

**Report of City Solicitor**

**Report to Leader of Council**

**Date: 24<sup>th</sup> January 2017**

**Subject: Executive Arrangements**

Are specific electoral wards affected? If yes, 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

**Summary of main issues**

1. The Leader's executive arrangements provide inter-alia details of functions delegated to each Director and the oversight each Executive Member has in relation to the functions within their portfolio.
2. The Head of Paid Service has agreed a new organisational structure which is to take effect from 1st April 2017. As a result amendments to the Officer Delegation Scheme (Executive Functions) are necessary to reflect the new arrangements in respect of Corporate Leadership Team. Consequential amendments to the Executive Members Oversight of officer delegations are also required.

**Recommendations**

1. The Leader is requested to approve amendments to her Executive Arrangements as listed below with effect from 1<sup>st</sup> April 2017:-
  - 1.1 Executive Members' Oversight of Officer Executive Delegations (Appendix M)
  - 1.2 Community Committee Executive Delegation Scheme (Appendix N)
  - 1.3 Officer Delegation Scheme (Executive Functions)
    - General Delegations (Appendix B)
    - Chief Executive (Appendix C)
    - Director of Resources and Housing (Appendix D)
    - Chief Officer (Financial Services) (Appendix E)

- City Solicitor (Appendix F)
- Director of Communities and Environment (Appendix G)
- Director of City Development (Appendix H)
- Chief Planning Officer (Appendix I)
- Director of Children and Families (Appendix J)
- Director of Adults and Health (Appendix K)
- Director of Public Health (Appendix L)
- (Note the removal of Deputy Chief Executive, Assistant Chief Executive (Citizens and Communities), and Director of Environment and Housing)

## **1. Purpose of this report**

- 1.1 This report sets amendments to the Leader's executive arrangements which are necessary to reflect the new organisational structure developed by the Head of Paid Service.

## **2. Background information**

- 2.1 At the Annual Meeting of Council on 19<sup>th</sup> May 2016 the Leader presented details of her executive arrangements to Council.
- 2.2 The Leader may amend the scheme of delegation relating to executive functions at any time during the year and must present a report detailing any such changes at the next ordinary meeting of Council.

### Organisational Structure

- 2.3 By delegated decision dated 24<sup>th</sup> January 2017 The Head of Paid Service has approved a new organisational staffing structure.
- 2.4 The structure was developed working with Members and officers, to support the Council's ambition of being a compassionate city with a strong economy, and to ensure the Council's continued improvement while making significant savings.
- 2.5 As the Council is placing a greater emphasis on our work in localities, services from citizens and communities will merge with some of those from environment and housing. This will enable a greater impact on reducing inequalities across the city and particularly in some of the most deprived neighbourhoods. The merger will create a new Communities and Environment directorate.
- 2.6 Following the retirement of the current post holder at the end of March 2017, the role of deputy chief executive will be deleted. The work of the strategy and resources directorate will however continue and the existing Director of Environment and Housing will be re-designated as Director of Resources and Housing and will, in addition to corporate responsibilities, retain responsibility for work areas including housing and sustainability.
- 2.7 Subject to approval by Full Council it is proposed to appoint the Chief Financial Services Officer as S151 officer. The post holder will report to the Director of Resources and Housing, attend Executive Board, and have the degree of independence necessary to fulfil the role.
- 2.8 To improve the Council's partnership work with health colleagues, bring together related commissioning functions, and ensure delivery of the sustainability and transformation plan the existing directorate of Adult Social Services will combine with the directorate of Public Health. The Director of Public Health will retain his statutory responsibilities whilst becoming part of the Director of Adults and Health's leadership team.
- 2.9 The diagram attached at Appendix A to this report sets out the proposed organisational structure which will be included as Part 7 of the Council's Constitution.

### **3. Main issues**

#### Officer Delegation Scheme

- 3.1 As a result of the changes made to the organisational structure the Leader is requested to consider and approve the Officer Delegation Scheme (Executive Functions) which will comprise delegations to the Directors as follows:-
- 3.2 General Delegations (Appendix B) – includes the addition of ‘matching service to need’ under the heading ‘Ways of Working’ to enable all Directors to continue to ensure that they are aware of current and emerging demography and needs analysis and engage with locality management teams and community committees to appropriately match service provision to need.
- 3.3 Chief Executive (Appendix C) – there are no amendments from the existing scheme.
- 3.4 Director of Resources and Housing (Appendix D) – includes the existing delegations to the Deputy Chief Executive (other than those in relation to ensuring effective financial management and controls which are delegated to the Chief Officer (Financial Services) below) and delegations currently made to the Director of Environment and Housing in respect of sustainable energy and carbon reduction; landlord functions; and housing functions.
- 3.5 Chief Officer (Financial Services) (Appendix E) – this is a new delegation reflecting the separation of the role of S151 officer from the Director of Resources and Housing.
- 3.6 City Solicitor (Appendix F) – there are no amendments from the existing scheme.
- 3.7 Director of Communities and Environment (Appendix G) – includes all of the existing delegations of the Assistant Chief Executive (Citizens and Communities) and some currently made to Director of Environment and Housing in respect of community safety; public health protection and control of statutory nuisance; environmental health and consumer protection; streetscene and environmental management; car parking; waste; cemeteries, crematoria, burial grounds and mortuaries; parks and countryside; countryside management; and ecological sustainability.
- 3.8 Director of City Development (Appendix H) – the scheme includes responsibility for information, education and training previously included in delegations to the Director of Children’s Services, in addition to providing greater detail in relation to the flood and water management function in the existing delegation scheme.
- 3.9 Chief Planning Officer (Appendix I) – there are no amendments from the existing scheme.
- 3.10 Director of Children and Families (Appendix J) – the responsibility for information, education and training has been relocated to the Director of City Development.
- 3.11 Director of Adults and Health (Appendix K) – the revised scheme includes functions relating to public health and adult social services. However statutory functions of the Director of Public Health are reserved through the specific officer delegations to that post.
- 3.12 Director of Public Health (Appendix L) – The revised scheme includes those functions which are the statutory responsibility of the Director of Public Health.
- 3.13 The Leader will note that the existing delegations to Deputy Chief Executive, Assistant Chief Executive (Citizens and Communities) and Director of Environment

and Housing will be removed from the Officer Delegation Scheme (Executive Functions).

#### Executive Member Responsibilities

- 3.14 The Leader is requested to approve the consequential changes to the executive Member oversight document setting out the altered allocation of functions in existing portfolios as shown at Appendix M attached. The Leader will note that each portfolio maintains the same functional oversight although the functions may have moved from one directorate to another. Executive Members have been briefed in relation to any new reporting arrangements which will apply.

#### Community Committee Delegations

- 3.15 Similarly the Leader is requested to approve the consequential changes to the Community Committee Executive Delegation Scheme setting out the altered arrangements for the concurrent delegation of functions shown at Appendix N attached. Again the Leader will note that the substantive content of the document remains the same.

#### Proposals for General Purposes Committee

- 3.16 The Leader will be aware that the proposed organisational changes will also require amendments to the Constitution which can only be approved by Council. The Leader may therefore wish to note that the City Solicitor intends to request General Purposes Committee to make the following recommendations to Council at its meeting on 22<sup>nd</sup> February:-
- 3.16.1 Designation of the Chief Officer (Financial Services) as S151 Officer;
- 3.16.2 Amendments to Articles 12 and 15, and Responsibility for Local Choice Functions to reflect the new Directorships and the change in statutory officers;
- 3.16.3 Amendments to the Officer Delegation Scheme (Council Functions) to reflect the changes outlined above;
- 3.16.4 Amendments to the Scrutiny Boards terms of reference indicating which Directors are responsible for each of the functions within their remit (the Leader may wish to note that these changes do not alter the remit of any of the Scrutiny Boards )

#### Consequential Amendments

- 3.17 The Leader is requested to note that the City Solicitor intends to use her authority as Monitoring Officer to make further amendments to the constitution to ensure that the new arrangements for the delegation of functions are reflected throughout the constitution. In particular amendments will be required to:
- Community Committee Procedure Rules
  - Contracts Procedure Rules
  - Financial Regulations
  - Officer Employment Procedure Rules
  - Protocol for the Co-ordination of external inspection reports
  - Management Structure Diagram

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

4.1.1 The Head of Paid Service has engaged officers and Members in developing these changes, in part by making the changes in response to issues raised about where the existing organisational arrangements don't work. As some of the reasons for these changes are to make financial savings, consultation has also been done through the budget setting process. Whilst the changes are significant, the main emphasis of change continues to be on the culture change through values.

### **4.2 Equality and diversity / cohesion and integration**

4.2.1 There are no implications for this report.

### **4.3 Council policies and best council plan**

4.3.1 The changes outlined within this report support the Council's ambition of being a compassionate city with a strong economy.

### **4.4 Resources and value for money**

4.4.1 The organisational structure which underlies the changes proposed in this report intends to enable the best use of the Council's human resources to deliver council services. The changes to organisational shape, including JNC reductions, deliver a financial saving to the Council that is reported elsewhere in budget papers.

### **4.5 Legal implications, access to information, and call-in**

4.5.1 As a decision of the Leader in relation to her executive arrangements this report will not be open to Call In. The decision will however be published as a significant operational decision and the Leader will need to report the changes to her executive arrangements to the next ordinary meeting of Council.

### **4.6 Risk management**

4.6.1 The proposed amendments will ensure that the Council's constitution remains up to date and fit for purpose and that decision making arrangements are robust.

## **5. Conclusions**

5.1 Changes to the organisational structure require amendments to the Leader's executive arrangements.

## **6. Recommendations**

6.1 The Leader is requested to approve amendments to her Executive Arrangements as listed below with effect from 1<sup>st</sup> April 2017:-

6.1.1 Executive Members' Oversight of Officer Executive Delegations (Appendix M)

6.1.2 Community Committee Executive Delegation Scheme (Appendix N)

6.1.3 Officer Delegation Scheme (Executive Functions)

- General Delegations (Appendix B)
- Chief Executive (Appendix C)
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- (Note the removal of Deputy Chief Executive, Assistant Chief Executive (Citizens and Communities), and Director of Environment and Housing)

## **7. Background documents<sup>1</sup>**

7.1 None

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<sup>1</sup> 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.