

Agenda Item	17
Report No	HC/28/19

HIGHLAND COUNCIL

Date: 27 June 2019

Report Title: **Transitional Management Arrangements**

Report By: Chief Executive

1. **Purpose/Executive Summary**

- 1.1 The Council is currently transitioning to the new structure approved by Council on 9 May 2019. This paper provides an update on temporary arrangements put in place to ensure resilience and business continuity through the change programme. The paper also updates Members on recruitment to the newly established Executive Chief Officer and Chief Operating Officer (COO) roles.

2 **Recommendations**

1.2 **Members are asked to:**

- i. Agree the temporary arrangements in place to cover statutory functions in Education, Social Work and Financial Governance
- ii. Consider progress to date on recruitment to the newly established COO post and Executive Chief Officer posts

3. **Statutory Posts**

3.1 **Financial Governance Arrangements**

Under Section 95 of the Local Government (Scotland) Act 1973 the Council is required to appoint an officer to ensure that arrangements are made for the proper administration of its financial affairs. Currently within Highland Council that statutory role is fulfilled by the Director of Corporate Resources.

The Director of Corporate Resources retires from the Council on 30 June, although his last working day is the 26 June. For the immediate requirement to sign the Council's Unaudited Accounts for 2018/19, and to ensure that this statutory s95 role is fulfilled

until permanent appointments to the Council's proposed senior management restructure are made it is proposed that the statutory role of s95 Officer is undertaken by Ed Foster, Head of Corporate Finance. Members are asked to agree to this appointment with immediate effect.

3.2 Social Work Governance Arrangements

The Chief Social Work Officer role is a legal requirement in terms of Section 3 of the Social Work (Scotland) Act 1968 was established to ensure the provision of appropriate professional advice in the discharge of a local authority's statutory functions. The role also has a place set out in integrated arrangements brought in through the 2014 Act. As a matter of good practice, it is expected that the CSWO will undertake the role across the full range of a local authority's social work functions to provide a focus for professional leadership and governance in regard to these functions. Scottish Ministers' requirement is that the CSWO role will be held by a person who is qualified as a social worker and registered as such with the Scottish Social Services Council.

These duties are currently being covered by the Interim Head of Children's Services, Karen Ralston, and will be reviewed on appointment of the Executive Chief Officer - Health and Social Care.

3.3 Education Governance Arrangements

The Education (Scotland) Act 2016 states that an education authority must appoint an officer to advise the authority on the carrying out of the authority's functions under this Act and any other enactment. The officer appointed is to be known as the Chief Education Officer. The officer appointed must have such qualifications as may be prescribed by regulations made by the Scottish Ministers, and such experience as the authority considers appropriate in relation to the carrying out of the advisory function mentioned in that subsection.

These duties are currently being covered by the Interim Head of Education, Dr James Vance, and will be reviewed on appointment of the Executive Chief Officer- Education.

4. Recruitment to COO post and ECO posts

Applications for the COO post closed on 30 April 2019. It is proposed that the process to recruit the COO will not progress at present and will be reviewed towards the end of the year. The pause in recruitment will allow time for recruitment to the ECO level posts to be taken forward and the position reviewed once the postholders are in place.

Five of the ECO posts have been advertised namely Education, Health & Social Care, Resources & Finance, Performance & Governance, and Customer & Communities. The adverts closed on Monday 10 June with shortlisting taking proposed to take place on 20th June. It is proposed that interviews for three posts (Education, Health & Social Care and Resources & Finance) will take place in the first week of July with recruitment to the remaining two vacancies taking place in mid-August. The recruitment will be undertaken by the Recruitment Panel made up of 10 members:

Convener; Leader; Depute Leader; 3 Strategic Chairs plus 2 members of the Opposition; Leader of Scottish Conservative and Unionist Group and Leader of the Labour Group. Given the number of ECO posts being recruited in a very short

timescale during recess, it is proposed that, where necessary, Panel members be allowed to identify substitutes from within their respective Group to sit on the Panel.

5. Care and Learning Service/Community Services Interim Arrangements

Due to the time required to transition between the existing structure to the new structure, it has been necessary to put in place a number of interim arrangements in order to ensure business continuity. The Head of Revenues and Customer Support is currently interim Chief Officer Resources for the Care and Learning Service. The Head of Policy and Reform is current interim Chief Officer Resources Community Services. These arrangements will remain in place until the relevant ECO positions have been filled. There are a number of backfill acting-up arrangements in place to ensure that proper provision is made with regard to service delivery and that continued protection of service delivery is in place.

6. Implications

Resource. The interim arrangements are being funded from the broader re-structure salary savings.

Legal – The proposals set out within this report will ensure that the Council meets its statutory obligations to have a Chief Social Work Officer, Chief Education Officer and Section 95 Financial Officer.

Risk. Interim arrangements should be temporary in nature, pending appointments to the ECO roles. Permanent structural changes should be implemented as soon as possible. Delays to implementation of the organisational structure have been mitigated by interim arrangements involving existing staff ambitious to learn and take up additional responsibilities. The level of risk has also been reduced by identifying pieces of transformation work within the Change Programme eg financial system improvement; community services re-design and recruiting externally to ensure that the pace of change is maintained. The timing of these changes is also very helpful in that they take place over recess and the holiday period. The recruitment timeline is being managed tightly providing further reassurance and risk mitigation.

There are no Gaelic Community (Equality, Poverty and Rural), Climate Change / Carbon Clever implications arising from this report.

Designation:

Date:

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Background Papers: