



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

Kilncraigs, Greenside Street, Alloa, FK10 1EB (Tel.01259-450000)

Special Meeting of Clackmannanshire Council

Wednesday 12 June 2019 at 9.00 am

**Venue: Council Chamber, Kilncraigs,
Greenside Street, Alloa, FK10 1EB**



**Clackmannanshire
Council**

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Comhairle Siorrachd
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Clackmannanshire Council

There are 32 Unitary Councils in Scotland. Clackmannanshire Council is the smallest mainland Council. Eighteen Councillors are elected to represent the views of the residents and businesses in Clackmannanshire. The Council has approved Standing Orders that detail the way the Council operates. Decisions are approved at meetings of the full Council and at Committee Meetings.

The Council is responsible for approving a staffing structure for the proper discharge of its functions, approving new policies or changes in policy, community planning and corporate governance including standards of conduct.

The Council has further responsibility for the approval of budgets for capital and revenue expenditure, it also has power to make, alter or cancel any scheme made under statute and to make, alter or cancel any orders, rules, regulations or bye-laws and to make compulsory purchase orders. The Council also determines the level of Council Tax and approves recommendations relating to strategic economic development.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

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4 June 2019

A SPECIAL MEETING of the CLACKMANNANSHIRE COUNCIL will be held within the Council Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on WEDNESDAY 12 JUNE 2019 at 9 AM



NIKKI BRIDLE
Chief Executive

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Clackmannanshire Council – Councillors and Wards

Councillors

Wards

Provost	Tina Murphy	1	Clackmannanshire West	SNP
Councillor	Darren Lee	1	Clackmannanshire West	CONS
Councillor	George Matchett, QPM	1	Clackmannanshire West	LAB
Councillor	Les Sharp	1	Clackmannanshire West	SNP
Councillor	Donald Balsillie	2	Clackmannanshire North	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONS
Councillor	Dave Clark	2	Clackmannanshire North	LAB
Councillor	Helen Lewis	2	Clackmannanshire North	SNP
Councillor	Jane McTaggart	3	Clackmannanshire Central	SNP
Councillor	Derek Stewart	3	Clackmannanshire Central	LAB
Councillor	Mike Watson	3	Clackmannanshire Central	CONS
Councillor	Chris Dixon	4	Clackmannanshire South	IND
Councillor	Kenneth Earle	4	Clackmannanshire South	LAB
Councillor	Ellen Forson	4	Clackmannanshire South	SNP
Councillor	Craig Holden	4	Clackmannanshire South	SNP
Councillor	Graham Lindsay	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LAB
Councillor	Bill Mason	5	Clackmannanshire East	CONS

Report to: Clackmannanshire Council

Date of Meeting: 12 June, 2019

Subject: Organisational Redesign: Update

Report by: Chief Executive

1.0 Purpose

- 1.1. The purpose of this report is to further update Council on progress with implementing the management restructure which is part of the Council's agreed organisational redesign. This report builds on the update report provided to Council on 21 February 2019.

2.0 Recommendations

It is recommended that Council:

- 2.1. Notes the progress to date in implementing the agreed organisational redesign.
- 2.2. Notes that recommendations 2.3 and 2.4 propose changes to the management structure that was agreed by Council on 8 March 2018.
- 2.3. Agrees the revised levels of staff numbers (senior managers) and value of savings detailed in Table 1 and paragraph 3.9, noting the detail provided in Appendices A, B, C and D.
- 2.4. Agrees to retain the Trading Standards and Environmental Health service functions within the Place portfolio (paragraph 3.10).
- 2.5. Notes that the Council's Organisation Change Procedure will be implemented as soon as possible to allow the filling of vacant posts to be progressed.

3.0 Considerations

- 3.1. In March 2018, Council agreed a new organisational redesign. The redesign established a new managerial structure based on three new service delivery portfolios: People, Place and Partnership and Performance. Committee

structures have also been aligned with this managerial structure since August 2018.

3.2. The new design proposed a reduction from 9 chief officers to 4 and a reduction in the tiers of management between Service Manager and Chief Officer. As a consequence, a new management role of Senior Manager was established with the planning assumption that there would be fewer managers in overall terms in addition to the reduction at chief officer level. The new structure proposed 15 new Senior Managers compared with the 23 existing Service Manager roles. This restructure indicated a total saving of £765k, with £289k planned to be delivered in 2018/19.

3.3. To date the following progress has been made:

- In line with the Council's decision of the 8 March 2018, chief officer posts have reduced from 9 to 4. The Council's four chief officers are the Chief Executive and the three Strategic Directors. All posts have been filled, though in January 2019, the Strategic Director (Place) indicated his intention to retire. The competitive appointment process to identify his successor has now concluded and the new Strategic Director takes up his position on the 5th August 2019.
- the Council is required to appoint to the following statutory roles:
 - Head of Paid Service (Chief Executive)
 - Chief Education Officer
 - Chief Social Work Officer (CSWO)
 - Section 95 Officer (Chief Finance Officer)
 - Monitoring Officer

All of these roles have been filled, with the most recent appointment, the CSWO, starting with the Council on the 3 June, 2019.

- following the appointment of the Strategic Directors (i.e. since late August 2018), the following tasks have been progressed:
 - i) review of the range of services included within service portfolios to ensure an effective service user/ customer focus and to maximise the opportunities for delivering efficiencies and integrating services.
 - ii) identification of the range of service delivery models required to sustain service delivery for statutory and priority services for the future.(NB This task will require ongoing review, over time, as the Council's Transformation Programme is developed and refined).
 - iii) Having considered tasks 1 and 2, identification of the optimal management structure to ensure operational sustainability.

These tasks were set with a view to establishing a more refined basis for the design of managerial portfolios and the numbers of managers required, whilst

remaining aligned with the original principles agreed by Council in March 2018. This has been necessary as the detailed design of these roles was not specified in the original paper presented to Council.

- 3.4. In January 2019, draft proposals in respect of the Partnership and Performance and Place portfolios were discussed with staff and trade union representatives. The formal consultation process commenced on the 18 January 2019 and concluded on the 13 May 2019.
- 3.5. Additionally, at the start of the consultation process, it was also indicated that the People Portfolio proposal would run on a slightly delayed timeline. However, having reviewed the position with service management and the Senior Leadership Group, the Strategic Director (People) has brought forward proposals for a transitional structure during the consultation period and this is also included within this paper.
- 3.6. The operational structures are set out for each portfolio in Appendices A, B and C. Further detail on service functions is also included at Appendix D. The design of the roles is consistent with the principles proposed in the March 2018 Budget paper. The core role is also consistent between portfolios. These are new roles which are distinct from the current service manager roles. The key design principles are as follows:
 - clear focus on delivering the Council's agreed priorities through the LOIP, Corporate and Business Plans
 - model the new values: Be the Future
 - motivate staff and drive change
 - focus on risk management / mitigation
 - focus on improvement and innovation
 - maximise opportunities for inclusive growth, collaboration and partnership
 - focus on joined up customer/ people-centred service delivery
 - champion governance, continuous improvement and performance management
- 3.7. Consultation activity which engaged both affected staff and trade union representatives has significantly informed the final structures. A number of changes have been made within portfolios based on the feedback received. Strategic Directors have balanced up the feedback received with establishing structures which allow them to sustain service delivery and manage risk.
- 3.8. In the March 2018 paper, assumptions were made in terms of both the numbers of senior manager roles and the potential savings deliverable from the proposed management restructuring. Table 1 below compares these

original assumptions with the final position represented by implementing Appendices A, B and C.

Table 1: Consolidated restructure staff numbers and savings compared with March 2018.

Portfolio	Number of Management Posts		Savings £'000	
	Mar-18	Proposed	Mar-18	Proposed
Chief Exec	1	1	0	-4
Depute Chief Exec	0	0	120	120
<u>Partnership & Performance</u>				
Chief Officer	1	1	73	71
Senior Manager	4	4	150	147
<u>People (transitional)</u>				
Chief Officer	1	1	94	92
Senior Manager	6	10	167	-189
<u>Place*</u>				
Chief Officer	1	1	94	-56
Senior Manager	5	4	67	221
TOTAL	19	22	765	402
Deferred savings			363	

3.9. The key points to note from Table 1 are as follows:

- The Chief Officer structure has been implemented in line with the proposals set out in the March 2018 paper.
- The Partnership and Performance portfolio structure is consistent with the March 2018 paper in terms of both staff numbers (4 senior managers) and savings deliverable.
- the Place Portfolio structure exceeds the targets set in the March paper, with one fewer management post (four rather than five senior manager posts) and a greater level of savings. The higher level of savings delivered is in part due to the more refined basis of the costing now undertaken which takes into account the appropriate split of expenditure between both the General Fund and HRA accounts and

any planned capitalisation of costs in line with the agreed capital programme

- The transitional People portfolio structure does not meet either the staff number or savings projections set out within the March 2018 paper. Whilst the transitional structure highlights 6 senior management roles (in line with the March paper), it also retains 4 additional grade 11 managers. This proposal is based on assessment of current policy priorities and risk within the services. It aims to: ensure the safe delivery of services; minimise risk to children and families; provide a focus on succession planning and build in flexibility and capacity for transformation and growth
- the net position for the Council is, therefore, that during the period of the transitional People Portfolio structures, the proposed number of managers is greater than that agreed by Council and there are deferred savings of £363k relative to the March 2018 decision.

3.10. In addition, the review and consultation activity undertaken within the three portfolios has resulted in a proposal to retain the Trading Standards and Environmental Health service functions within the Place portfolio rather than to transfer them to the Partnership and Performance Portfolio as indicated in the March 2018 paper agreed by Council.

3.11. Subject to the agreement of Council to the recommendations set out in this paper, and in line with the Council's Organisational Change Procedure and employment law requirements, transitioning staff to the new structure will be expedited as soon as possible. This process requires the identification of job matches, assimilation and/or ring fenced recruitment for posts in the new structures. The aim would be for these processes to be advanced prior to recess wherever possible, although a number of factors may influence this, for instance timely access to pension information.

4.0 Sustainability Implications

4.1. N/A

5.0 Resource Implications

5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes X

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes X

5.4. *Staffing*

6.0 Exempt Reports

6.1. Is this report exempt? No

6.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐
Our families; children and young people will have the best possible start in life ☐
Women and girls will be confident and aspirational, and achieve their full potential ☐
Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

7.0 Equalities Impact

7.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☐

8.0 Legality

8.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

9.0 Appendices

9.1. Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendices A, B and C – Draft Structures – Partnership and Performance, Place and People. Appendix D – Detailed Service Functions.

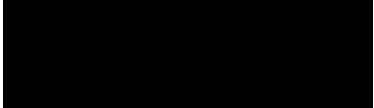
10.0 Background Papers

10.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☐ (please list the documents below) No ☐

Author(s)

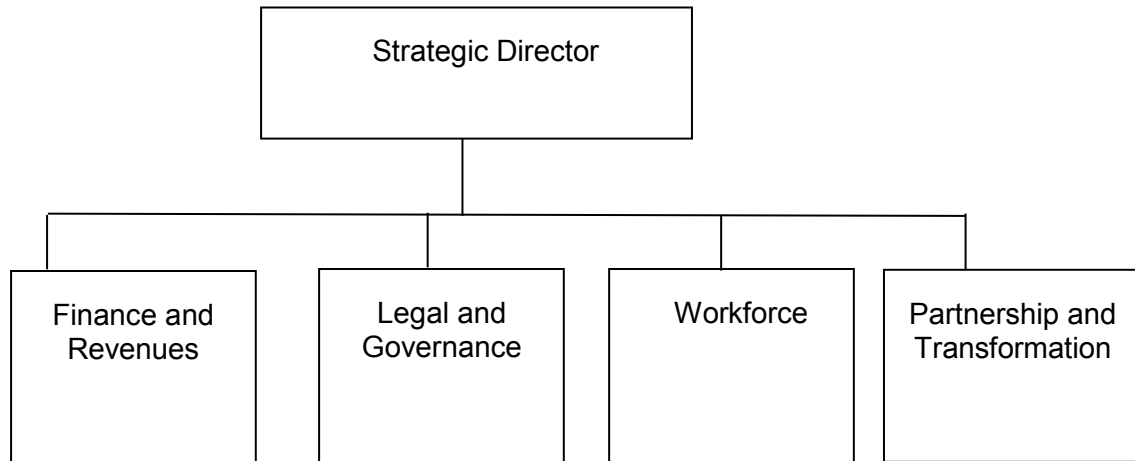
NAME	DESIGNATION	TEL NO / EXTENSION
Nikki Bridle	Chief Executive	452002

Approved by

NAME	DESIGNATION	SIGNATURE
Nikki Bridle	Chief Executive	

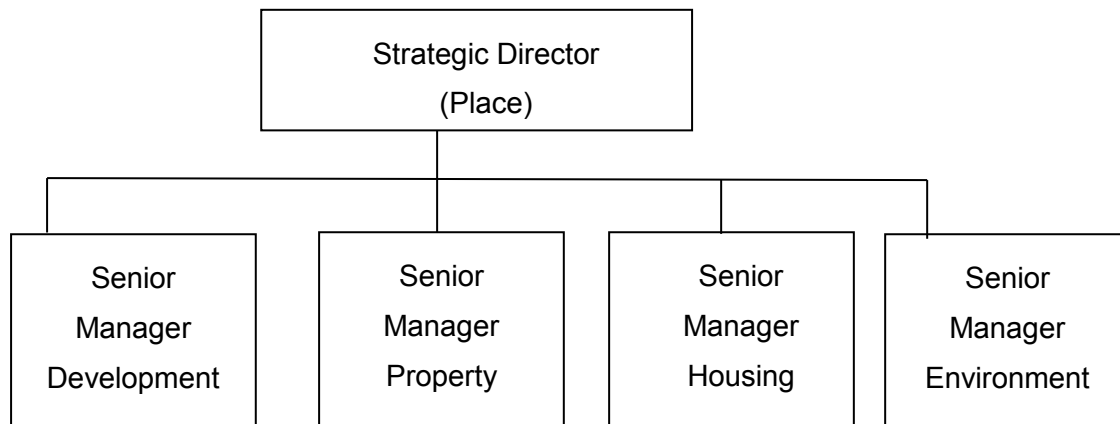
APPENDIX A

PARTNERSHIP AND PERFORMANCE MANAGEMENT STRUCTURE



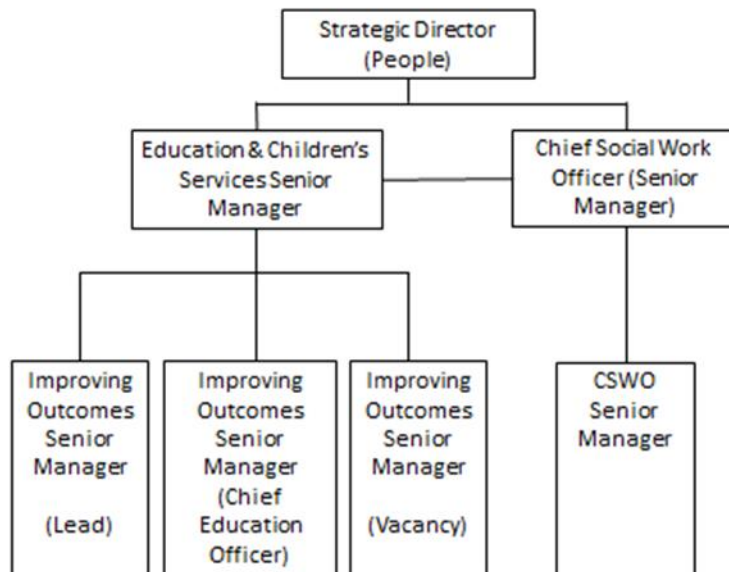
APPENDIX B

PLACE STRUCTURE



APPENDIX C

PEOPLE STRUCTURE



APPENDIX D

PORTFOLIO	SERVICE PORTFOLIO	SERVICE FUNCTION
PARTNERSHIP AND PERFORMANCE	a) Finance and Revenues	<ul style="list-style-type: none"> - Provide corporate leadership to transform our use of resources, assets and income; and financial S95 duties & responsibilities - Finance & revenues strategy and policy - Revenues operations - Financial & Management accounting - Budget planning & management - Finance & revenues MIS - Capital strategy, planning & monitoring - Procurement & creditors
	b) Legal and Governance	<ul style="list-style-type: none"> - Provide corporate leadership to transform our corporate governance and risk culture to support <i>Be the Future</i> - Monitoring Officer duties & responsibilities - Legal services & elections - Committee & Members services - Information governance & public archive - Registrars & licencing - Customer standards & complaints - Risk Management & Governance Assurance - Internal Audit, Insurance & Claims & Debt Recovery - Fraud/SOC Prevention

	c) Workforce	<ul style="list-style-type: none"> - Provide corporate leadership to transform our workforce assets and governance - Workforce planning - HR policy & strategy - HR operations - Organisational development & workforce planning - HR/Payroll MIS development and maintenance - Payroll - Health & Safety - P&P Business Services
	d) Partnership and Transformation	<ul style="list-style-type: none"> - Provide corporate leadership to transform our partnerships and transactional services - Partnership & corporate policy, planning & performance - Equalities & corporate funding - Research & information - Communications, contact centre & HQ reception - Civil contingencies, emergency planning & events - Digital transformation - ICT policy, strategy & operational management - Web Development
PEOPLE	a) Education and Children's Services	<p>In addition to core responsibilities:</p> <ul style="list-style-type: none"> - Enable transformation - Organisational culture change - Deliver National Improvement Framework, Scottish Attainment Challenge, Pupil Equity Funding, RIC, Children and Young People Act

	b) Lead Improving Outcomes (Education and Children's Services)	<p>In addition to core responsibilities:</p> <ul style="list-style-type: none"> - Lead People performance data, strategies and plans - Lead collaborative models - Learning and Development lead for People directorate - Digital Strategy lead for People directorate - Senior phase and employability lead - Education Leadership Infrastructure lead (school cluster structures)
	c) Improving Outcomes (Acting Chief Education Officer)	<p>In addition to core responsibilities:</p> <ul style="list-style-type: none"> - Aspects of Chief Education Officer statutory responsibilities - Broad General Education - Lead school cluster
	d) Improving Outcomes (Early Learning and Childcare)	<p>In addition to core responsibilities:</p> <ul style="list-style-type: none"> - Early learning and childcare (including delivery of 1140 hours expansion by 2020) - Sports and Leisure strategy - Lead school cluster
	e) Chief Social Work Officer	<ul style="list-style-type: none"> - Fulfilling statutory CSWO duties - Key focus on delivery of Childcare Services and criminal justice priorities, and supporting effective delivery of Stirling and Clacks HSCP
	f) Children's Services	<p>In addition to core responsibilities:</p> <ul style="list-style-type: none"> - Deputise for CSWO - Deliver Social Services Childcare improvement plans - Social Services System and process transformation

PLACE	a) Housing	<ul style="list-style-type: none"> - Strategy - Asset Management Strategy (Housing) - Landlord Services - Travelling People - Homelessness
	b) Property	<ul style="list-style-type: none"> - Asset Management Strategy - Housing Stock Maintenance - Schools Maintenance - Public Building Maintenance - Hard FM (Design/Energy/Water/Plant/Utilities) - Security, Health and Safety - Soft FM (Catering/Cleaning/Janitorial) - Furniture/Equipment/Vending/Mail/Stores
	c) Development	<ul style="list-style-type: none"> - Strategy (Statutory Plans) - Planning (Regulation and Enforcement) - Building Standards - Trading Standards - Environmental Health - City Deal/Regional Economic Partnership - Regeneration - Roads and Transportation (including Regulation and Parking) - Climate Change

	d) Environment	<ul style="list-style-type: none">- Street Cleaning- Lands Maintenance- Burial Grounds- Roads Contracts- Street Lighting- Winter Maintenance- Litter/Fly Tipping/Graffiti/Dog Fouling- Waste Management- Fleet
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Report to Clackmannanshire Council

Date of Meeting: 12 June 2019

Subject: Appointment Committees: Senior Manager

Report by: Leader of the Council

1.0 Purpose

- 1.1. This report follows on from the recommendations in the previous report in relation to organisational redesign. It seeks Council agreement to convene appointment committees for the recruitment of senior managers. It also seeks approval for consequential changes to the Scheme of Delegation.

2.0 Recommendations

- 2.1. It is recommended that Council
- 2.2. Agree, following the application of the Council's organisational change protocols and if there are residual vacancies, to establish appointment committees for the recruitment of senior managers for all three directorates
- 2.3. Agree that the Scheme of Delegation is amended to reflect the extended remit of the appointment committee to include senior managers
- 2.4. Nominate four Council members and four substitute Council members per directorate for each committee, reflecting political balance.

3.0 Considerations

- 3.1. Appointment Committees
- 3.2. It is intended that by using the appointment committees for the interview process for the senior manager posts there will be a consistency of approach with the August 2018 appointment of the Strategic Directors for both the Place and Partnership and Performance directorates. The table at appendix 1 summarises the relative benefits and challenges with the constitution of the appointment committee which is recommended in this paper. Appendix 1 is based on information provided to Council in June 2018 as part of the paper on appointment of strategic directors. It is possible that up to 7 roles will require an appointment committee decision and each role will need a separate recruitment process.

- 3.3. It is recognised that the new senior manager posts have an element of strategic focus, in addition to their operational role. The new posts sit above the current service manager level and there will be a requirement for the new post holders to contribute to the strategic direction of the organisation and drive transformation.
- 3.4. Process that will be followed
- 3.5. Independent legal advice has been sought in relation to the process that will be followed prior to the appointment committee stage. In summary this process will involve the following stages:
- The organisation change protocols will be applied. This will result in automatic matches if the role is the same grade. There are unlikely to be any automatic matches unless the roles are the same grade.
 - The Targeted Voluntary Redundancy (TVR) process will then be considered. At this stage, an officer from Human Resources and the independent legal adviser will provide advice on whether there are suitable/ reasonable alternatives for each post. There is an accepted definition of “suitable alternative role”. Employees will each meet the applicable Strategic Director and be advised whether there is a role for them which is a suitable alternative role. It is anticipated that for those employees in roles which meet the definition of “suitable alternative role” that there would be a process of an “informal” redeployment interview with the Strategic Director and HR in line with accepted HR practice.
 - Employees who do not have a suitable alternative role will also meet individually with Strategic Directors. At this meeting the employee will be offered their financial entitlement under TVR (having been provided with their figures) or asked to confirm if they wish to express an interest in any reasonable alternative roles, and/or roles which for which they meet essential criteria in terms of qualifications/ experience (or would meet under redeployment protocols with short period of training) by an agreed date.
 - Thereafter appointment committee interviews could then be planned.

4.0 Sustainability Implications

- 4.1. None

5.0 Resource Implications

5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate.

Yes X

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes X

5.4. *Staffing*

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No X

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☐
Our families; children and young people will have the best possible start in life ☐
Women and girls will be confident and aspirational, and achieve their full potential ☐
Our communities will be resilient and empowered so that they can thrive and flourish ☐

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No X

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes X

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers

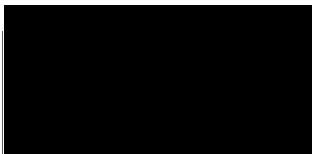
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☐ (please list the documents below) No **X**

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Councillor Ellen Forson	Council Leader	

Approved by

NAME	DESIGNATION	SIGNATURE
Councillor Ellen Forson	Council Leader	

Appendix 1

(extract from the Council paper

"Recruitment of Chief Officers" 28 June 2018 – bold wording added for this paper)

Option	Benefits	Challenges
<p>Separate Appointments Committees are established for each of the portfolio areas comprising Convener and Depute Convener, 1 Labour and 1 Conservative member. Each Committee appointing successful candidates based on skills, qualifications and evidenced competency.</p>	<p>Maintains political balance and size of committee used in the appointment process for Head of Paid Service (and Strategic Director) i.e. 2-1-1</p>	<p>Introduces potential for inconsistency with each Appointment Committee measuring and assessing on a different basis.</p> <p>Creates a potential for challenge of appointment the process (there may be a risk of collective or individual grievances lodged given the change in appointment process for senior managers part way through the current recruitment process).</p> <p>Potential for multiple applications/interviews</p> <p>Could potentially become a lengthy process.</p> <p>Convening numerous Committees over Summer recess</p>

