

Swindon Borough Council

Special Committee

Monday, 31 October 2011

Committee Room 6, Civic Offices (Anticipated meeting room)

At 4.30 p.m.

Conservative Councillors

Roderick Bluh (Chair)

Garry Perkins (Vice-Chair)

Brian Mattock

David Renard

Deputies: *All other
Cabinet Members*

Labour Councillors

Mark Dempsey

Jim Grant

Deputies: *All other
Labour Shadow Cabinet
Members*

Liberal Democrat Councillors

Stan Pajak

Deputies: *All other Liberal
Democrat Members*

(Copies to all other Members of the Council – For Information)

Committee Officer: Ian Willcox (Telephone: 01793 463601)

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Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,
Swindon, SN1 2JH (Telephone 01793 445500)

AGENDA

PART 1 (PUBLIC ITEMS)

1. Apologies for Absence.

2. Declarations of Interest.

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

3. Minutes. (Pages 1 - 4)

To receive the minutes of the meeting held on 4th August 2011.

4. Public Question Time.

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

5. Adjustment to Stronger Together Organisational Structure. (CE)
(Pages 5 - 12)

Date of Despatch: 21 October 2011

Key:

Officers:

CE	-	Chief Executive
GDC		Group Director: Children
GDHSC	-	Group Director: Housing & Social Care
GDER	-	Group Director: Environment & Regeneration
GDBT	-	Group Director: Business Transformation
DF	-	Director of Finance
DLDS-B	-	Director of Law and Democratic Services – Business Transformation

Public Question Time - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

Access Arrangements – The Venue is wheelchair accessible and an infrared receiver hearing system is provided. If you would wish to attend the meeting but have any special requirement to enable you to do so please contact the Committee Clerk above, as soon as possible prior to the date of the meeting.

If you would like to receive any of the pages contained in this agenda in a larger print size please contact the Committee Officer whose name appears on the first page of this agenda.

Special Committee - Terms of Reference

The Special Committee shall have delegated to it the power to act for the Council on the advice of the Chief Executive on any policy decision or any particular matter that is urgent and necessary in the best interests of the Council.

The quorum of the Committee shall be three.

Deputy Members may be appointed at the Annual or any meeting of the Council.

Minutes of any proceedings of this Committee shall be submitted to the Council.

SPECIAL COMMITTEE

THURSDAY, 4 AUGUST 2011

PRESENT:- Councillors Roderick Bluh (Chair), Jim Grant, Brian Mattock, David Renard, Andy Harrison and Steve Wakefield.

Apologies for absence were received from Councillors Garry Perkins (Vice-Chair), Mark Dempsey and Stan Pajak.

6. Declarations of Interest.

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

7. Section 100B(4)(b), Local Government Act 1972

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chair determined that the following items be considered as matters of urgency for the reasons stated:

- (a) **Police and Crime Commissioner Elections** – to allow an application to be made to the Home Office before the specified 15th August deadline; and
- (b) **Housing Options Shadow Board** - to avoid any unnecessary delay in the establishment of the shadow board and the subsequent appointment of tenant and independent members and in order that work can immediately start work on the corporate form of the new organisation and offer document for consultation in September.

8. Minutes.

Resolved – That the minutes of the meeting held on 23rd June 2011 be confirmed and signed as a correct record.

9. Public Question Time.

No public questions were asked under Standing Order 28.

10. Appointment of Directors to Forward Swindon Ltd

The Director of Law and Democratic Services submitted a report concerning the appointment of a further Director to the Board of Forward Swindon Ltd. It was noted that the Special Committee, at its meeting on 20th April 2011, had appointed four new directors but it had been decided to withdraw one nomination whilst clarification was sought around possible conflicts of interest that could limit that individual's ability to serve on the Board. It was reported that those concerns had been resolved to the point where it was felt that the appointment could now be reconsidered.

Resolved – (1) That, on behalf of the Council, Mr. James Lockhart, Whitmarsh Lockhart Chartered Surveyors and Valuers, be appointed as a further Non-Executive

Director of Forward Swindon Ltd., for a term commencing on 5th August 2011 and expiring on 18th May 2012.

(2) That it be noted that, in accordance with Minute 19 2010/11 of this Committee, the membership and structure of the Board of Forward Swindon Ltd. will be reviewed prior to 18th May 2012.

(3) That members be provided with a copy of the terms of reference of the Swindon Investment Group (SWIG) for information.

11. Appointment to Planning Committee.

The Committee was advised that Councillor Nicky Sewell had resigned her position as the Liberal Democrat Group's representative on the Planning Committee, with the intention that she should be replaced by Councillor Stan Pajak. It was reported to the meeting that this position had changed since the agenda had been despatched and that Councillor Sewell had asked to retain her position on the Planning Committee.

Councillor Andy Harrison commented that this situation had arisen due to issues around the shift working patterns of both the aforementioned councillors, neither being able to guarantee their attendance at meetings, and also the Council's restrictions on appointment of deputies for Planning Committee members. He advised that the Liberal Democrat Group had been independently advised that, in these circumstances, the only available option to ensure representation at Planning Committee meetings was for the group's member representative to resign in advance of meetings he/she was unable to attend and for another group member to be appointed in his/her place.

Resolved – (1) That Councillor Nicky Sewell be re-appointed as the Liberal Democrat Group representative on the Council's Planning Committee, with effect from 5th August 2011, for the remainder of the Municipal Year 2011/12.

(2) That it be noted that a report on the issues around the appointment of deputies for Planning Committee members would be prepared for consideration by the Corporate Governance Review Working Party.

12. Police and Crime Commissioner Elections

The Committee received a report of the Director of Law and Democratic Services seeking cross-party agreement on the support of an application to the Home Office for the Borough's Returning Officer to be responsible for the overall conduct of the May 2011 Police and Crime Commissioner elections for Wiltshire and Swindon, subject to the enactment of those proposals in the Police Reform and Social Responsibility Bill.

Resolved – That the Director of Law and Democratic Services be authorised to submit an application to the Home Office to act as Police Area Returning Officer to be responsible for the overall conduct of the May 2012 election for the Police and Crime Commissioner for Wiltshire and Swindon.

13. Housing Options Shadow Board

The Committee received a report of the Director of Law and Democratic Services regarding the appointment of 4 members of the Council to serve on the Housing Options Shadow Board, in compliance with the Cabinet Decision, at its meeting on 13 July, that, subject to Ministerial approval and the confirmation of the Council, the

Director of Housing, Leisure, Libraries and Culture be authorised to proceed to a tenant ballot on a large scale voluntary transfer of the Council's Housing stock, and to establish a shadow board (Minute 15 refers). It was noted that Ministerial approval had been received.

Resolved – That Councillors Brian Mattock, David Renard, Peter Heaton-Jones and Steve Allsopp be appointed as the Council's representatives on the Housing Options Shadow Board.

Councillor Andy Harrison asked that his vote against the above decision of the Committee be recorded in the minutes.

(In accordance with the National Code of Local Government, Councillors Brian Mattock and David Renard made non-prejudicial declarations of interest in respect of this item.)

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Adjustment to Stronger Together Organisational Structure

Special Committee

Date: 31st October 2011

Author: Leader of the Council and Chief Executive

Parish / Wards Affected: All

Purpose

- To seek Special Committee's endorsement, on behalf of the Council, to changes to the Stronger Together Tier 1 and Tier 2 structure as outlined in the Council report of 21 July 2011 as a consequence of recommendations made in respect of Tier 1 appointments by the Appointments Sub Committee on 29th September 2011.

Recommendations

That the Special Committee, on behalf of the Council:-

- (1) Approves the changes to the Stronger Together Tier 1 and Tier 2 structure as referred to in paragraphs 2.5 to 2.12 of the report and as recommended by the Chief Officers Appointments Sub-Committee on 29th September 2011. The revised structure to be implemented by 1 April 2012.
- (2) Notes and endorses the appointments made by Chief Officers Appointments Sub-Committee on 29th September 2011.
- (3) Authorises the Director of Law and Democratic Services to amend the Council's Constitution accordingly.

1. Reasons

- 1.1. The Council or its Special Committee is required to approve changes to the Council's Management Structure which is set out in Part 7 of the Council's Constitution.

2. Detail

- 2.1. The full proposal for the Council to work in a significantly different way, supported by a new organisational model (Stronger Together) was considered and approved by the Council on 21 July 2011.
- 2.2. As part of that approval, Council agreed:
 - The organisational model detailed in the joint report, that would enable an ongoing reduction of £1.2m in management costs by April 2013;
 - Authority for the Chief Executive to restructure the organisation on the basis of the principles set out in the joint report, with implementation to

Further information on the subject of this report can be obtained from *Nicola Houwayek* on 07824 550456 or Email nhouwayek@swindon.gov.uk.

Adjustment to Stronger Together Organisational Structure

Special Committee

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commence following the appointment to Tier 1 posts, with a view to the new management structure being fully operational by 1 April 2012.

- 2.3. The Tier 1 posts, as outlined in the Council report of 21st July 2011 and attached as Appendix 1, were advertised within the organisation. All applicants for Tier 1 posts were shortlisted for interview and the interviews took place throughout the week commencing 26 September 2011.
- 2.4. Following the interviews, the Chief Officers Appointments Sub-Committee met on 29th September 2011 to appoint to the new Tier 1 structure. Members of the Sub-Committee were Councillors Roderick Bluh (Chair), Garry Perkins, David Renard, Fionuala Foley, Jim Grant and Des Moffatt.
- 2.5. The Appointments Sub-Committee approved the following appointments to the advertised posts:
 - Board Director Service Delivery – Mr Bernie Brannan
 - Board Director Commissioning – Mr John Gilbert
 - Board Director Finance, Revenues, Benefits and Property – Mr Stuart McKellar
 - Programme Director Stronger Together – Mr Patrick Weir.
- 2.6. The Sub-Committee agreed to recommend that no appointment was to be made to the advertised post of Board Director Localities, People and Innovation.
- 2.7. Throughout the consultation and appointments process the Council has been clear that localities should sit at the heart of everything it does. During the selection process, members of the panel agreed that there was a requirement to significantly raise the profile of the localities agenda and to introduce a specific senior level focus for this area to increase the pace of change.
- 2.8. The Panel therefore made the recommendation to create a separate Board Director role for the localities function to ensure a dedicated 'localities voice' as part of all board discussions and to be accountable for driving progress in this area. It was also agreed that there are a number of major strategic projects that will require board representation. As a result of this, the proposal from the Sub-Committee was that the Board Director Localities, People and Innovation role should be deleted and two new roles should be created, these being:
 - Board Director Localities, and
 - Board Director Transformation and Strategic Projects.

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- 2.9. The Special Committee is asked to endorse the proposed revised Tier 1 structure, as set out in Appendix 2.
- 2.10. In recognition that this would create additional capacity at Tier 1 to drive organisational change, specifically around the localities agenda, it was agreed to recommend to the Chief Executive that the Head of Change and Learning role be deleted from the Tier 2 structure. The responsibilities of this role would be incorporated partly into the newly created Board Director Localities and partly into the Head of People Tier 2 role.
- 2.11. There is no specific statutory or constitutional requirement to advertise jobs that will be appointed exclusively from amongst existing officers of the Council and it was agreed not to advertise the new roles. Members felt that the skills and experience required for these roles had been demonstrated by candidates through the selection process for the original role of Board Director Localities, People and Innovation. The Appointments Sub-Committee interviewed four potential candidates for the post of Board Director Localities and Transformation and it was agreed that the appointments should be made from this pool of candidates.
- 2.12. Based on the skills and experience demonstrated by these candidates, the recommendation from the Sub-Committee was that the following candidates should be appointed:
 - Board Director Localities – Mr Matt Gott
 - Board Director Transformation & Strategic Projects – Mr Hitesh Patel.
- 2.13. All staff have been informed of the proposed structure but no formal complaint or representation has been made to the Council from anyone stating that they would have applied for either of the posts if advertised.

3. Alternative Options

- 3.1. The Council could determine not to change its Management Structure and to seek to appoint by way of a further recruitment exercise to the original structure approved by the Council in July 2011. However, it is believed the proposal in the report is the most appropriate to enable the delivery of Stronger Together and the Council's aims under One Swindon.

Risk Management

Financial Implications

- It is not possible at this stage to provide a definitive picture on the financial implications of this decision as updated evaluations have not yet been completed on the posts affected by the changes, as detailed in the body of the report, and the Tier 2 posts have not yet been formally appointed to. The cost of creating a new

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Board Director role will be partly mitigated by the deletion of the Head of Change and Learning role. Further cost mitigations will be considered as part of the process of appointing to the other Tier 2 posts, in order to ensure that we remain on track to deliver £1.2m savings in management costs by April 2013.

Legal / Human Rights Implications

- Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights.

Other Implications

- Equality and diversity implications have been considered in the development of this report. The Stronger Together report to Council on 21st July 2011 confirmed that diversity impact assessments will be carried out for the different work streams that will make up the programme of change.
- The following areas will feature strongly in the implementation:
 - Understanding how communities of interest can be involved within a locality focus
 - Improving the knowledge and understanding we have of the way people currently use our services and how that will change over time.
 - Ensuring we have a fair and transparent process in relation to all workforce changes
 - Where significant service changes are implemented appropriate consultation with will take place with relevant equality groups

Links to Corporate Plans and Policies

- These proposals directly contribute to the Corporate Plan theme – Transforming the Organisation.

Consultees

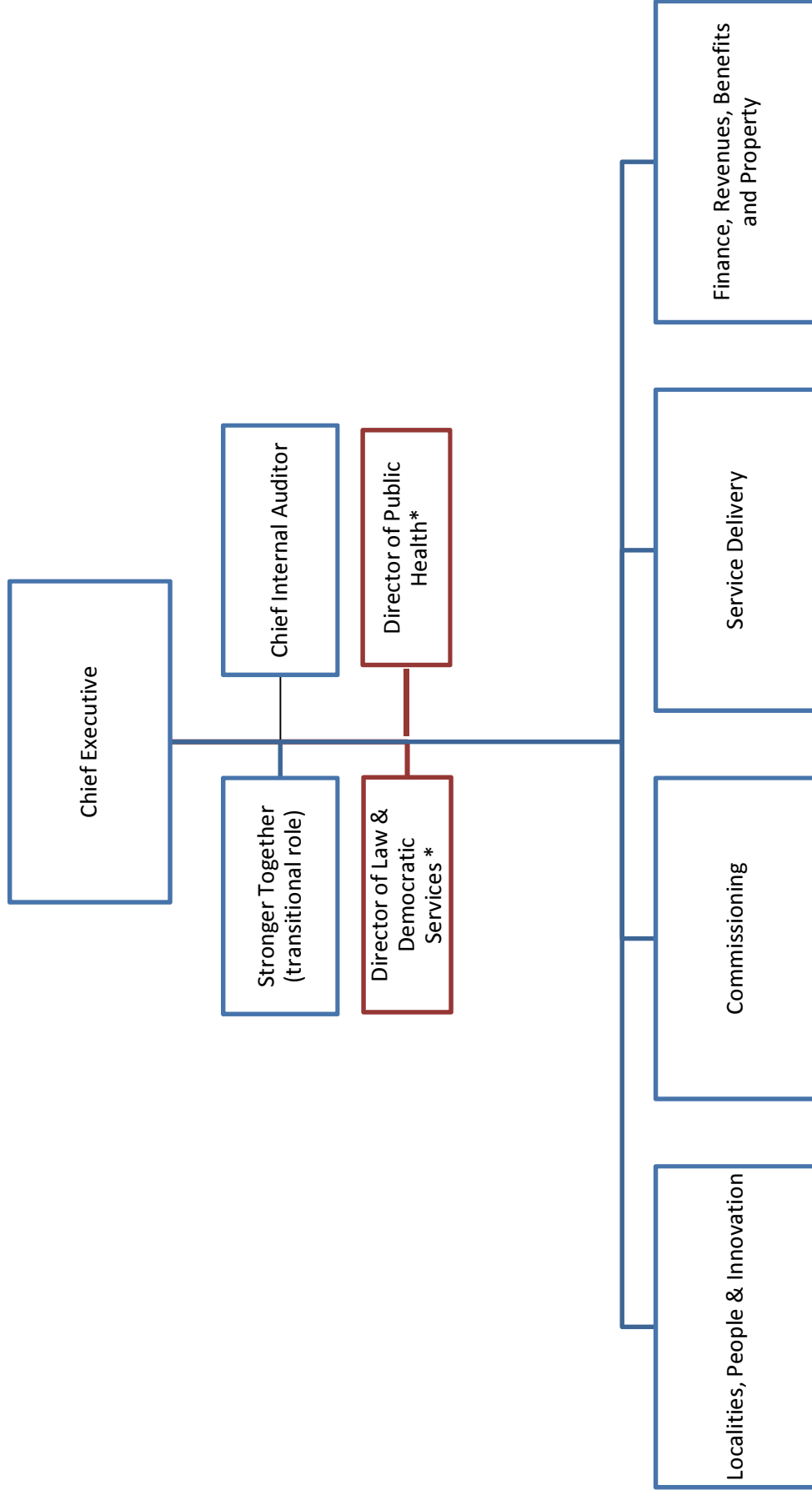
- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Background Papers and Appendices

- Appendix 1 – Structure approved by Council on 21st July 2011
- Appendix 2 – Proposed Tier 1 structure

Further information on the subject of this report can be obtained from *Nicola Houwayek* on 07824 550456 or Email nhouwayek@swindon.gov.uk.

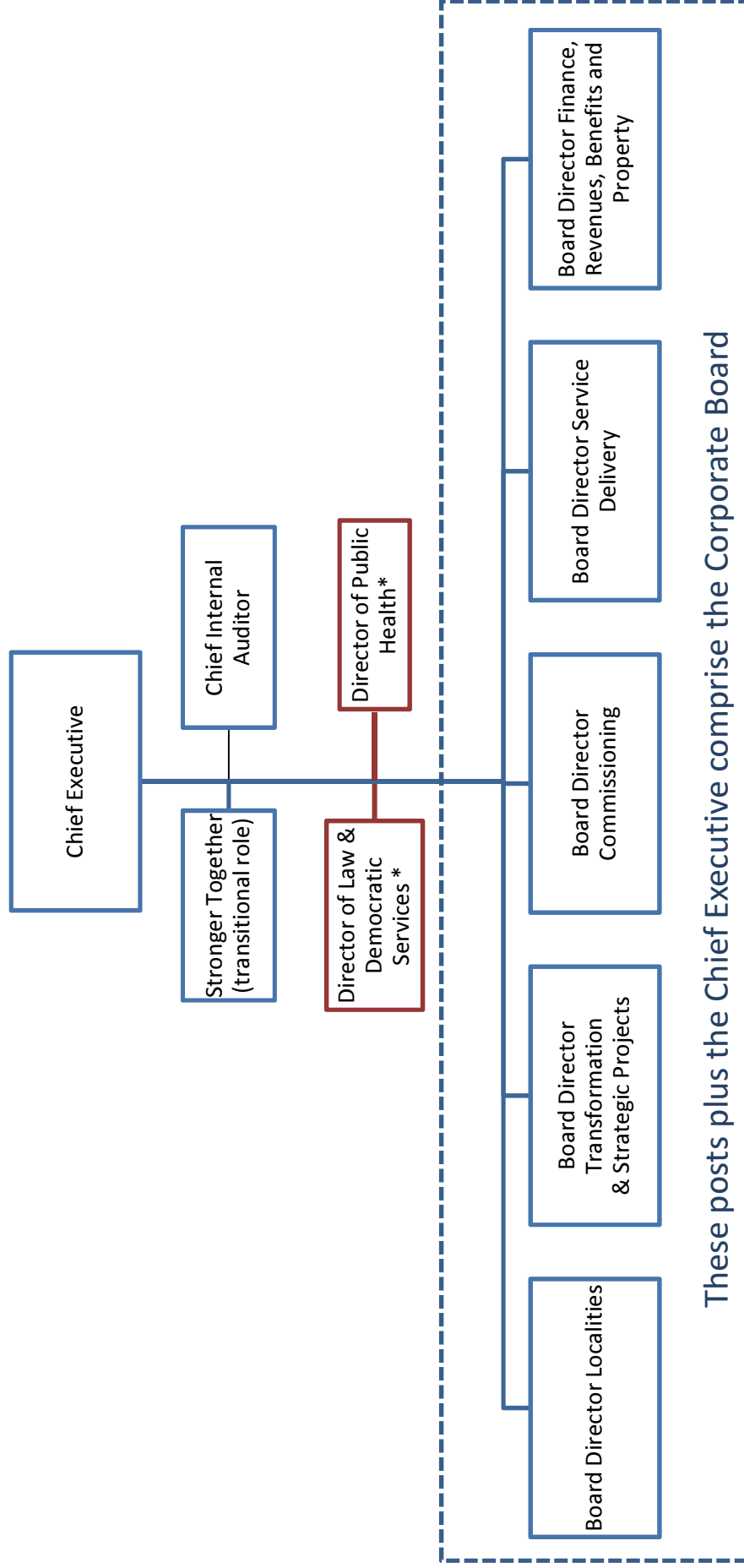
Tier 1- New Organisation Chart



- The Director of Law and Democratic Services reports to the Board Director - Localities, People and Innovation but has a dotted line link to the Chief Executive in his Monitoring Officer role.
- The Director of Public Health reports to the Board Director Commissioning but has a dotted line link to the Chief Executive.

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Tier 1- New Organisation Chart



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