



EMPLOYMENT COMMITTEE

**Meeting to be held in Civic Hall on
Friday, 13th November, 2015 at 12.30 pm**

MEMBERSHIP

Councillors

L Mulherin
A Ogilvie
C MacNiven
J Lewis

G Latty

Vacancy

**Agenda compiled by:
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>ELECTION OF CHAIR</p> <p>To seek nominations and appoint a Chair of the Committee for the duration of this recruitment exercise.</p>	
2			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
3			<p>EXCLUSION OF PUBLIC</p> <p>To resolve that the public be excluded from the meeting under the terms of Access to Information Procedure Rule 10.4(1) and (2) and on the grounds that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information by reason of the need to maintain the competitive nature of the interview process and to retain information submitted by individual applicants in confidence, as disclosure could undermine the process, future appointment processes, or the outcome on this occasion to the detriment of the Council's and public interest.</p>	
4			<p>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
5			<p>GOVERNANCE ARRANGEMENTS RELATING TO THE TEMPORARY RECRUITMENT TO THE POST OF CHIEF OFFICER (COMMISSIONING) ADULT SOCIAL CARE</p> <p>To receive a report of the City Solicitor to provide Members with an overview of the governance arrangements and format for this specific Employment Committee which will have responsibility for the recruitment to the temporary post of Chief Officer (Commissioning) Adult Social Care.</p>	1 - 12
6			<p>APPOINTMENT OF CHIEF OFFICER COMMISSIONING, ADULT SOCIAL SERVICES</p> <p>To receive a report of the Chief Officer HR which outlines the reasons for the temporary replacement of the of the vacant Deputy Director post (Dir 90%) with that of the Chief Officer Commissioning (Director 85%) in Adult Social Services.</p> <p>THIRD PARTY RECORDING</p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <p>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</p> <p>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</p>	13 - 28

Item No	Ward/Equal Opportunities	Item Not Open		Page No
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CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime



Report author: P Garnett/G
Watson
Tel: 51632

Report of City Solicitor

Report to the Employment Committee

Date: 13th November 2015

Subject: Governance Arrangements Relating to the Temporary Recruitment to the Post of Chief Officer (Commissioning) Adult Social Care

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Purpose of this report

- 1.1 The Employment Committee has been established by full council to 'appoint or dismiss or take disciplinary action against' those senior officers, as defined within the Officer Employment Procedure Rules and the Committee's Terms of Reference.
- 1.2 The purpose of this report is to provide Members with an overview of the governance arrangements and format for this specific Employment Committee which will have responsibility for the recruitment to the temporary post of Chief Officer (Commissioning) Adult Social Care

2 Main issues

- 2.1 Quorum and Membership – The Constitution requires that the membership of an Employment Committee be a minimum of 3 and must include one member of the Executive. In line with the political composition of the membership of this Committee will be:

Labour	Conservative	Liberal Democrat
4	1	1

- 2.2 Members are asked to also note that the quorum for an Employment Committee is 2 Members, including 1 Member of the Executive Board.
- 2.3 Meeting Adjournments We are advised by HR that this recruitment exercise will not require several distinct sessions; including long listing and short listing exercises and a formal interview session. There will be one session which will act as the formal interview.
- 2.4 Exempt information The Council's Access to Information Procedure Rules allow for a Committee to resolve to exclude the public and press from those parts of the meeting where it is likely that in view of the nature of the business to be transacted, confidential or 'exempt' information will be disclosed and that the Committee deems that maintaining the exemption outweighs the public interest in disclosing the information. Given the nature of the information being considered as part of this recruitment exercise it will be necessary for the committee consider making such a resolution under agenda item 3 (exclusion of public) which relates to the appendices to agenda item 6.
- 2.5 Officer Employment Procedure Rules Attached at Appendix A are the Officer Employment Procedure Rule, the committee must conduct proceedings and make decisions in accordance with these rules.

3 Corporate Considerations

3.1 Consultation and Engagement

- 3.1.1 The necessary consultation has been undertaken with relevant legal officers upon the decision making processes, as outlined within this report.
- 3.1.2 At the commencement of each Employment Committee cycle, the relevant Group Whips are consulted upon the membership arrangements for that Committee.

3.2 Equality and Diversity / Cohesion and Integration

- 3.2.1 No implications

3.3 Council policies and City Priorities

- 3.3.1 The aim of this report, which is to ensure consistency and transparency of decision making throughout each Employment Committee recruitment process supports the ambition to be "The Best City and Best Council" and is consistent with Council values.

3.4 Resources and value for money

- 3.4.1 No implications

3.5 Legal Implications, Access to Information and Call In

- 3.5.1 The aim of this report is to inform Members of the Constitutional and legal requirements of the Employment Committee decision making process.
- 3.5.2 The Council's Access to Information Procedure Rules allow for a Committee to resolve to exclude the public and press from those parts of the meeting where it is likely that in view of the nature of the business to be transacted, confidential or 'exempt' information will be disclosed and that the Committee deems that maintaining the exemption outweighs the public interest in disclosing the information. Given the nature of the matters considered by Employment Committee, this report provides Members with background and guidance on the consideration and disclosure of exempt and confidential information.
- 3.5.3 The report is not subject to Call In.

3.6 Risk Management

- 3.6.1 The purpose of this report is to minimise any risks around the Committee's decision making processes and to ensure that the Committee's decisions are taken in line with all Constitutional and legal requirements.

4 Conclusions

- 4.7 This report provides Members with an overview of the governance arrangements and format for the Employment Committee.

5 Recommendations

The Committee is recommended to note:-

- (i) The governance arrangements and format relating to the Employment Committee;
- (ii) The Council's requirements regarding the consideration and disclosure of confidential and 'exempt' information,

6 Background documents¹

- 6.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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OFFICER EMPLOYMENT PROCEDURE RULES

1.0 RECRUITMENT AND APPOINTMENT

1.1 Declarations

- (a) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or officer of the Council, or of the partner of such persons. A candidate who fails to declare such relationship will be automatically disqualified from such appointment with immediate effect.
- (b) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant Director or an officer nominated by him/her for that purpose.
- (c) Every Member and senior officer of the Council shall disclose to the relevant Director any relationship known to that person to exist with a candidate for any appointment. It shall be the duty of the relevant Director to report to the Council or to the appropriate Committee or Sub-Committee including any Member or officer to whom power has been delegated to make an appointment, any such disclosure made by a candidate, Member, or senior officer.
- (d) Directors shall record in a book to be kept for the purpose particulars of such disclosure made under this Rule.
- (e) Where relationship to a Member of the Council is disclosed, that Member shall withdraw from the meeting while the appointment is under consideration.

1.2 Seeking support for appointment

- (a) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (b) No Councillor will seek support for any person for any appointment with the Council.

1.3 Equal Opportunities

The Council will not unlawfully discriminate in the recruitment and appointment of officers and all appointments shall be made on merit.

2.0 RECRUITMENT OF HEAD OF PAID SERVICE AND DIRECTORS

2.1 Where the Council proposes to appoint a Head of Paid Service or a Director¹ the Council will:

- (a) draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

2.2 Where a post has been advertised as provided in Rule 2.1, the authority shall:-

- (a) interview all qualified applicants for the post, or
- (b) select a shortlist of such qualified applicants and interview those included on the shortlist.
- (c) Members of the Executive will be given the names of those candidates to be interviewed.

2.3 Where no qualified person has applied, the authority shall make further arrangements for advertisement in accordance with Rule 2.1(b).

¹ "Directors" for the purpose of paragraph 4.1 and "Director" for the purposes of paragraphs 2.1, 4.2 to 4.2.5 and 7.3 and 7.4 shall mean any officer(s) referred to in sub-paragraph (b), (c), or (d) of paragraph 3 of Part II of Schedule 1 of the Local Authorities (Standing Orders)(England) Regulations 2001, namely:

- the Deputy Chief Executive, those named as Directors in the Council structure and any other officers who are required to report directly to, or who are directly accountable to, the Chief Executive in relation to most or all of the duties of their posts; and
- any officer who is required to report directly to, or is directly accountable to, any officer included within the immediately preceding paragraph in relation to all or most of the duties of their post.

3.0 APPOINTMENT OF HEAD OF PAID SERVICE

- 3.1 Following a recommendation of the Employment Committee that a particular candidate should be appointed to the post of Head of Paid Service, the Proper Officer shall notify every member of the Executive of the following:
 - 3.1.1 The name of the person to whom the Employment Committee recommends that the post be offered;
 - 3.1.2 Any other particulars relevant to the appointment which the Employment Committee has notified to the Proper Officer²;
 - 3.1.3 The period within which any objection to the making of the offer is to be notified to the Proper Officer. The standard period will be 3 working days, but may be shortened by the Chair of the Employment Committee where necessary for the proper discharge of the Authority's functions, subject to a minimum period of 24 hours.
- 3.2 The full Council may only make an offer of appointment to the post of Head of Paid Service to the person recommended by the Employment Committee provided that:
 - 3.2.1 The Proper Officer has, within the period specified in the notice under paragraph 3.1.3, notified the full Council that each member of the Executive has stated that they do not have any objection to the making of the offer; or
 - 3.2.2 The Proper Officer has notified the full Council that no objection was received by him from any member of the Executive within the specified period; or
 - 3.2.3 The full Council is satisfied that any objection which has been received from any member of the Executive within the specified period is not material and/or is not well-founded or does not outweigh the other factors taken into consideration by the Employment Committee³.

² It will be a matter for the Employment Committee to determine in each case what particulars are relevant for these purposes, for example: the identity of the proposed appointee's latest two employers/host organisations, the posts or offices held and the duration of employment/office holding in each case.

³ It will be a matter for the full Council to determine in each case whether any particular objection is material and/or well-founded, having regard to the relevance of any such objection to the suitability of the particular candidate for that particular role, not being matters which relate to a protected characteristic under s.4 of the Equality Act 2010. The terms "material" and "well-founded" shall bear their normal dictionary meanings.

4.0 APPOINTMENT OF DIRECTORS

- 4.1 The Employment Committee will appoint Directors.
- 4.2 Before the Employment Committee makes an offer of appointment to the post of Director, the Proper Officer shall notify every member of the Executive of the following:
 - 4.2.1 The name of the person to whom the Employment Committee intends to offer the post;
 - 4.2.2 Any other particulars relevant to the appointment which the Employment Committee has notified to the Proper Officer⁴;
 - 4.2.3 The period within which any objection to the making of the offer is to be notified to the Proper Officer. The standard period will be 3 working days, but may be shortened by the Chair of the Employment Committee where necessary for the proper discharge of the Authority's functions, subject to a minimum period of 24 hours.
 - 4.2.4 The Employment Committee may only make the offer of appointment provided that:
 - 4.2.5 The Proper Officer has, within the period specified in the notice under paragraph 4.2.3, notified the Employment Committee that each member of the Executive has stated that they do not have any objection to the making of the offer; or
 - 4.2.6 The Proper Officer has notified the Employment Committee that no objection was received by him from any member of the Executive within the specified period; or
 - 4.2.7 The Employment Committee is satisfied that any objection which has been received from any member of the Executive within the specified period is not material and/or is not well-founded or does not outweigh the other factors taken into consideration by the Employment Committee⁵.

⁴ It will be a matter for the Employment Committee to determine in each case what particulars are relevant for these purposes, for example: the proposed appointee's latest two employers/host organisations, the posts or offices held and the duration of employment/office holding in each case.

⁵ It will be a matter for the Employment Committee to determine in each case whether any particular objection is material and/or well-founded, having regard to the relevance of any such objection to the suitability of the particular candidate for that particular role, not being matters which relate to a protected characteristic under s.4 of the Equality Act 2010. The terms "material" and "well-founded" shall bear their normal dictionary meanings.

5.0 OTHER APPOINTMENTS

- 5.1 **Officers below Director.** Appointment of officers below Directors (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.
- 5.2 **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

6.0 DISCIPLINARY ACTION

- 6.1 **Suspension.** The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct.
- 6.2 Councillors will not be involved in the disciplinary process in respect of any officer below Director level except where such involvement is necessary for any investigation or inquiry into alleged misconduct.

7.0 DISMISSAL AND OTHER DISCIPLINARY ACTION

- 7.1 Councillors will not be involved in the dismissal of any officer below Director except where such involvement is necessary for any investigation or inquiry into alleged misconduct.
- 7.2 **The Head of Paid Service, Chief Finance Officer and Monitoring Officer**
- 7.2.1 Subject to the provisions of paragraph 7.4, the Employment Committee may take disciplinary action short of dismissal or recommend to full Council that the Head of Paid Service, Chief Finance Officer or Monitoring Officer be dismissed. Only full council can approve the dismissal of the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer (referred to below in each case as “the relevant officer”).
- 7.2.2 Before taking a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular-
- (a) any advice, views or recommendations of an independent panel⁶.
 - (b) the conclusions of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.
- 7.2.3 The independent panel referred to must be appointed by the authority at least 20 days before the relevant meeting and should comprise a minimum of two independent panel members.

7.3 Directors

⁶ Appointed under s.102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended)

- 7.3.1 Subject to paragraph 7.4 and (in the case of the Chief Finance Officer and the Monitoring Officer) paragraphs 7.2.1 to 7.2.3, the Employment Committee may dismiss or take disciplinary action short of dismissal in respect of Directors.
- 7.4 Notice of dismissal of a Director (falling within the definition under footnote 1 above) must not be given until the Proper Officer has notified every member of the Executive of the following:
- 7.4.1 the name of the person who the Employment Committee proposes to dismiss;
- 7.4.2 any other particulars relevant to the dismissal⁷; and
- 7.4.3 the period within which any objection to the dismissal is to be made by any member of the Executive to the Proper Officer; and either:
- 7.4.4 the Proper Officer has within the specified period notified the Employment Committee that each member of the Executive has stated that they do not have any objection to the dismissal; or
- 7.4.5 the Proper Officer has notified the Employment Committee that no objection was received by him within the specified period from any member of the Executive; or
- 7.4.6 the Employment Committee is satisfied that any objection received is not material and/or is not well-founded⁸.

8.0 POLITICAL ASSISTANTS

- 8.1 Not more than one political assistant's post shall be allocated by the Council, from time to time, to each of the qualifying political groups into which the Council is divided.
- 8.2 No appointment to a political assistant's post shall be made until the Council has allocated such a post to each qualifying political group.
- 8.3 For the purpose of this Rule, a "qualifying political group" means a political group which qualifies for the allocation to it of a political assistant's post in accordance with sub-sections 6 and 7 of Section 9 of the Local Government and Housing Act 1989.

9.0 POLITICAL RESTRICTIONS ON COUNCIL EMPLOYEES

⁷ It will be a matter for the Employment Committee to determine in each case what particulars are relevant for these purposes.

⁸ It will be a matter for the Employment Committee to determine in each case whether any particular objection is material and/or well-founded, not being matters which relate to a protected characteristic under s.4 of the Equality Act 2010. The terms "material" and "well-founded" shall bear their normal dictionary meanings.

- 9.1 All persons exercising powers of appointment, shall do so only in accordance with the legislative provisions restricting political activity as detailed in the Local Government Act 1972 and the Local Government and Housing Act 1989.
- 9.2 The Head of Paid Service will, in accordance with the Local Government and Housing Act 1989 and if requested to do so, determine whether to grant or revoke exemptions to posts from inclusion on the list of politically restricted posts maintained by the Council. In carrying out these functions, the Head of Paid Service will consult the Monitoring Officer.
- 9.3 Directors have a duty to apply to the Head of Paid Service to revoke any exemption to inclusion on the list of politically restricted posts, for a post within their service area, where the duties of that post have substantially changed and/or where the Director believes that the exemption is no longer appropriate.
- 9.4 The Chief Officer (Human Resources) will maintain a list of all politically restricted posts within the Council. Directors have a duty to inform the Chief Officer (Human Resources) of any post within their structures which should be included on the list of politically restricted posts under the Local Government and Housing Act 1989.

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Report of *Chief HR Officer*

Report to *Employment Committee*

Date: *13th November, 2015*

Subject: *Appoint of Chief Officer Commissioning, Adult Social Services*

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix 3 is exempt under rule (10.4 (1) & (2))	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

This report outlines the background to the creation of the temporary post of Chief Officer Commissioning, Adult Social Services

The commission function in Adult Social Care is a critical aspect of developing a full portfolio of services for Adults across the City of Leeds. The appointment of a temporary Chief Officer for between 9 to 12 months will best facilitate developing options for the future commissioning arrangements with partners, particularly Health providers, in the city.

The report outlines the recruitment stages for the post.

Recommendations

The Employment Committee is asked to:

- Agree to the recruitment of the temporary post of Chief Officer, Commissioning Adult Social Services in place of the Deputy Director post (currently vacant); and
- Following the interview and selection process make a recommendation for appointment.

1 Purpose of this report

- 1.1 This report outlines the reasons for the temporary replacement of the of the vacant Deputy Director post (Dir 90%) with that of the Chief Officer Commissioning (Director 85%) in Adult Social Services.

2 Background information

- 2.1 The health and social care world has been one of changing policies, vision and strategies to which Leeds has responded well. A key aspect of the Authority's response has been the effective delivery of commissioned services with strong partnerships arrangements with the health, independent and voluntary sectors.
- 2.2 The "Better Lives for Leeds" strategy recognises the need to develop the care market so there are a range of different types of enterprises providing care and support and a greater range of health and well-being activities for people in the city.
- 2.3 The Deputy Director position responsible for leading our commissioning function is currently vacant and this provides an opportunity to assess our commissioning needs and future direction.

3 Main issues

- 3.1 Through effective commissioning, Leeds has helped develop the market within the City to ensure value for money and the delivery of effective outcomes. With deepening financial challenges, the time has now come to consider how to take forward our commission agenda in order to ensure that we are both maximising value for money and delivering improved outcomes.
- 3.2 The next stage of this development will be to enhance our joint working, especially with our health partners, developing a commissioning capacity which supports the increasingly integrated world of Health and Social Care and recognises the dependencies with each.
- 3.3 By the temporary replacement post, the Directorate is giving the Authority the maximum flexibility in considering a range of organisational relationships for managing our future commission arrangements, whilst at the same time providing sufficient strategic leadership and direction to support existing activities and functions.
- 3.4 The main focus for the Chief Officer Commissioning will be to provide strategically and operationally accountable leadership for Strategic Commissioning along with Joint and Integrated Commissioning functions. The Chief Officer of Commissioning will work closely with the Director of Access and Care Delivery on safeguarding issues, with a key role around safeguarding issues in commissioned services. The postholder will be a member of the Best Council Leadership Team.
- 3.5 The Job Description for the post has been attached and has been evaluated in line with Leeds City Councils processes for JNC posts. (Appendix 1)

3.7 Given the temporary nature of the post, an assessment has been made that there is sufficient internal capacity to fulfil this role through internal recruitment within Leeds City Council. It has also been identified that there is no need at this time to have the formal deputising for the Director within the remit of this post. The post will have a duration of 9 to 12 months by which time proposals for new arrangements for commissioning will be developed.

3.8 The recruitment process has been co-ordinated by Human Resources

The recruitment process followed was:

- Expression of Interest requested – Open to all Council JNC or equivalent postholders
- Expression of interest forms submitted – 2 page maximum
- Member interview panel

Their expression of interest applications are attached to the Employment Committee report (Exempt Appendix 3)

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The proposals contained in this report have been consulted with the leadership of the Council and with key partners. There is a consensus that the proposal is a pragmatic and sensible approach for the next period to help contribute to the future development of commissioning in Leeds, whilst maintaining the quality and outcomes of existing services. Meeting have been set up with the trade unions to consult on this interim appointment.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 This post has had an equality impact assessment. (Appendix 2)

4.3 Council policies and the Best Council Plan

4.3.1 This post will make a significant contribution to the Better Lives strategy and Best Council Plan objectives. It will also play a leading role in a number of the key Breakthrough projects especially making Leeds the best place to grow old in.

4.4 Resources and value for money

4.4.1 The proposal for a 9 to 12 month contract provides flexibility in this area. The post has been appropriately graded in line with the Council's Job Evaluation processes. The post is lower graded than former Deputy Director role at Dir 85% and will represent a temporary saving within the JNC payroll.

4.5 Legal Implications, Access to Information and Call In

4.5.2 This post is a Member appointment given its reporting lines and will be recruited to in accordance with Officer Employment Procedure Rules.

- 4.5.3 The information in exempt. Appendix III attached to this report relates to the personal details of Council employees applying for employment within the authority.

It is considered that since this information relates to the personal details of Council Employees it is not in the public interest to disclose this information at this point in time.

Also it is considered that the release of such information would or would be likely to prejudice the Council's ability to recruit effectively to similar posts in the future

It is therefore considered that this element of the report should be treated as exempt under Rule 10.4.(1) and (2) of the Access to Information Procedure Rules.

4.6 Risk Management

- 4.6.1 The commissioning function in Adult Social Services is of strategic importance to the effective delivery of services both within the council and the social care market in Leeds. Failure to provide appropriate leadership and strategic direction in the next period would pose a significant risk.

5 Conclusions

- 5.1 Members of the Employment Committee are to agree the content of this report

6 Recommendations

- 6.1 The Employment Committee is asked to agree the following:
- 6.1.1 Agree to the recruitment of the temporary post of Chief Officer, Commissioning Adult Social Services.
- 6.1.2 Following the interview and selection process make a recommendation for appointment.

7 Background documents¹

- 7.1 N/A

Appendixes for the report

Appendix 1 Job description

Appendix 2 Equality Screening report

Appendix 3 Expressions of Interest from Shortlisted candidates to be distributed under separate cover (Designated as exempt from publications under the provisions of Access to Information Procedure Rules 10.4(1) and (2) (to follow).

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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Leeds City Council

Job Description and Person Specification

Job Title: Chief Officer Commissioning **Date:** Aug 2015

Accountable to: Director of Adult Social Services **Grade:** Dir 85%

Job Purpose:

Working as part of the Best Council leadership team, you will live and model values and behaviours to help us to achieve our ambition to become the best city council in the country, and the best city in the UK.

The Chief Officer Commissioning is specifically strategically and operationally accountable for Strategic Commissioning, Joint and Integrated Commissioning functions, comprising of Analysis of Need, Service Design, Strategic Partnering, Procurement, Contracting, Quality and Performance Assurance, Enterprise, Market oversight and Partnership Development. The Chief Officer of Commissioning will work closely with the Director of Access and Care Delivery on safeguarding issues, with a key role around safeguarding issues in commissioned services.

Key accountabilities:

General

- Person centred in your ideas, language and actions, constantly striving to improve through outcomes for older people and vulnerable adults in Leeds
- Enhance public and private sector relationships to help to bring the city together
- Provide strategic leadership on behalf of Adult Social Care Services in bringing together joint commissioning and shared resources with partners in the city, particularly the NHS
- Develop the role of the service to facilitate the directorate's multi agency approach and to ensure the effective co-ordination of resources (financial, human, physical or other) which support a whole service approach centred around the social care needs of adults and their families, especially those who are most vulnerable
- Knowledge and experience of performance management and project management methodology such as Outcome Based Accountability
- Lead by example, fostering effective joint working and build teams which deliver outcomes. Provide professional direction and support to immediate line reports creating an organisational climate of learning and continuous improvement so that services improve outcomes for all and are organised around older people, vulnerable adults and their family needs.
- Positively and effectively lead, shape and influence the service to attain the Better Lives vision and goals, actively promote council and partnership values and the ambition to become the best city

- Build strong and dynamic relationships and trust with politicians, partners, stakeholders, older people and vulnerable adults, their families, communities and external agencies to enhance profile and reputation
- Anticipate emerging issues / changing context and develop strategies quickly to solve problems or seize opportunities
- Identify links between societal and economic trends, stakeholder concerns, the policy agenda, and service issues
- Ensure that all services are fit for purpose, provide value for money, and attain inspection ratings that are good or outstanding where required
- Overall responsibility for effective performance management and compliance with systems to ensure increased productivity, quality assurance, risk management and audit which focus on improving outcomes for older people and vulnerable adults
- Deputise for the Director / represent the directorate, as required, on all matters relating to the leadership, management, and development of services to older people and vulnerable adults

Specific

- Act as the Director's nominee for the hosting of integrated, joint and lead commissioning initiatives and all pooled fund arrangements under S75 and 256 of the Health Act 2006
- Ensure that all services are fit for purpose, provide value for money, improve outcomes and deliver high quality services to the people of Leeds
- Set and deliver transformational goals within broad perspectives and long term guidelines within Strategic Commissioning
- To ensure the development of market capacity to enable the achievement of service strategies
- To be accountable for safeguarding issues in commissioned services, working in close collaboration with the Chief Officer Access and Care Delivery
- To be the principal advisor on strategic commissioning service provision related matters for the Council's Elected Members and senior officers
- Ensure compliance with all relevant Legislation and Council policies and procedures within Strategic Commissioning
- Ensure the development of a fit for purpose workforce development strategy for the sector
- Develop new and collaborative service delivery pathways

Please carefully read the notes of guidance enclosed with the application form and provide information to help us decide whether you meet the criteria below.

Qualifications, Skills, Experience & Knowledge	Essential	Method of assessment [Application/Interview/Test/Other]
1. Degree and post graduate qualification	*	Application form and verification
2. Membership of relevant professional bodies and evidence of on-going Personal Development	*	Application form and verification
3. Management qualification		Application form and verification
4. Extensive successful leadership experience at a senior level within Adults Social Services or relevant environment including experience of change management, resource management	*	Application and Interview
5. Demonstrate drive, energy, resilience and self-management skills as well as integrity, openness and awareness of others	*	Interview
6. Experience of working in a multi- agency environment and forging and driving successful partnerships	*	Interview
7. Experience of having implemented strategies leading to successful outcomes for vulnerable adults	*	Interview
8. Experience of leading, managing, engaging and developing a large multi-disciplinary and geographically dispersed workforce	*	Interview
9. Demonstrates understanding of inspection regimes and evaluation frameworks pertinent to adults social services and has experience of delivering successful outcomes	*	Interview
10. Knowledge of current local and national issues impacting upon the service and can demonstrate a clear linkage with the needs of the vulnerable adults throughout the City.	*	Assessment / Interview
11. Evidence of having provided direction and support to individuals and teams promoting a 'can do' attitude and an environment of continuous improvement	*	Interview
12. Demonstrate ability to make difficult decisions and be held accountable, and be comfortable managing targets and outputs.	*	Assessment / Interview
13. Ability to find and implement creative and innovative solutions to complex strategic problems	*	Assessment / Interview
14. Excellent communication skills with the ability to influence, negotiate and establish credibility for the service, to enhance its reputation, and to form positive relationships	*	Assessment / Interview

15. Demonstrate an understanding of the Better Lives concepts and the voice and influence of vulnerable adults to underpin this.	*	Assessment / Interview
16. Understanding/experience of using outcomes based accountability methodology to drive service improvement.	*	Application /Interview

Core Competencies – all of the following are essential	Method of assessment [Application/Interview/test]
<u>Working as a Team for Leeds</u> Provide leadership and team working skills including the ability to work with and through others, implements corporate decisions with energy and vigour	Application / Assessment / Interview
<u>Being Open, Honest and trusted</u> Ensures citizens and council members are provided with all relevant information to make decisions; learns from mistakes and seeks to promote continuous improvement and best practice	Application / assessment / Interview
<u>Working with Communities</u> Works effectively with a variety of partner organisations to deliver services; communicates and involves stakeholders and the wider community in new developments to encourage ownership and commitment	Application /assessment / Interview
<u>Treating People Fairly</u> Recognise that everyone has an equally important part to play within the Council and valuing the diverse and vibrant nature of the city and all its citizens	Application /assessment / Interview
<u>Spending Money Wisely</u> Sets high expectations of achievement across a range of strategic outcomes; actively seeks out opportunities to improve delivery of services through partnership and feedback from service users	Application /assessment / Interview

Whilst these competencies may relate to this role more specifically for recruitment and selection purposes, following appointment, all members of staff are expected to demonstrate they meet all of our competencies.

Equal Opportunities: Equal opportunities in the council is about making sure that everyone can fully join in the social, cultural, political and economic life of the city.

The City Council is committed to its value of Treating People Fairly, this includes our staff and the people of Leeds. We will make sure that we do not discriminate against people because of their age, impairment, ethnic origin, nationality, religious belief, social class, gender, sexual orientation, gender reassignment, marital status, responsibility for dependants, trade union activity or for any other unfair reason.

Health and Safety: The Council believes that ensuring the safety, health and well-being of employees, contractors, service users (including learners) and all others affected by our activities is essential to accomplishing our ambition and values.

As a large employer we are committed to being an exemplar for good practice and contributing to the wider health agenda by ensuring that work doesn't contribute to poor health, using the workplace to improve health and well-being, and supporting our workforce to be "Happy, Healthy and Here".

We expect all employees to contribute to their own individual safety and well being and to that of others who may be affected by their actions.

Physical Conditions

The post holder will initially be based at the directorate's headquarters in Enterprise House in the centre of Leeds, however the post-holder may be required as part of their duties to work in other locations throughout the city to effectively deliver their duties.

Leeds City Council has a no smoking policy.

Relationships:

The post holder will be required to maintain effective relationships with staff at all levels within the Directorate and across the Council, Elected Members, external agencies, partners, children and young people, and the general public.

Job Description Prepared / Reviewed by:

Name: Cath Roff

Designation : Director of Adult Social Services

Date: Aug 2015

Job Description Approved by: Human Resources

Name: Carol Gill

Designation: Head of HR – Adult Social Care

Date: Aug 2015

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Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Adult Social Services	Service area: Directorate
Lead person: Cath Roff	Contact number: 0113 378 3884

1. Title: Appointment to Chief Officer Commissioning, Adult Social Services

Is this a:

☐

Strategy / Policy

☐

Service / Function

☒

Other

If other, please specify – Employment Appointment

2. Please provide a brief description of what you are screening

The proposal and recruitment to the new post of Chief Officer Commissioning, Adult Social Services

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	X	
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none">• Eliminating unlawful discrimination, victimisation and harassment• Advancing equality of opportunity• Fostering good relations	X	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?**

The Job Description and Person Specification for this post gives clear expectations of this role. The recruitment process will be member lead and test and explore the commitment in relation to a number of equality areas such partnership working, fostering good relationship and addressing inequalities in the city.

The post itself will play a lead role to deliver commissioned services in the city within the existing well established frameworks and have to opportunity to further enhance our commitments to better, fairer outcomes to users of Leeds services.

- **Key findings**

The appointment of a strong candidate will enhance better equality outcomes through the effective fulfilling the functions of this role.

- **Actions**

The impact and assessment of this post will be managed through the Council's existing management, performance reporting and appraisal processes

5. If you are *not* already considering the impact on equality, diversity, cohesion and integration you *will need to carry out an impact assessment*.

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Carol Gill	Head of HR	15 th October 2015
Date screening completed 14 th October, 2015		

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: