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To: County Council

Date: 23 March 2023

Subject: Top Tier Restructure

SUMMARY: This report proposes changes to the current senior management structure in the Children, Young People and Education and Adult Social Care and Health Directorates. The paper outlines the reason for, and details of, the changes.

Recommendations:

County Council is asked to:

1. AGREE the deletion of the posts of Director – Special Educational Needs & Disability and the Director – Integrated Children’s Services posts in the Children, Young People and Education Directorate.
2. AGREE the deletion of the post of Strategic Commissioner from the Chief Executive’s Department.
3. AGREE the creation of the role of Director - Adults and Integrated Commissioning in the Adult Social Care and Health Directorate
4. AGREE the introduction of the revised posts of Director – Education & SEN, Director – Operational Integrated Children’s Services and Director – Children’s Countywide Services posts in the Children, Young People and Education Directorate
5. AGREE the descriptions for the four new roles as set out in Appendices 3, 4, 5, and 7.

1. INTRODUCTION

- 1.1 The current Directorate structure in Kent County Council has been in place for several years and has provided a stable platform for the delivery of services across our main areas of focus – community facing Place based services, including transport; support for children and families, including education; adult social care and public health. This service delivery is underpinned by the professional support services provide by the Chief Executive and deputy Chief Executive’s departments.
- 1.2 It is important that senior posts within these Directorates adapt when required to the ever-changing environment in which the Authority operates.

- 1.3 The need to initiate the changes outlined in this paper is occasioned by two main pressures – the imperative to make sustained improvements to our services to children and young people with special educational needs whilst maintaining focus on our excellent children’s social care provision and, secondly, the need to adapt to closer integration with the NHS in relation to adult social care services whilst maintaining the principles of a strategic commissioning authority.
- 1.4 This paper outlines proposed changes in our current top tier structure to meet these objectives.

2. REASONS FOR CHANGE TO THE DIRECTOR ROLES IN CHILDREN, YOUNG PEOPLE AND EDUCATION (CYPE)

- 2.1 The current senior structure of the Children, Young People and Education (CYPE) Directorate has consisted of the Corporate Director and four Directors since March 2020. It is shown at Appendix 1.
- 2.2 A new Corporate Director was appointed in July 2022, and she has taken the opportunity to review how the senior team operates and, also, where responsibility for services should lie. This has also been informed by the outcome of the SEN Ofsted revisit which has prompted the Corporate Director, in consultation with the Leader of the Council and lead cabinet members, to consider the sufficiency of the apportionment of roles and responsibilities in senior management to deliver the statutory and other responsibilities and improvements that are required in that service.
- 2.3 This report recommends the deletion of the current post of Director – Special Educational Needs & Disability and the two Director – ICS posts and the creation of three new Director roles: a Director – Education & SEN, a Director – Operational Integrated Children’s Services and a Director – Children’s Countywide Services.
- 2.4 In 2018 the two Director – ICS roles were created to facilitate the integration of Specialist Children’s Services and Early Help & Preventative Services in order to focus resources on achieving the ambitions set out in KCC’s Strategic Outcomes statement. These two roles were split on an East and West geographical basis.
- 2.5 At that time, the Director Education, Planning and Access led responsibility for liaising with over 600 schools; access and inclusion; school admissions; children with Special Educational Needs (SEN) and oversight and management of The Education People contract.
- 2.6 In 2019 the County Council took the decision to create two Director roles to replace the Director Education, Planning and Access. These were the Director – Special Educational Needs & Disability (SEND) and Director – Education. A key reason for separating out these responsibilities was to accommodate the

integration of Children's Disability Services into the Directorate when it transferred from the Adult Social Services Directorate and to address the need for greater connectivity and co-ordination in delivery of services for these children.

- 2.7 In 2022 the social work services provided by the Directorate were rated by Ofsted as "outstanding". This was a positive outcome for the staff involved and a well-deserved acknowledgement for all the hard work put in by the teams.
- 2.8 The proposal in this report builds on the positives from the social work Ofsted inspection. A single Director responsible for all of the integrated social work teams across the County would provide a platform for increased focus on, and consistency in, social work practice. The government is now bringing forward its response to several reports on children's services issues, including the Josh McAlister review. The proposed new structure will position the Authority well to deliver the recommendations from the review. To enable this new role, it is proposed to bring all of the countywide services that were previously split between the two Directors of Integrated Children's Services under the leadership of one Director. This would include the Children's Disability Service and the Safeguarding, Practice Development and Quality Assurance team which will be augmented to cover all professional practice across the Directorate, including that within Special Educational Needs.
- 2.9 Following the poor outcome of the Ofsted and CQC revisit in 2022 to review progress on the Council's SEN written statement of action there is a critical requirement to make improvements in the SEN service. One of the key aspects of this work is to address the whole Kent system and in particular the relationship with schools and their approach to inclusive education in relation to SEN. With the further drive towards academisation it is vital that this relationship is better established and strengthened. The intelligence received from schools is that they would welcome the Council working more closely with them on this agenda.

3 PROPOSED TOP TIER DIRECTORATE STRUCTURE IN CYPE

- 3.1 It is proposed to introduce three revised Director level roles at the KR17 grade, reporting to the Corporate Director – Children, Young People & Education. The proposed top tier structure chart for the CYPE Directorate is shown at Appendix 2. This will result in a decrease in Director posts in the Directorate from four to three.
- 3.2 The Director – Education & Special Educational Needs will be responsible for the management of Provision Planning and Operations, Schools' Capital Programme, Education Planning and Resources, Fair Access, Attendance and Inclusion, Community Learning & Skills, Special Education Needs service, and Education Psychology Service. The post will lead and drive the improvements required as a result of the SEN Ofsted revisit and will bring closer focus to the whole system change required and, in particular, to

inclusion in mainstream schools. A description of the role is shown in Appendix 3.

- 3.3 The Director – Operational Integrated Children’s Services will lead and develop the strategic and operational delivery of children’s services, including social work services within an integrated Family Support model across Kent, ensuring effective service delivery and that standards and outcomes are continually improved. A description of the role is shown in Appendix 4.
- 3.4 The Director – Children’s Countywide Services will lead and develop the strategic and operational delivery of a range of countywide children’s services, ensuring effective service delivery and that standards and outcomes are continually improved. The responsibilities include ensuring practice and performance across the CYPE Directorate continues to improve and that children and young people are safe guarded. A description of the role is shown in Appendix 5.

4 REASONS FOR CHANGE IN THE COMMISSIONING STRUCTURE

- 4.1 *Framing Kent’s Future*, commits to finding better ways to deliver services for Kent. The majority of KCC services are purchased from third party providers across the public, private and voluntary sector. The challenging market environment and opportunities around integrated ways of working requires us to adapt our commissioning approach. We need greater engagement and want to build a strategic relationship across service users, partners, and providers, with less of a focus on sourcing the provision of services through competitive procurement and a focus on the wider social value that our significant spending power (both individually and collectively with our partners) can achieve.
- 4.2 There are also major financial pressures facing KCC and its key markets and key suppliers, particularly across social care and the voluntary sector, which are fundamental to public service delivery. Therefore, KCC needs to transform the way in which it designs and delivers services to deliver best outcomes for Kent residents whilst protecting the long-term sustainability of the Council, through a different approach towards procurement and commissioning, that places the greater focus required on strategic, long-term planning and effective governance, alongside the need for improved oversight of third party spend, key markets and suppliers, and commercial support on major risks/issues.
- 4.3 As a result of this environment, a review of the current structures and approaches in place across the organisation has been undertaken and has concluded that changes are necessary to the current operating model to ensure the objectives can be met. The review of our commissioning approach and the need to better focus and align our commissioning and procurement expertise, has resulted in proposals to change senior level posts and consult on a wider change to roles in Strategic Commissioning and the service

Directorates. This paper is concerned with the changes to the top tier structure.

5. PROPOSED TOP TIER STRUCTURE FOR COMMISSIONING

- 5.1 The commissioning review has led to the conclusion that the current post of Strategic Commissioner is no longer required. It also concludes that, given the significance of the spend on commissioned services in Adult Social Care and the need to explore ways to maximise integrated commissioning with the NHS, a new post is needed in the Adult Social Care and Health Directorate (ASCH). The current senior structure in the ASCH Directorate consists of the Corporate Director and two Directors, plus Director of Public Health, as shown in Appendix 6. The opportunities for greater integrated work with Health, particularly since the development of the Integrated Care Board (ICB) and full alignment of commissioning activity into the ASCH locality model will result in both the aims and ambitions of the service being realised and an integrated strategic approach to the necessary partnership with service providers. The commissioning review under the direction of the Strategic Reset Programme, was led by John Betts and has engaged with stakeholders across all Directorates, HR & OD, Finance and undertaken benchmarking with other Local Authorities and central government.
- 5.2 There is a need to maximise the resources and capacity we have to better manage the considerable external spend. Within a proposed new operating model, dedicated Commissioning Teams will be established in and aligned to the Adult Social Care and Health (ASCH) and Children, Young People, and Education (CYPE) Directorates with the primary purpose to secure services that make use of the full range of resources available internally, from partners, the market, and the Kent community. By being closer to Directorate leadership teams and operational staff, and by removing the expectation that Commissioning Teams will also lead on procurement activity, Commissioners will be able to build a deeper service knowledge and focus on key commissioning activity, including making sure services address the needs and wishes of service users, meet service requirements, and are informed by the latest innovations.
- 5.3 The review has led to several proposed changes to the structure of commissioning which have been the subject of trade union and staff consultation since 13 March 2023. One of the significant developments that required both Personnel Committee's consideration and County Council agreement is the deletion of the Strategic Commissioner and creation of the proposed new strategic leadership post within ASCH as these posts are part of the organisation's top tier structure.
- 5.4 Recognising the changing national policy landscape, upcoming legislative changes, and opportunities for closer working with Health partners, an Integrated Commissioning Team, hosted in ASCH, is also proposed to be established, driven by the ambition to secure health and social care services working in partnership across the Kent and Medway Integrated Care System. This team, comprised of Adults, Children's, and Public Health Commissioners,

will initially be focused on collaborating with NHS colleagues throughout the commissioning cycle in those areas where there is already close working (e.g., Learning Disability and ASD, Neurodevelopmental Pathways and Complex Care for C&YP, and Public Health). Over time, further areas to collaborate will be jointly identified with the longer-term intention to move towards greater integration in terms of pooled funding and resources across the system, acknowledging the benefits for Kent residents and communities.

- 5.5 The Director of Adults and Integrated Commissioning is proposed to provide strategic leadership and direction, working across senior levels in both KCC and the NHS to develop, implement, and continuously improve this new commissioning approach. The job description for this role is shown in Appendix 7. The proposed top tier structure for the ASCH Directorate is illustrated in Appendix 8.

6 POPULATING THE NEW TOP TIER STRUCTURE

- 6.1 The top tier structure of the Authority is determined by the County Council as set out in the Constitution in paragraph 7(i). The Personnel Committee plays an important role which in this context includes:

- (i) Recommending changes to the top tier structure to the County Council
- (ii) Appointing Senior Managers and determining their terms and conditions (including subsequent pay move)

- 6.2 The Personnel Committee supported the proposed changes to senior management structure in both the CYPE and ASCH Directorates and agreed to recommend these to County Council.

- 6.3 In line with their Terms of Reference the Personnel Committee considered the appointment of officers to the two new posts of Director of Operational Integrated Children's Services and Director of Education and Special Education Needs. It was agreed that the two existing Directors would 'slot' to the equivalent roles in the new structure.

- 6.4 The posts of Director – Children's Countywide Services and Director – Adults and Integrated Commissioning will be advertised, and arrangements made for a member Appointment panel to meet to select a candidate for each of these roles.

7 FINANCIAL CONSIDERATIONS

- 7.1 The net reduction of Director posts at KR17 in CYPE will result in a saving of £133,000 so no additional funding is being sought for this new structure.

- 7.2 There is a net reduction in the cost of the commissioning posts as a result of the deletion of the Strategic Commissioner post at KR18 and creation of the new Director post at KR17. This is approximately £65,000. No additional funding or additional senior management is sought for this new structure.

8. RECOMMENDATIONS

County Council is asked to:

1. AGREE the deletion of the posts of Director – Special Educational Needs & Disability and the Director – Integrated Children’s Services posts in the Children, Young People and Education Directorate.
2. AGREE the deletion of the post of Strategic Commissioner from the Chief Executive’s Department.
3. AGREE the creation of the role of Director - Adults and Integrated Commissioning in the Adult Social Care and Health Directorate
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