

# Adjustment to Organisational Structure

**Special Committee**

**Date: 23 June 2011**

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**Author: Leader of the Council and Chief Executive**

**Parish / Wards Affected: All**

## **Purpose**

- To seek Special Committee's endorsement, on behalf of the Council, of an organisational restructuring change to ensure that we are able to meet our requirements to have an appointed statutory Chief Officer of Director of Adults Social Services

## **Recommendations**

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

- (1) Approves with effect from the 1<sup>st</sup> July 2011 the transfer of the statutory Chief Officer post and accountabilities of Director of Adult Social Services to the existing Group Director, Children's Services; and
- (2) Authorises the Director of Law and Democratic Services to make any necessary changes to the Council's Constitution to recognise the organisational change set out above.

## **1. Reasons**

- 1.1. To ensure that the Council meets its statutory obligations regarding the appointment of a Director of Adult Social Services.

## **2. Detail**

- 2.1. It is a statutory requirement introduced by the Children's Act 2004 that a local authority shall appoint an officer, to be known as the Director of Adult Social Services, for the purposes of their social services functions. Following the appointment of the existing Acting Director of Adult Social Care to the post of Chief Executive designate of a new Social Enterprise to provide adult social care to residents of the Borough, there is a requirement to transfer the statutory responsibilities to another Council employed officer.
- 2.2. Following the decision of the Cabinet on 9<sup>th</sup> March 2011, officers have been working on proposals for a new operating model for the Council, including a new organisational structure. This proposal is due to be presented to Full Council for consideration on 21<sup>st</sup> July 2011. It is therefore not intended at this stage to directly replace the existing post of

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

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Director of Adult Social Care, which currently holds the statutory responsibilities, until the outcome of these proposals are confirmed.

- 2.3. In the interim, the Chief Executive proposes that the Group Director, Children Services be designated as the Director of Adult Social Services in addition to his current role. This mirrors arrangements currently in place in other local authorities.

### 3. Alternative Options

- 3.1. Maintaining the status quo is not an option for the Council, as it will not enable us to meet our statutory obligations. The Council could determine to appoint another appropriately qualified Chief Officer to the position. However, it is believed the proposal in the report is the most appropriate to enable the delivery of our statutory obligations.

#### **Risk Management**

##### *Financial Implications*

There are no immediate financial implications as a result of this report as the new Social Enterprise is not currently operating as a stand-alone body. An updated financial assessment of the impact of creating the new Social Enterprise will be presented to Cabinet at its meeting in July, as part of a general update on progress towards its establishment as a new organisation.

##### *Legal / Human Rights Implications*

- The Council has a statutory requirement to appoint a Director of Adult Social Services.
- 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.
- Appropriate consultation has occurred with affected staff.

##### *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**

- None.