted that that Council had been working with the two Devon Clinical Commissioning Groups (CCGs) to develop joint commissioning arrangements and therefore the opportunity had arisen to consider relevant leadership arrangements. The proposal would complement the integrated commissioning design and other changes taking place in relation to co-location at County Hall and risk sharing arrangements. It was anticipated that the

changes would assist delivery of STP strategic priorities of more people being healthy and staying healthy, enhancing self-care and community resilience, better integrated community services and the delivery of modern, safe and sustainable services.

The arrangements were likely to improve the alignment of NHS and social care activity (planning, delivery and efficiency of processes), provide single leadership and a clear commitment to commissioning staff that a new model of integrated commissioning was being constructed and also the financial savings as processes, commissioning activity and governance across health and care become joined up.

The proposal outlined in the Report was to test new leadership arrangements for 12 months with effect from the 1st April 2019, as shown in Appendix A, using existing posts/postholders (2 joint leadership posts) with an option to add a third at a future date.

One of the joint posts was the current Head of Social Care Commissioning (T Golby), with the other being an NHS employed role (Joint Associate Director of Commissioning), the model being a hybrid of place based leadership and lead coordination of specific commissioning areas. However, there would need to be flexibility on working style, approach and portfolios as appropriate.

There was no proposal to make any changes to salaries, but the CCG would fund 50% of the employment costs of the new role that T Golby would undertake. A revised job description had been drafted to reflect the revised responsibilities.

The Report then outlined the delegation arrangements for T Golby's current responsibilities and also the importance of induction/orientation of the NHS employee to ensure they were aware of the Council's financial, policy, process and political responsibilities whilst operating in a joint management role.

It was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hannaford, and

RESOLVED

(a) that the proposals be endorsed, noting the resultant changes for the Head of Adult Social Care Commissioning;

(b) that the Committee note that there will be two 2 joint posts operating across the geography of the County of Devon, one being the DCC employed Head of Adult Social Care Commissioning the other being the NHS employed Joint Associate Director of Commissioning;

(c) that the change of job title for Tim Golby from the Head of Adult Social Care Commissioning to Joint Associate Director of Commissioning be approved; and

(d) that the induction/orientation proposal for the NHS employed manager be noted.

Leadership arrangements for Children's Social Care

The Committee considered the Joint Report of County Solicitor and Chief Executive relating to Leadership arrangements for Children's Social Care and the proposed permanent appointment of the Head of Children's Social Care (Deputy Chief Officer).

The Committee had previously received a Report (15th January 2018) which outlined the action of the Chief Executive in making arrangements under delegated powers for the placement of an Interim Head of Children's Social Care (Deputy Chief Officer), in accordance with the Council's Pay Policy Statement, Chief Officer Employment Procedure Rules and relevant employment, procurement, legal and financial regulations. This was following the Committee being unable to recruit directly to the role, following a third recruitment process

held in November 2016. The current temporary post holder, introduced by the Executive Search & Selection agency, accepted the role on a fixed term contract which commenced on the 4th December 2017 for 2 years, therefore expiring on 4th December 2019.

The Report highlighted the importance of sustainability in respect of improvements made within Children's Social Work and leadership stability and outlined the current position in relation to the national shortage of experienced candidates, the previous five occasions where the Council had attempted to conduct a permanent recruitment and selection process, notwithstanding the costs spent on attraction campaigns. Whilst the interim market appeared buoyant, it lacked candidates with proven track records and experience of operating at the level required in a Council the size of Devon. The cost of interims in some other Authorities was reported as a minimum of £900 per day (£234,000 per annum).

The Report highlighted the current salary for the permanent role (£100,825 per annum) and benchmarking data which identified several councils paying a higher basic salary than Devon.

The current post holder was paid the above salary, plus an annual market supplement of £20,000. Market Supplements could be attached where recruitment and retention difficulties had been experienced and could be evidenced, but nevertheless should be reviewed annually.

The current post holder had been appointed following a rigorous recruitment process.

The Report highlighted the market supplement was necessary for Devon's post to be competitive in the current market, with the shortages of strong candidates, being both experienced and reported nationally.

This proposal had been discussed with the recognised Trade Unions and they understood the rationale behind the proposal, i.e. that there were occasions when a fixed term contract was changed to a permanent contract. The proposal met the criteria.

The Cabinet Member for Children's Services highlighted the importance of a stable workforce in these areas.

It was **MOVED** by Councillor McInnes, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that the permanent appointment of the current temporary Head of Children's Social Care (Deputy Chief Officer) with immediate effect be endorsed and commended to the Council, in order to permanently fill the role of Head of Children's Social Care without a further recruitment campaign; and

(b) that the £20,000 market supplement for the role be continued.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 1.00 pm and finished at 1.11 pm

Deputy County Solicitor

Report of the County Solicitor: Chief Officer for Legal, Human Resources and Communications

Recommendation:

That the Appointments and Remuneration Committee note the appointment of Mr Andrew Yendole to the role of Deputy County Solicitor, which includes the responsibility of acting as Deputy Monitoring Officer in support of the County Solicitor.

1. Introduction and background

The Appointments and Recruitment Committee is asked to note that in light of the role of County Solicitor, over the last 12 months experiencing an increase in its responsibilities to include all HR services and Corporate Health & Safety, the County Solicitor has less time to deal with the demands of the management of the Legal Section. The developments in HR and her involvement in the introduction of new corporate work streams and systems have necessitated a greater amount of her time devoted to the wider corporate agenda. This change in responsibilities coupled with the decision of the incumbent Deputy County Solicitor to reduce his hours to three days a week from April 2019, utilising the flexible retirement scheme, has left a vacuum to be filled.

A new, second post of Deputy County Solicitor has been created which will share the functions of the existing Deputy County Solicitor and have corporate tasks allocated to it.

2. Summary and Conclusion

Following a thorough recruitment process Andrew Yendole has been appointed to the role of Deputy County Solicitor, which includes the responsibility of acting as Deputy Monitoring Officer in support of the County Solicitor.

Jan Shadbolt
County Solicitor: Chief Officer for Legal,
Human Resources and Communications

