

PERSONNEL COMMITTEE

Restructure Proposals: Directorate for Communities and the Environment 12 March 2019

Report of the HR Projects Manager

PURPOSE OF REPORT

To enable the Committee to note the content of the Cabinet Report outlining the proposals for restructure in the Directorate for Communities and the Environment, and also to note the impact on the objectives for the Director and Deputy Director in relation to this.

This report is public.

RECOMMENDATIONS

That Personnel Committee

- (1) Note the content of the Cabinet report relating to the restructure of the Directorate for Communities and the Environment, and
- (2) Note the impact on the specific objective for the Director and Deputy Director

1.0 Background

- 1.1 On 20 December 2018, Personnel Committee considered a report which included the objectives for the newly appointed Director for Communities and the Environment. The objectives approved by the Committee for the Director were:
 - 1.1.1 Gain formal agreement to the strategic direction of the new Directorate by Cabinet by February 2019. **(achieved – see Appendix A)**
 - 1.1.2 Jointly with the Deputy Director, design the organisational structure required to support the strategic direction of the new Directorate, and gain Personnel Committee approval for the principles of the structure, by March 2019
 - 1.1.3 Commence the process to populate the revised structure for the Directorate by March 2019
- 1.2 When the earlier report to Personnel Committee was written, it was envisaged that the restructure for the new Directorate could be a substantial one initially, which may then lead to a situation where a larger number of staff were placed 'at risk'. This would in itself be classed as a large restructure, for the purposes of agreement and consultation

- 1.3 Work undertaken by the Director and Deputy Director, with advice and guidance from Human Resources, has led to a proposed phased approach to restructure within the Directorate. The initial phase of this work focuses on the distribution of services amongst newly proposed senior management positions within the Directorate. This approach has meant that only a small number (5) of senior staff within the Directorate are potentially affected by the proposals drawn up.
- 1.4 The Chief Executive has delegated authority to approve minor restructures of this nature, and it would not therefore be appropriate to refer the matter to Personnel Committee for approval.
- 1.5 Once those new positions are filled, post holders will then be required to work towards restructuring their own services. It is envisaged that there may be more substantial change at this next level, and proposals may therefore be referred to Personnel Committee at that stage.
- 1.6 This approach therefore means the nature of the objective for the Director and Deputy Director must change, in that approval at this level for a minor restructure is not formally required. However, it is important that the Committee note this change in advance of the end of year review of the agreed objectives for this area.

3. Conclusions

- 3.1.1 Proposals for the new structure within the Directorate for Communities and the Environment have been developed, agreed by the Chief Executive and Cabinet.
- 3.1.2 These proposals lead to a slight change to one of the objectives for the new Director, in relation to referral of a decision to Personnel Committee.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):</p>

<p>There is no impact.</p>

<p>LEGAL IMPLICATIONS</p>

<p>There are no legal implications arising from this Report.</p>
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<p>FINANCIAL IMPLICATIONS</p>

<p>There are no financial implications</p>
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<p>OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:</p>
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<p>There are no other resource implications</p>

SECTION 151 OFFICER'S COMMENTS

The Section 151 officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

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CABINET**12th February 2019****Communities and the Environment- Future Direction****Report of Director for Communities and the Environment**

PURPOSE OF REPORT			
To seek Cabinet's agreement to the strategic direction outlined in the report			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date of notice of forthcoming key decision	7 th Jan 2019		
This report is public.			

RECOMMENDATIONS OF THE DIRECTOR FOR COMMUNITIES AND THE ENVIRONMENT

- (1) Approves the strategic principles outlined in paragraphs 1.5 & 1.6 of this report.
- (2) Agrees the commencement of staff consultation and delegates consequent development and implementation of the proposals to the Director for Communities and the Environment.
- (3) Notes that, where required, further reports on the proposals be brought to Cabinet or Personnel Committee as appropriate.
- (4) Cabinet approves the future use of the Restructuring Reserve as appropriate, subject to minimum reserve levels being retained.

1.0 Introduction

1.1 The Council has highly ambitious plans for enhancing the economy, wellbeing and presence of the area; setting out its priorities and vision for the district to thrive as a vibrant regional centre in the north west of England in its recently published Council Plan.

1.2 The Council Plan sets out our four Ambitions for 2018-22:

- A Thriving and Prosperous Economy
- Clean and Safe Neighbourhoods
- Healthy and Happy Communities
- A Smart and Forward-Thinking Council

- 1.3 The Council has also identified four principles which describe the approach it aims to take in delivering on its ambitions; these are:
- Community Leadership
 - Shaping the Place
 - A Business-Like Approach
 - Valuing Distinctiveness
- 1.4 In parallel with developing a new council plan, a new senior management structure was approved which will ensure the council organisationally is in position to meet the ambitions in the plan, to meet strategic objectives and the financial challenges the council faces in the future. Part of the restructure involved the amalgamation of what was Environmental Services, Health and Housing and Customer Services into one new Directorate of Communities and the Environment. One of the first tasks of the new Director is to reshape the directorate to :-
- a) Maximise the use of our public realm (parks and open spaces) assets to benefit our communities.
 - b) Adopt a service delivery model where the norm is listening to and understanding our communities' needs followed by working to meet these with the full involvement of the community and other partners.
 - c) Align the resources and structure to best meet this model and the ambitions in the council plan.
- 1.5 All three directorates are considering the most effective way of delivering services in the future. Whilst the range of services being delivered by each directorate is diverse the principles of future direction will all be consistent with the Council's Ambitions, Medium Term Financial Plan and financial resilience plan agreed in Funding the Future.
- 1.6 For the Directorate of Communities and the Environment the guiding principles contained in the strategies above, which form the basis for future direction are-
- Working in a commercial way- through improving internally delivered services, establishing new delivery models and income generation.
 - Pursuing efficiency and rigour – by reducing waste and re-engineering processes.
 - Identifying alternative and efficient methods of using limited resources. Including staffing, equipment, vehicles, plant and physical assets.
 - Demonstrating Community Leadership and Shaping the Place through meaningfully involving communities, service users and partners in the design and delivery of services.
 - Fully involving all our staff in the way the strategic direction is delivered. Making the best use of our staff by training, redeployment and reskilling.
 - Being customer focussed and customer- friendly
- 1.7 Reports setting out the future direction of the Directorates for Economic Growth and Regeneration and Corporate Services will be presented in due course.

2.0 Proposal Details

- 2.1 The services delivered by the Directorate for Communities and the Environment have a significant impact on achieving the ambitions of 'Clean, Green and Safe Neighbourhoods' and 'Healthy and Happy Communities'.
- 2.2 The Council plan recognises that delivering ambitious outcomes in the context of the Council's financial position requires a radically different approach. A 'Council knows best' approach is ineffective.
- 2.3 Involving our communities is key to achieving the ambitions of the Council plan. It has never been more important to make sure that local people and community involvement are at the heart of what the Council does. The resources the Council has are precious and it is important that every penny is spent on services and solutions that are right for individual areas. Community involvement covers everything from informing the design and delivery of our services in parks and open spaces, taking a more active role in health and wellbeing, helping reduce anti-social behaviour, watching out for neighbours and friends and actively caring for the area in which the community is.
- 2.4 The Council plan highlights the importance of engaging with residents, businesses and other partners to understand their needs and views, and work with them to develop and deliver plans for positive change. In practical terms this means-
- Actively involving and seeking the views of residents and other partners;
 - Being accessible and transparent;
 - Being on the ground when we are needed;
 - Delivering agreed community outcomes that can be sustained.
- 2.5 A shift to a community focussed approach is not something that will happen overnight. There is no off the shelf model that can be applied. What is important is agreeing the strategic direction and then putting in place tactics that will naturally allow for community involvement.
- 2.6 Work has taken place to look at best practice in other areas (eg Wigan, York, Bolton, Eastbourne, East Riding). Many Councils have adopted an area based approach. This change in organisation allows for greater community involvement, easier access for local democracy, day to day working with partners and direct access to an empowered area based Council officer. Within this District there are several examples of where working on a very local level, in a very different way, often in partnership with others, has had very positive results.
- 2.7 From a customer perspective the different layers of local government within a District Council are a cause of frustrations when problems arise. The lack of clarity is further compounded when other organisations have responsibilities in particular situations. The understandable frustrations then escalate and even more time is wasted in not actually solving the problem. For residents the City Council is a very visible and easily accessible. Taking a positive role as a point of contact to help coordinate multi-agency solutions would-
- capitalise on the visibility of the City Council;
 - improve the customer service offer of the Council;
 - generate efficiencies in the customer service centre.
- 2.8 Due to the size of the Directorate it would be inefficient to disaggregate all services to an area level. It is proposed that a style of area working is adopted, based around enhanced strategic co-ordination role at a local level. This will allow for the delivery of some elements of larger services (e.g. cleansing, grounds maintenance, waste collection) at an area level. For all services this will allow for shaped and improved

service delivery through more co-ordinated working with internal and external partners, and by enhanced voluntary sector and community engagement.

2.9 Taking this strategic approach helps inform the organisational structure of the Directorate. A key element of this will be a suggested new team of 'Community Advocates'. This team of three will work closely with Elected Members (on ward level issues), service providers, partners, and the voluntary sector within three defined geographical areas. The team will develop the engagement of a wider range of partners within the area to provide a more cohesive, and efficient approach to service delivery. They will give service teams greater understanding of local community needs, aspirations and expectations, and through closer working identify efficiencies and reduce duplication.

2.10 Each of the members of the team would have a number of key roles-

- Listening to and understanding community needs by immersing themselves in the area.
- To undertake ward 'audits' and identify the extent of local provision such as the number of voluntary and community groups, local activities and physical assets:
- To develop ward profiles using intelligence from the ward audits which will contain data and information that will provide much needed information to wards on which to identify community need and build customer choice. This information will help develop new ward level priorities.
- To liaise with elected members, the community, internal departments and partners and use the ward audits and local intelligence to determine what services are being provided by whom, and to identify and address gaps.
- To liaise with service providers and users be a 'broker' of activity across a ward to maximise or provide new service delivery, improve efficiency and be a problem-solver.
- Once the process is established, expand the audits to include data around health and wellbeing to baseline current health status of an area and inform priorities for health improvement.

EVALUATION

2.11 Subject to the agreement by Cabinet to the strategic direction and then appropriate consultation on implementation the approach will be closely monitored and evaluated. The evaluation criteria will need adjustment for each area, but the below gives examples of how if agreed this approach would be evaluated-

- Service delivery more accurately reflecting the needs of local communities. This approach will improve service delivery and create both quantitative and qualitative efficiencies.
- Partnership working within the wards has increased, and that partnership membership is appropriate to the activity that is required to deliver the identified priorities within the areas.
- New informed and focussed community action plans are driving service delivery at a ward level and partnership members are working together to deliver related outcomes.

- The number of residents engaging with the local decision making process and informing local service delivery is increasing.
 - Reduced number of contacts through the customer service centres
 - Voluntary sector engagement is increased and involved in delivering local activities.
 - Financial savings as a result of closer partnership working, and getting things right first time.
 - 'non-cashable' added value activities arising from enhanced partnership and voluntary sector engagement.
- 2.12 So that this different way of working has clear and tangible outcomes Council owned parks, open space and leisure facilities will be used as a means addressing a wide range of other issues including-
- Adding economic value to the surrounding area
 - Positively impacting on physical and mental health
 - Benefitting Children and Young People
 - Reducing Crime and the fear of crime
 - Using open space to bring communities together
 - Increasing biodiversity and natural habitat
- 2.13 Ward Councillors would be a key part of the ongoing evaluation process. The results of evaluation will help ensure that the proposed strategy is delivering as intended. The service delivery model will remain flexible enough to be adjusted as necessary.

WHICH AREAS?

- 2.14 The areas broadly follow the area footprint the Police and some other partners work to and have 20 ward councillors within each area.-
- AREA 1- Ellel, Scotforth E, Scotforth W, University, John O'Gaunt, Castle, Marsh, Bulk
 - AREA 2- Heysham S, Heysham C, Heysham N, Harbour, Westgate, Poulton, Torrisholme, Bare
 - AREA 3- Bolton and Slyne, Carnforth and Millhead, Halton, Kellett, Lower Lune, Silverdale, Skerton E, Skerton W, Upper Lune, Warton, Overton

HOW WILL THIS HAPPEN IN PRACTICALLY?

- 2.15 Shifting to an area based approach represents a significant change. Particularly in terms of providing community leadership and shaping the place. Delivering in this way will complement guiding principles described in para 1.6. What will further support this is considering how the Directorate is best led and organised.
- 2.16 A restructure of the entire Directorate is currently being planned. This restructure will consist of three stages, which will be accompanied by consultation with those involved.-
- Stage 1 (May 2019) Directorate senior management structure. Appointment of the Community Advocates.

- Stage 2 (Sept 2019) Directorate line management structure.
 - Stage 3 (March 2020) Directorate frontline structure.
- 2.17 Stage 1 will be critical in terms of creating the directorate leadership team that will deliver the intended outcomes of the Council's recent senior management restructure.
- 2.18 Prior to the directorate restructure there were ten business units, reporting into three services- public protection, council housing, private sector housing, sport and leisure, customer services, repairs and maintenance, public realm, business support, waste and recycling, town centre management.
- 2.19 It is intended to consult with staff and trade unions on proposed leadership structure consisting of five business units-
- **Public realm** – open space management/ maintenance, parks, street cleansing, waste and recycling, car parks.
 - **Public Protection**- all regulatory / enforcement services- environmental health, licensing, private housing enforcement/ standards, ASB team, community safety, environmental enforcement
 - **Housing**- council housing, repairs and maintenance, home improvement agency, housing options, homelessness.
 - **Business Support**- transport, civil contingencies, building cleaning, safeguarding, health and safety
 - **Community Involvement and Leisure**- Salt Ayre, customer services, area working team.
- 2.20 Reducing the number of business units will allow for greater strategic alignment and create efficiencies. It will also allow for consistency of operation and service delivery. In order to ensure a rationalised leadership team has sufficient capacity to deliver services it will be necessary to strengthen operational line management capacity.
- 2.21 Each business unit will have a service manager. It is intended that the service manager will be selected by May 2019. Postholders directly affected at stage 1 who are not selected as service managers will be managed through the Council's redeployment policy or early termination of employment policy and arrangements. NOTE- (due to vacancies that are currently being managed on an 'acting up' basis) there are five postholders that are directly affected.
- 2.22 Once in post the priority for the service managers will be to work with the Director and Deputy Director to review the line management structures in their service areas.
- 2.23 It is envisioned that this second phase will be completed by September 2019. As outlined at the outset one of the reasons for this is to plan to meet the wider strategic aims of the Council as described in the introduction. A consequence of this is that there will be a reduction in the number of posts on the Council's establishment. However, because of different methods of working and improved efficiency there will not be a negative impact on the delivery of the ambitions of the Council plan and wider strategic aims.

3.0 Details of Consultation and Communication

- 3.1 The approach outlined has been developed from consideration of best practice in a number of different organisations. It has also taken into account Elected Member views drawn from a number of different forums (including Cabinet, Overview and Scrutiny, Budget and Performance).

3.2 The proposals outlined have a direct impact on staff. The immediate impact is on the staff who currently report directly to the Director and Deputy Director. Cabinet are asked to agree the direction outlined. How this is delivered in organisational terms will be the subject of extensive consultation with staff and their representatives.

4.0 Options and Options Analysis [including risk assessment]

4.1 Option 1- to agree the recommended strategic direction that has been outlined in the report as it provides the intended outcomes of the Council's senior management structure, Council plan and financial context. The report outlines the steps that will be put in place to monitor the effectiveness of this new way of working.

4.2 Option 2- to maintain status quo. This will fail to achieve the above.

5.0 Officer Preferred Option (and comments)

5.1 Option 1 – as outlined above.

6.0 Conclusion

6.1 Successful delivery of the council's ambitious plans will require a new approach especially in the context of reducing resources and increasing customer demands. The proposals outlined in this report put our residents and communities at the heart of our front line service delivery, improves collaboration with other partner agencies and generates ongoing revenue savings.

RELATIONSHIP TO POLICY FRAMEWORK

As set out in the report

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Human Resources, Sustainability and Rural Proofing)

As set out in the report

LEGAL IMPLICATIONS

Any restructure/reorganisation has inherent risks for potential claims of unfair dismissal, discrimination and breach of contract.

Although there is an impact on staffing numbers, the threshold for collective redundancy is unlikely to be triggered. It is still important that staff and the union are consulted in a meaningful way and the proposed reorganisation should not be presented as a fait accompli.

In addition, the Council must be cognisant of the wider definition of redundancy under sections 188-198 of TULR(C)A 1992. The definition of redundancy includes where the employer proposes to vary employees' contracts in order to offer new contracts on different terms. It also covers the scenario where the proposal is to redeploy staff following redundancy on substantially different contracts, and can also cover voluntary redundancies. These scenarios may inadvertently increase the number of employees to 20 or more to trigger the collective consultation requirements.

Any collective agreement needs to be complied with and/or consideration of Information and Consultation of Employees Regulations 2004.

Best practice approach should be adopted to mitigate any legal risks i.e. equality impact assessment in relation to protected characteristics under the Equality Act 2010, and also impact on atypical workers such as part time-employees or employees on fixed-term contracts; change management.

FINANCIAL IMPLICATIONS

Initial costings have taken place regarding the subsequent restructure should this report be approved. As documented elsewhere on this agenda, a very conservative savings figure of £130K has been included in the draft revenue budget for 2019/20 due to phasing of the changes. It is expected that significant further annual savings should be achievable in future years once the new structure is in place.

It is hoped that any changes required resulting from future restructures will be met through natural wastage and redeployment where appropriate. However, should this not be achievable, it is requested that any costs will be met from the Restructuring Reserve for which Cabinet approval is now sought. For information, the balance of the reserve is projected to be £532K as at 1st April 2019.

All savings arising from the subsequent restructures will be monitored via the usual corporate monitoring arrangements prior to inclusion in future budget projections.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:

As set out in the report

SECTION 151 OFFICER'S COMMENTS

The Section 151 officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

NONE

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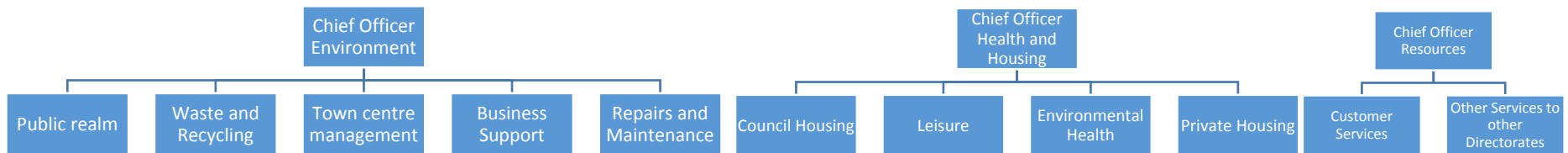
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Ref: [Insert reference, if applicable]

APPENDIX

A- Pre directorate Service Units



B- Proposal for Service Units – for consultation.

