

Full Council 1ST December 2021

Report Title	Executive Director of Children's Services
Report Author	Rob Bridge Chief Executive Rob.Bridge@northnorthants.gov.uk North Northamptonshire Council

List of Appendices

None

1. Purpose of Report

- 1.1. To seek member's agreement in relation to the recruitment of a permanent Executive Director of Children's Services and Statutory Director of Children's Services (DCS) role and note interim arrangements for the same.

2. Executive Summary

- 2.1 This report asks Full Council to approve the recommendation for North Northamptonshire Council to appoint a single Executive Director Children's Services (DCS) role; to delegate the selection and appointment process for this role to the Employment Committee with the Chief Executive/Head of Paid Service; and note that the Head of Paid Service will seek to appoint an interim solution.

3. Recommendations

- 3.1 It is recommended that the Council:
- a) Agree that the senior leadership structure of the Council is amended to include a single Director of Children's Services (DCS) for North Northamptonshire Council with effect from February 2022.
 - b) Delegates authority to the Employment Committee and the Chief Executive to take all necessary actions to complete the recruitment process and appoint an Executive Director of Children's Services for North Northamptonshire Council

- c) Delegates authority to the Head of Paid Service to agree the salary range of the post following the post being re-evaluated as a single post.
- d) Notes that the Head of Paid Service will make an interim appointment in accordance with the Officer Employment Procedure Rules

Reason for Recommendations –

- 3.2 The reason for the recommendations is to secure the specialist capacity and capability of a dedicated Executive Director of Children's Services (DCS) to meet the statutory duties of North Northamptonshire Council and ensure the delivery of high-quality children's and education services.

4 Report Background

- 4.1 The role of the Executive Director of Children's Services (DCS) is a critical one for the Council. The DCS is the senior statutory officer responsible for ensuring our children's and education services address the local needs of all children and young people, including their families and carers and providing high quality, value for money services in a joined-up way. The Executive Director of Children's services is also responsible for the contract management and delivery of service outcomes of the Children's Trust.
- 4.2 Presently, the Executive Director Children's services (DCS) is a shared role between North Northamptonshire Council and West Northamptonshire Council; hosted by North Northamptonshire Council.
- 4.3 The appointment of the current postholder, Cathi Hadley, was endorsed by each of the Shadow Authorities on the 15th and 18th of September 2020.
- 4.4 Cathi Hadley has now resigned from her position, as she has been successful in securing a new role with another Council and will be taking up her new appointment in February 2022.
- 4.5 The resignation of the current postholder has provided an opportunity to review the existing 'shared' statutory role between North and West Northamptonshire. The creation of a dedicated Executive Director Children's Services role for North Northamptonshire Council, will ensure greater accountability and focus on resident outcomes.
- 4.6 In order to allow for a comprehensive search and selection process for a new single role and ensure that a postholder is in post as soon as possible, it is proposed that the permanent statutory officer recruitment process commences quickly so that the Council is able to make an appointment before 31 March 2022.

5 Issues and Choices

5.1 As part of the discussions and review, two alternatives have been considered:

- i. Maintaining the single shared Director of Children's Services (DCS)
- ii. Creating a dedicated Director of Children's Services (DCS role in each Council)

Maintaining the single shared DCS

5.2 Both Councils want to develop strategies that focus on initiatives and early interventions that target the local needs of the children and young people and their families and carers who live there; and address any inequalities that may exist in service provision.

5.3 Whilst sharing a DCS provides joined up thinking and alignment across the county, there is a risk that there is less focus on unique characteristics and needs of each unitary boundary. Sharing the DCS also reduces the capacity to work closely with other statutory Council officers in each council. A single DCS would ensure that the Councils achieve greater integration and the best possible use of assets and resources to improve outcomes.

Creating a dedicated DCS role in each Council

5.4 Creating separate DCS roles in each Council is considered to be the preferred option due to the reasons outlined above. It should however be noted that an additional cost will result from this option.

5.5 The current permanent senior and statutory role appointments were made by the North Northamptonshire Shadow Authority and the recruitment and selection process was delegated to the Shadow Senior Appointments Committee. It is therefore proposed that a similar approach is adopted through delegation of these tasks to the Employment Committee and the Chief Executive/Head of Paid Service.

5.6 Although the Pay Policy as agreed by the Shadow Authority in March 2021 states the salary range of the Executive Director of Children's Services, due to the change to a single role, the post will need to have a new role profile and will be re-evaluated using the Council's agreed evaluation scheme. This evaluation will determine the value of the role and the salary. The Pay Policy will need to be amended in due course.

5.7 It is anticipated that the salary will be in line with the principles set out in the Council's Pay Policy for an Executive Director role which have already been agreed by Council.

5.8 As the current postholder is due to leave in February 2022 and to ensure that the Council is still able to comply with its statutory responsibilities between their leaving date and the date of the permanent appointment to the role; it is proposed that an interim appointment is made. The Head of Paid Service has delegated authority to determine options on making an appointment on an

interim basis in consultation with the Leader of the Council, Executive Member and Opposition Leader. He also has authority to make an appointment for a period of up to six months subject to legislative requirements to notify the Executive of the appointment.

6 Implications (including financial implications)

Resources and Financial

- 6.1 The main implication for the recommendation is that each Council will need to fund the full cost of a Director Children's Services (DCS) from current resources.
- 6.2 The current Shared Director of Children's Services role has an agreed salary band of £145,000 - £155,000, exclusive of on-costs (pension contributions and national insurance); which is detailed in the Council's published pay policy and transparency data.
- 6.3 As stated, the role profile for the existing DCS role will need to be reviewed if the recommendation to move to a single Executive Director of Children's services is agreed and will also need to be evaluated using the Council's agreed evaluation scheme. This evaluation will determine the value of a 'dedicated' role and the salary, which is likely to align this to the range of other Executive Director roles at the council.

Legal

- 6.4 Section 18 of the Children Act 2004 requires every upper tier local authority to appoint a Director of Children's Services. The DCS has professional responsibility for the leadership, strategy and effectiveness of local authority children's services.
- 6.5 The DCS is a politically restricted statutory chief officer post. This means the post holder is prevented from taking part in certain political activities. The DCS should report directly to the Chief Executive (Head of Paid Service), who in turn is accountable to the Council for the performance of its chief officers.
- 6.6 The Department for Education's Statutory Guidance on the roles and responsibilities of the Director Children's Services and the Lead Member for Children's Services strongly encourages the involvement of children and young people in the appointment of the DCS.
- 6.7 The authority's power to appoint staff and to determine their terms and conditions of employment is under Section 112 of the Local Government Act 1972.
- 6.8 There are mandatory Standing Orders governing the recruitment, appointment and dismissal of senior management staff in a local authority, as set out in the Council's Officer Employment Procedure Rules in the Council Constitution. These derive from the Local Authorities (Standing Orders) (England) Regulations 2001, as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

- 6.9 The Employment Committee has delegated powers to appoint Directors, however, the Head of Paid Service, Monitoring Officer and Section 151 Officer shall be designated by the Council.
- 6.10 The Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act makes clear that full council should be given the opportunity to vote before large salary packages are offered in respect of a new appointment. The Pay Policy as agreed by Council sets out the agreed salary range for Executive Directors and it is anticipated that this role will be in line with those previously agreed by Council.

Risk

- 6.11 There are no significant risks arising from the proposed recommendations in this report other than not having a statutory DCS in post.

Consultation

- 6.12 The options have been discussed with the Leader, Executive Member for Children's Services and West Northamptonshire Council who are all in agreement of sole DCS roles for each council.
- 6.13 This has also been discussed Children's Trust, Children's Commissioner and key liaison officers with the Department of Education who are also supportive of the way forward.

Consideration by Scrutiny

- 6.14 Not applicable.

Climate Impact

- 6.15 Not applicable.

Community Impact

- 6.16 The proposal is likely to result in greater focus on the needs of Children and young people in North Northamptonshire. This will be realised by having more dedicated resource and capability working alongside the other services and directors to deliver the Council's Corporate priorities; set out in our Corporate Plan.

7 Background Papers

- 7.1 Not applicable.