

# LONDON BOROUGH OF BRENT

**Executive - 14 February 2005**

## **Report from the Chief Executive**

For action/information

Wards affected: All Wards

**Report Title: MODERNISING BRENT COUNCIL: PROPOSED STRUCTURAL CHANGES**

Forward Plan Ref: CE-04/05-04

### 1. **SUMMARY**

- 1.1 This report sets out initial proposals from the Chief Executive to modernise the structures of Brent Council. It describes some of the key drivers which are prompting the need for changes in departmental structures and makes proposals for the future shape of the authority. The report re-affirms the Council's commitment to providing excellent customer-focused services and advocates a process of implementation between April - July 2005 in order to minimise the period of short-term dislocation which any structural change inevitably entails.

### 2. **RECOMMENDATIONS**

The Executive is recommended to:

- 2.1 note the drivers behind the need for organisational change and endorse the guiding principles set out in paras 3.6 - 3.8.
- 2.2 note the broad structural changes proposed in this report including the establishment of a new Adult Services Department under a new statutory director.
- 2.3 agree to initiate a process of briefing and consultation with staff and unions about the possible changes and options for change set out in this report.
- 2.4 receive a further report from the Chief Executive on the outcomes of the consultation exercise.

- 2.5 note that a report setting out the Chief Executive's final recommendations for the new departmental structures will be presented to the 12<sup>th</sup> April 2005 meeting of the Executive.
- 2.6 note that there will soon be a statutory duty to create a new Director of Adult Social Services post and that a further report will be brought before members to create the post once the consultation process is complete.
- 2.7 request the Chief Executive to submit a draft job description and person specification for the Adult Social Services statutory director post for approval by members in April 2005.
- 2.8 note that the appointment to the Adult Social Services statutory director post will be made by a member-level Appointments Sub-Committee before the end of May 2005.
- 2.9 consider whether a new Lead Member for Adult Services should be appointed at the Council's Annual Meeting in May 2005.

### 3. **DETAILED CONSIDERATIONS**

#### **Background**

- 3.1 On 13<sup>th</sup> December 2004, the Executive agreed in principle to establish a new Children and Families Department as part of its response to the requirements of the Children Act 2004. A separate report on tonight's agenda considers the results of recent meetings with staff and trade unions and recommends that members confirm their decision to set up a new department with a strong focus on the needs of children and young people in Brent.
- 3.2 The enactment of the Children Act and the Chief Executive's recommendation to members to create a new child-centred service department will have important ramifications for the rest of the local authority. By bringing together those parts of the existing Education, Arts and Libraries and Social Services Departments that deal with children, we are effectively required to make a consequential decision on how to manage those parts of the two existing departments which deal with customers and clients other than children and/or which deal more broadly with the needs of the population at large.
- 3.3 The Government has indicated that there will shortly be a new statutory requirement for a Director of Adult Social Services (DASS) similar to that for the Director of Children's Services. In a Department of Health letter circulated to all local authorities in November 2004, the Department stated:

*"Although the detail of the role of the DASS has yet to be finalised, the new adult Director will have a crucial role to play in the implementation of the planned new vision for adult social services. They will be*

*responsible for co-ordinating the management of social care for adults and ensuring that a co-ordinated response is adopted across the local authority, the independent sector and other agencies. They will also be responsible for improving access to services for all user groups and their carers. Working closely with colleagues in the NHS and local authority departments, Directors of Adult Social Services will drive forward the shared agenda to integrate services, where appropriate. They will have a role in managing the commissioning of services, in setting and maintaining standards and in providing professional leadership. They will also be responsible for ensuring that older people, people with physical and learning difficulties, people with mental health needs and their carers, have access to the services and support they need in order to live rewarding and fulfilling lives and in promoting the well-being of individuals.”*

It is acknowledged that local authorities may wish to combine the adult social services role with responsibility for managing other local authority services and this is an option I think members should consider.

- 3.4 It is difficult to make significant structural changes in one part of a local authority without impacting to some degree on other parts of the organisation. Services are not delivered in isolation from one another and there are many important linkages which bind different staff, teams and departments together as we seek to provide genuinely joined-up services to local residents. Important support services such as finance, administration, HR, policy and planning, IT and property often underpin services to more than one client group so any shift towards client-focused service delivery will necessitate an element of ‘disaggregation’ and re-configuration of support services. The possible creation of two new departments, broadly addressing the needs of children and young people on the one hand and of adults on the other, raises precisely these issues. I will discuss these in more detail later in this report.

### **The drivers for change**

- 3.5 Since 1998, Brent Council has benefited greatly in my view from a period of relative organisational stability. This is not to say that we have been static in structural terms – we have not. However, there has been a general presumption against significant organisational change. The reason for this stance is straightforward –if managers and staff are directing their energies inwards to the needs of the organisation, they are likely to have less energy, time and perhaps inclination to focus outwards on the needs of our various customers and client groups. One of the reasons why Brent Council services are improving (and for our recent up rating to ‘good’ in the CPA process) is because managers and staff have maintained a strong focus on service improvement and the needs of our customers. However, we now face a situation where legislative change and Government policy are forcing us to think about new structures whether we like it or not.

My disposition remains to contain the degree of organisational change to the minimum necessary. I also believe strongly that, if we have to make changes, we should do it expeditiously and tailor it to meet our own local priorities as well as the requirements of central government.

3.6 At the start of 2005, we can now clearly identify a number of significant drivers which are pushing us to consider some form of structural change. These include:

- the requirements of the Children Act 2004 to promote integrated child-centred services
- the requirement to appoint a Director of Children's Services and a Director of Adult Social Services
- the requirement to appoint a Lead Member for Children's Services and the possibility of creating an equivalent post of Lead Member for Adult Services
- the requirement to promote more integrated services for children and adults
- the publication of a new Public Health White Paper in November 2004 which emphasises the important role of local authorities in promoting healthy lifestyles and tackling health inequalities.
- the recommendations arising from recent Audit Commission inspections of our youth services and our services to older people
- the national emphasis on neighbourhood renewal, community empowerment and the delivery of locally sensitive services – a trend which is likely to hasten if the present government is returned after the next General Election
- the development of our own local emphasis on ward working and our ambition for the Council to have a higher profile within local districts and communities across the borough
- our own determination to place customers first and to build services which recognise and respond to the needs of different client groups in our diverse borough
- the need to ensure that we have strong corporate governance arrangements and that the corporate centre is adding maximum value to the overall work of the organisation
- the need to review services periodically to ensure that our structures remain 'fit for purpose' and offer value for money.

3.7 For these reasons, I have come somewhat reluctantly to the conclusion that the option of 'no structural change' is simply no longer available to us. The great majority of unitary councils are considering at least some limited structural change in response to the Children Act and the pressure to make other structural changes is likely to increase rather than diminish over time. In particular, requirements relating to the creation of a new adult-centred department add to the pressure for change and cannot be ignored. As the list in paragraph 3.6 above makes clear, there are numerous other factors of which we need to take account and all require us to at least consider the possibility of making some revisions to our existing departmental arrangements. Where changes are needed, though, I believe it is essential that they take place as quickly as possible - a lengthy process would generate much uncertainty and anxiety for staff and would divert attention from frontline service delivery. This is something we must avoid at all costs.

### **Guiding principles for structural change**

3.8 If some structural change is inescapable, I think it is important that we establish some principles to guide our approach. If we fail to be clear about our overall philosophy, we risk merely tampering with the organisation or missing opportunities to do things which help us to achieve our wider corporate goals. I would suggest the following ground rules to underpin our approach to departmental re-structuring:

- we should seek as far as possible to keep change to the necessary minimum – if a service or function isn't broke, we don't need to fix it or break it up. Equally, we should grasp this opportunity to make other sensible changes where this makes organisational sense.
- any change we make should demonstrably help to strengthen our capacity to deliver the Corporate Strategy and our local improvement agenda – changes which risk undermining these goals should be resisted
- where structural changes are introduced, they should result in departments which have a clear *raison d'être*, a sufficient 'critical mass' and a capacity to endure for at least 5-10 years without major subsequent revisions
- as far as possible, our managerial structures should be mirrored in the portfolios of Executive members – this is desirable if we are to ensure proper transparency, scrutiny and accountability to elected members
- where changes are made, they should be implemented as soon as possible in order to minimise short term disruption or loss of focus on customer requirements – our objective should be to set up our new structures within six months of a decision to adopt them
- structural change should not lead to any increase in costs in the

medium term although there are likely to be some transitional costs as we move from one structure to another. Wherever possible, we should seek to identify efficiency savings from the new structures

- where changes are proposed, they should be subject to proper briefing and/or consultation with the staff and trade unions in the affected areas. The adoption of new structures will be driven by service improvement imperatives and is not a deliberate cost-cutting exercise
- any changes introduced should enhance Brent Council's identity as a single unified organisation and promote multi-functional working across service areas or professional boundaries. Devolved structures which impede this goal will be dispensed with

### **Proposals for structural change**

3.9 The creation of a new child-centred service department will bring together children's services from both Education, Arts and Libraries and from Social Services. However, there will be services in both departments which do not have a specific client focus but which serve the department as a whole. Most support services (e.g. finance, administration, HR, IT, policy/planning, property) do not deal with one particular client group and these will need to be disaggregated and re-configured to reflect the new departmental structures. In addition, both EAL and Social Services provide many important services to client groups other than children. These include :

#### In Education, Arts and Libraries

- Brent Adult and Community Education Service (BACES)
- Cultural Services
- Heritage Services (including the Brent Archive and the Grange Museum)
- Library Service (including BRAIN)
- Voluntary Sector Support Service
- Brent Transport Service

#### In Social Services

- Adult Physical Disability Team
- Brent Learning Disability Partnership
- Older People's Services
- Emergency Duty Team (generic)
- Brent Mental Health Service (including three sector teams and a resource team)

3.10 Given the forthcoming requirement to appoint a statutory Director of Adult Social Services and the desirability of keeping adult and community social services functions intact as an operational grouping, I believe it would be sensible for these services to form the core of a new adult services entity. These services currently represent the bulk

of the staff and the majority of the budget of the existing Social Services Department and form a viable critical mass of activity to justify a separate departmental identity. To put this into context, the budget for adult social services (based on 2005/06 projections) is substantially larger than the combined revenue budgets for the whole of the Housing and Environmental Services Departments put together.

- 3.11 However, I believe that we should go further and take this opportunity to promote a much stronger focus on adults/elders as distinct client groups in much the same way as we propose for children and young people. This would re-inforce our focus on the needs of our principal customer groupings. I also believe that we need a stronger and more coherent focus on the public health agenda, particularly in the light of the recent Public Health White Paper, and the need for an ever-closer working relationship with Brent Primary Care Trust (with whom we already have substantial areas of joint working) and the wider health economy. I therefore propose that the new adult-centred department should take the corporate lead role with respect to elders strategy and policy implementation, public health promotion, liaison with the NHS and local health stakeholders and joint working with the Local Strategic Partnership around health and social care issues generally.
- 3.12 The creation of a new department for adults creates an opportunity for the Council to consider stronger linkages between adult services and other service areas such as housing. For example, one possibility would be to create a single department responsible for both housing and adult social services. This combination has been adopted in a number of other local authorities and seems to work well. It would create a viable department with a clear statutory role and a strong focus on the needs of disadvantaged people, groups and communities. There is already a good deal of close co-operation between the two service areas (e.g. the Supporting People programme and work with elders) and a single departmental structure would potentially give a further boost to such liaison and joint working. I have not at this stage formed a fixed view on this proposal but believe that it should be open to wider discussion and debate as part of the consultative process on this report. It is certainly a credible option and should not be dismissed without careful consideration.
- 3.13 With respect to those non-children's functions, previously located in EAL, there are of course a number of possible locations. My feeling is that the Voluntary Sector Support Service and Brent Transport Service should move into the new Adult Services Department. Both have strong inputs to the provision of adult services, community care and the health and social care agenda and I believe they would add to the credibility and 'critical mass' which any new department would need. With regard to the four remaining functions (BACES, Libraries, Cultural Services and Heritage Services), three broad options suggest themselves and I would like to consult further on these before making final recommendations to the Executive in April. The three main options are:

### Option 1

**Transfer BACES, Libraries, Cultural Services and Heritage Services en bloc as a new and distinct division within the Adult Services Department.** This would give the new department a broader remit, budget and staffing complement and would minimise disruption to services other than EAL and Social Services. Possible difficulties might be reconciling any tension between the 'universal' nature of learning/cultural service with the more targeted services focused on vulnerable people and groups provided by Adult Social Services. Joint working between the functions has been limited in the past but no doubt this could be developed in the future.

### Option 2

**Transfer BACES, Libraries, Cultural Services, and Heritage Service en bloc as a new and distinct division within the Environmental Services Department.** This would strengthen the important linkages that already exist between our cultural services activity and our work on Wembley regeneration, sports, leisure, parks and physical recreation. It would bring our 'universal' services together under single departmental management but would potentially absorb some time and energy of senior managers in Environment. This is the option preferred on balance by the Lifelong Learning and Cultural Services managers.

### Option 3

**Transfer BACES, Libraries, Cultural Services and Heritage Services en bloc as a new and distinct division within a new 'Housing and Neighbourhood Services Department'** (para 3.20 below discusses this option more fully). This would add to the 'critical mass' of the proposed neighbourhood-focused department and build on existing strong linkages between libraries and the One Stop Shops. Much of our learning/cultural work has a physical presence in local neighbourhoods and such a department could enhance the Council's customer impact at ward and neighbourhood level.

My current view is that the balance of the argument is in favour of Option 2 as I feel there are greater synergies between learning/cultural work and the cultural agenda which is already a significant part of Environmental Services' work programme. In any case, we would aim to keep the learning/cultural services together as an operational grouping and they would continue to be managed as at present by the existing Assistant Director for Lifelong Learning and Cultural Services.

3.14 I therefore propose that, in parallel with the new Children and Families Department, we set up a new Adult Services Department headed by a Director of Adult Services (the statutory Director of Adult Social Services post) with the following remit:

- Adult Physical Disability Team



- Brent Learning Disability Partnership
- Older People's Services
- Emergency Duty Team (generic)
- Brent Mental Health Service (including three sector teams and a resource team)
- Elders strategy and policy implementation (corporate lead role)
- Public health promotion, development and implementation
- Joint working with the NHS at national, regional and local levels
- Inter-agency liaison (e.g. with LSP) on the health and social care agenda
- Voluntary Sector Support Service
- Brent Transport Service

3.15 In summary, my initial proposals, subject to consultation, are:

**3.15.1 that we establish a new Adult Services Department in parallel to the establishment of a new Children and Families Department**

**3.15.2 that we appoint a Director of Adult Services (statutory Director of Adult Social Services) to head up the new department**

**3.15.3 that the new department has responsibility for the functions listed in paragraph 3.14 above**

**3.15.4 that careful consideration is given to a possible merger between Housing and the new Adult Social Services function (para 3.12 refers).**

**3.15.5 that further consultation takes place on which of the three options for the future of learning/cultural services should be adopted (para 3.13 refers).**

3.16 The creation of two entirely new service areas is undoubtedly a significant structural change which cannot fail to impact on the rest of the Council. While I have generally resisted major structural changes since my appointment in 1998, I believe we should take advantage of the current situation to re-visit and re-assess our current organisational arrangements. In particular, I want to satisfy myself that our other current structures are 'fit for purpose' and that they actively assist our dual commitment to deliver the 'Corporate Strategy 2002-06' and to achieve service excellence. This has prompted me to look more broadly at our other departmental structures and to ask the following questions:

- (a) could the structure of the corporate centre be strengthened or streamlined, particularly in the light of the efficiency agenda?
- (b) is our focus on customer care and the needs of the 21<sup>st</sup> century

service user adequately reflected in our departmental structures?

(c) are our structures flexible enough to meet the growing government emphasis on neighbourhood management?

I attempt to answer these questions below.

- 3.17 The current structure of the corporate centre has been largely unchanged for nearly a decade and has, generally, served the Council well. In particular, the Director of Corporate Services and his staff have skilfully welded together a diverse group of support services into a manageable and productive whole. The five services managed by the Director of Corporate Services are Legal and Democratic Services; the Information and Technology Unit; Corporate Property; Corporate Support/Facilities Management; and the One Stop Shops. In tandem with this, four other functions operate as free-standing corporate units with three of these (Brent Financial Services, Policy and Regeneration, and Human Resources and Diversity) having direct representation on the Corporate Management Team. The remaining function – the Communications and Consultation Unit – is not represented on CMT but the Director does report directly to the Chief Executive and I propose to make no change to this arrangement.
- 3.18 I believe that it is possible to make some adjustments to the corporate centre which would make it a more coherent grouping with clearer boundaries and accountabilities than is the case at present. This would entail the merger of Corporate Property with the Corporate Support / Facilities Management function and re-locating these into Brent Financial services under a new Assistant Director (Property and Asset Management) post. This is, in my view, a logical step and would give the Director of Finance and the Lead Member for Corporate Resources a better oversight of the Council's financial and property assets. Similar models exist in many other local authorities and would I feel work well in Brent. With the removal of two of its five constituent units, the rationale for a separate Corporate Services departmental structure looks more fragile. My current feeling is that Legal and Democratic Services would work perfectly adequately as a free-standing corporate unit with its strong day-to-day links with both frontline departments and other support functions. If these changes take place, as I propose, I conclude that the Corporate Services function would lack the critical mass to justify its retention as a separate department with a Director and Deputy Director of its own. My proposal is therefore that the department is dissolved. The forthcoming expiration of the Director of Corporate Services' fixed term contract provides an opportunity for us to consider this with complete flexibility. My proposal is that the post of Director of Corporate Services is deleted and the future role of the current Deputy Director of Corporate Services is reviewed. As the current Director of Corporate Services discharges the role of head of the Council's IT function, we would need to create a new post of 'Head of IT and e-government' to manage this vital support service. In order to give the re- configured corporate centre greater coherence, I also recommend

that the managers of all corporate functions should meet on a regular basis (at least bi-monthly) to act as a 'virtual' departmental management team. To bring this about, I am proposing a number of changes and these are set out in the next paragraph.

My initial proposals, subject to consultation, with respect to the corporate centre are therefore as follows:

- 3.18.1 that Brent Financial Services, the Policy and Regeneration Unit and the Human Resources and Diversity Unit continue to be directly represented on the Corporate Management Team.**
  - 3.18.2 that the Director of Communications and Consultation continues to report as at present directly to the Chief Executive**
  - 3.18.3 that the Corporate Services Department, as presently constituted, be dissolved and its component parts be re-distributed to other service areas.**
  - 3.18.4 that the Corporate Property and Corporate Support/Facilities Management functions be merged under the single management of a new Assistant Director (Property and Asset Management).**
  - 3.18.5 that the merged function and the new Assistant Director (Property and Asset Management) post be located within an expanded Brent Financial Services.**
  - 3.18.6 that Legal and Democratic Services becomes a free standing unit within the corporate centre and that the Borough Solicitor should report in future direct to the Chief Executive**
  - 3.18.7 that the post of Director of Corporate Services be deleted and the future role of the Deputy Director of Corporate Services is reviewed**
  - 3.18.8 that a new post of 'Head of IT and e-government' at Assistant Director level be established to head up our corporate IT function.**
  - 3.18.9 that the service unit managers of all major corporate functions meet at least bi-monthly to discharge a quasi-departmental role under the chair of the Chief Executive.**
- 3.19 With respect to the two remaining functions within corporate services – the IT Unit and the One Stop Shops - I believe we have an opportunity to do something really interesting which could potentially help to position the Council for its next leap forward in terms of both

customer care and neighbourhood management. Our One Stop Shops/Call Centre Service is a highly regarded frontline service which has been at the leading edge of good customer care practice nationally. It is one of the jewels in the Council's crown and needs to be recognised as such. Similarly, Brent has for some time been one of the leading authorities in terms of its innovative approach to e-government and making Council services more accessible. The rationale for IT investment is to make services more efficient and effective and this must ultimately enhance the customer experience. I believe there is some merit therefore in co-locating these two vital support services in the same service area as there are important synergies between them on which we can build for the future. An alternative approach would be to consider making IT a free-standing corporate function or to merge it with an existing corporate function. This would be more in line with past practice and would obviate the need to create a 'hybrid' department which both delivers frontline services and which manages a critical corporate support function. I have already heard cogent arguments put forward for all of these approaches and I would welcome further debate on this before I propose a final recommendation.

3.20 We also know from Government pronouncements that there is a strong push towards neighbourhood management, consumer choice and citizen empowerment at the local level. This is one reason why we have been progressing our work on neighbourhood renewal and ward working – like the Government, we want to see a stronger engagement between local people and elected authorities at every level and this more local approach addresses that agenda very directly. Although our approach to neighbourhood management and ward working is still at a developmental stage, we should be clearer in 12-18 months how we want to take this process forward. The service area with perhaps the greatest experience of such 'neighbourhood' approaches is the Council's three star Housing Service with its traditional responsibilities for Area Housing Boards, liaison with local tenants' and residents' groups and local area renewal programmes. Taking these factors into account, I believe there could be much to be gained from bringing together these different but related functions within a new 'Housing and Neighbourhood Services Department' and I propose that we consult on this option. Since the creation of Brent Housing Partnership (BHP), the Housing Department has discharged a more strategic role and now has the capacity and enthusiasm, I believe, to take on this wider brief. This option would, of course, only apply if the Council decided against creating a combined Housing/Adult Services function as referred to in paragraph 3.12 above.

3.21 I therefore make the following initial proposals, subject to consultation:

**3.21.1 that the Council considers creating an expanded Housing and Neighbourhood Services Department under the leadership of the existing Director of Housing.**

**3.21.2 that the One Stop Shops/Call Centre service and the Information Technology Unit be transferred as separate and free-standing functions to a new Housing and Neighbourhood Services Department.**

**3.21.3 that the corporate lead for neighbourhood management and ward working remains within the Policy and Regeneration Unit pro tem but that this is reviewed by the next Administration after May 2006 with a view to these responsibilities moving across to a new Housing and Neighbourhood Services Department.**

3.22 A number of suggestions have been made during the preparation of this report that the community safety function should be moved out of the Policy and Regeneration Unit and into a frontline service department. I have thought carefully about this but I am not persuaded that this key corporate and statutory responsibility should be re-located. This area of work is inherently cross-council in character and reports to an inter-agency Crime and Disorder Reduction Partnership chaired by the Chief Executive. It seems to me that it is appropriately based in a central unit which works constructively with other stakeholders inside and outside the Council. I therefore propose that the current position stands unaltered but with more consistent and higher level input from all of our service areas.

3.23 In relation to community safety, I therefore propose:

**3.23.1 that the Community Safety Team continues to be located within the Policy and Regeneration Unit.**

**3.23.2 that all Council service areas should regularly attend the Crime Prevention Strategy Group (and its sub-groups where appropriate) and should normally be represented at Director or Assistant Director level.**

### **Implementation Issues**

3.24 The re-structuring of Brent Council services will inevitably be a complex and potentially time-consuming process. For this reason, I think it is vital that we try to contain the extent of change as far as is practicable and that any necessary changes are themselves implemented expeditiously. I see the period April – July 2005 as the critical ‘window of opportunity’ for putting agreed changes into effect. While we will need to show a degree of pragmatism in setting up new structures, we must also satisfy ourselves that the structures are durable and will serve the Council well for the foreseeable future. It is not sensible to design local authority structures on the basis of short term considerations or the personal preferences of existing personnel.

As Chief Executive, I see it as my role to ensure the basic operational integrity of our services and that these facilitate rather than impede our corporate objectives. The proposals in this report are my initial thoughts on the way forward but I am genuinely seeking feedback, whether positive or negative, on them from both members and officer colleagues.

3.25 Whatever the eventual shape of our new departmental structures, there will be a continuing need for staff to work co-operatively across departmental boundaries. Cross-Council and inter-disciplinary working is a powerful feature of how Brent Council works and it is a real strength of the organisation. It will be just as necessary after the new structures are set up as it was beforehand. Similarly, most major projects in Brent Council require a degree of partnership working with other agencies or stakeholder groups outside the Council – the adoption of new departmental structures will not lessen this requirement. More generally, I think it would be desirable to see our new arrangements as the establishment of what are in effect new departments rather than the merger or even take-over of some parts of the authority by other parts. The task we are engaged in is one of building a new Council supported by new ‘fit for purpose’ structures and our language and behaviours need to reflect this ethos.

3.26 The timetable for making final decisions and implementing agreed proposals is as follows:

Tuesday 14 <sup>th</sup> February	-	initial proposals to the Executive
Tuesday 29 <sup>th</sup> March	-	Leader’s Briefing
Tuesday 12 <sup>th</sup> April	-	final decisions report to the Executive
Wednesday 13 <sup>th</sup> April	-	detailed implementation starts
Monday 4 <sup>th</sup> July	-	new departmental structures formally established

During this period, consultation will take place with staff affected and with recognised trade unions. This will be a genuine consultation process and it is quite feasible that I will want to revise my initial proposals in the light of feedback received during the consultation process. I would, however, hope and expect that comments would reflect as far as possible the guiding principles set out in paragraph 3.8 above. I hope that the consultation process will not therefore be seen as either an opportunity or an invitation to generate even more radical, wide-ranging or complex changes than are already contained in this report but all suggestions will, of course, be carefully examined. My expectation remains that the bulk of structural and staff changes should be effected between April-July this year. This will require a concerted managerial focus within service areas and a high level of

support from corporate functions such as HR, finance, legal and IT. To facilitate this exercise, I shall be establishing a high level Implementation Group to oversee the process of setting up out new departmental structures.

### **Financial Implications**

- 3.27 This report sets out number of proposals and options, and allows for consultation on these. As such, any firm costings can only be undertaken once there is greater certainty on the likely structure. However, it is not anticipated that staff numbers or grades will change significantly, and therefore, any costs or savings relating to employees will be contained within existing budgets. There will however, be one-off costs associated with the exercise. These will relate mainly to accommodation changes, and the conversion of I.T. and other systems. Budget proposals on another report to this meeting recommend that a maximum of £400k is included within the overall budget to fund this expenditure. Any amount not utilised will be returned to balances. This provision will be considered by Full Council on 28th February. More detailed financial implications will be included in the scheduled report to the Executive on 12th April 2005.

### **Legal Implications**

- 3.28 The Children Act will give local authorities the power to appoint a new statutory post of Director of Children's Services. It is anticipated that this power will come into force with effect from 1<sup>st</sup> April 2005 and the relevant Commencement Order is awaited. The power will become a duty at some future appointed date. As soon as the new postholder is appointed, Schedule 2 to the Act takes effect. This amends the Local Authority Social Services Act 1970 such that the duty to appoint a statutory Director of Social Services is replaced with a new statutory post of Director of Adult Social Services with responsibility, broadly, for the non-children social services functions.

Consequently, it would be sensible to appoint to the two posts at the same time since to do one without the other would create a gap in the roles and responsibilities of the existing and new statutory posts. The risk is that the various chief officers and their staff would be unclear about their roles and this could cause gaps in service delivery and/or risks to service users as well as uncertainly for staff.

This does not necessarily mean that two new posts have to be created – it may be possible to amend existing posts. However, in the case of the new Director of Children and Families post, it is likely that the increased responsibilities will be so significant that this could not realistically be regarded as an amendment to an existing job description and would in fact be a new post. The position with the statutory post of Director of Adult Social Services will need to be considered during the consultation period.

Director posts must, in accordance with Standing Orders, be amended, created or deleted by the Executive. In relation to the amendment of posts or the creation of new posts the Executive must consider the proposed job description and person specification for the post and in all cases must consider the reasons for the amendment, creation or deletion of the post. A future report to the Executive will confirm whether posts will be amended, created or deleted and the reasons therefore, following the process of consultation. The report will contain proposed job descriptions and person specifications for new and amended posts.

The decision needs to be reflected in the Forward Plan whether or not as a separate entry or combined with other key decisions to be taken.

The grades of any new or amended chief officer or deputy chief officer posts will be assessed in accordance with the Hay scheme which was adopted for senior posts. In the event that the post does not lend itself to that grading structure then the grade will need to be considered by the General Purposes Committee.

Appointment to any new posts will be decided by members. An Appointments Sub-Committee will need to be convened.

The appointment will need to be made in accordance with guidance due to be issued in accordance with the Act and this is still to be consulted upon.

The Children Act also requires the authority to appoint a Lead Member for Children's Services. Somewhat surprisingly there is no corresponding statutory requirement to appoint a Lead Member for Adult Services although the Government is recommending this.

The proposals and options outlined in this report may, if adopted, give rise to some redundancies. These will be managed in accordance with the Council's normal redundancy and redeployment policies and procedures. It does not necessarily follow that just because a post is deleted or a role altered that the current postholder will be made redundant. Although one aim of any reorganisation must be to maximise efficiency savings, wholesale redundancies are not the aim here and it is hoped that these will be kept to a minimum with effective use of the Council's procedures and thoughtful consideration of existing and new job descriptions.

Staff must be consulted about the proposals and both this report and the other related item on the agenda describe the process of consultation that has taken place and will continue. Members are required to take into account all relevant considerations when reaching their decision and this will include the views of staff and unions and other interested parties.



### **Diversity Implications**

- 3.29 This report discusses the structures needed to deliver frontline services to all Brent residents, 54% of whom are from BME groups and a majority of whom are women. It also impacts directly on the staff who provide those services, a majority of whom are drawn from BME groups. Approximately 60% of the Council's workforce is female. The purpose behind the report is to enhance services provided to local people and to strengthen the Council's presence at a local and neighbourhood level. This should impact positively on the experience of local residents of all backgrounds. Once decisions have been made in April 2005 on the final structures to be adopted, we will ensure that diversity considerations are built into the implementation arrangements at every stage of the process. Officers have not identified any negative diversity impacts from these initial proposals. To ensure compliance with our diversity policy and practices, a high-level Implementation Group is to be set up by the Chief Executive to oversee the implementation of the new structures. The Director of Human Resources and Diversity will be a member of this group and it is anticipated that the Corporate Diversity Team will also contribute to the process and provide a degree of critical scrutiny to our implementation arrangements.

### **Staffing and accommodation implications**

- 3.30 As with Children and Families, the wider restructuring will have staffing and accommodation implications the extent of which will depend on the final agreed structure. Further details will be presented in a later report. The staff who will be most directly affected currently reside within Social Services, Education, Arts & Libraries and Corporate Services. The changes will result in the deletion and creation of a small number of roles, some changes to work content and different reporting lines and work locations. The Director of Human Resources and Diversity and the Director of Communications and Consultation are working closely together to ensure there is a co-ordinated approach to communication and consultation with staff. This work ranges from broader awareness raising which the Director of Communications and Consultation is leading on through to the more formal consultation process with staff and their recognised trade union representatives which the Director of Human Resources and Diversity is leading on. A Human Resources paper detailing how the organisation-wide restructure will be managed is currently being developed. The restructure is not intended as a savings exercise and the process followed will be as outlined within the redundancies and reorganisation policy. This means that, where possible, whole functions will be moved and individuals matched to posts and consultation with staff and their trade unions will be ongoing throughout the process

## **Background information**

The papers referred to in the preparation of this report were:

- Report to Executive (13/12//04) proposing the establishment of a new Children and Families Department
- 'Choosing Helath, Making Healthy Choices Easier', Public Health White Paper, HMSO, November 2004.

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