

By: Roger Gough – Leader
David Cockburn – Head of Paid Services

To: County Council

Date: 17 June 2020

Subject: Children Young People and Education Directorate – Top Tier Restructure

Classification: **Unrestricted**

SUMMARY: This paper sets out proposals to delete the post of Director Education, Planning and Access and create two new Director posts in the Children, Young People and Education Directorate.

1. RECOMMENDATIONS

- 1.1 The County Council is invited to endorse the recommendation of the Personnel Committee to agree:
- the formal deletion in the structure of the post of Director Education Planning and Access in the Children Young People and Education Directorate.
 - the introduction of a new Director – Education role and a new Director – Special Educational Needs and Disabilities role, both as described in Appendix 3.

2. INTRODUCTION

- 2.1 The current senior structure of the Children, Young People and Education (CYPE) Directorate, as shown Appendix 1 has consisted of the Corporate Director and three Directors since the Directorate was established in April 2017.
- 2.2 Recent changes in the responsibilities of the Directorate and outcome of the SEND Ofsted inspection has led the Corporate Director CYPE to review the sufficiency of senior management capacity to deliver the statutory and other responsibilities and improvements that are now required.
- 2.3 This report recommends the formal deletion of the current post of Director Education, Planning and Access and the creation of two new Director roles: a Director – Education and a Director – Special Educational Needs and Disabilities.
- 2.4 These changes were discussed by the Personnel Committee on 30 January 2020 and the Committee agreed to endorse the proposals. The Personnel Committee also agreed that the recruitment process for the new roles could

begin immediately but that no permanent appointments would be made prior to the full County Council agreeing the revised structure

3 REASONS FOR CHANGE TO THE DIRECTOR ROLES CONFIGURATION

- 3.1 In September 2019, it was agreed between the Director Children Services (DCS) and Director Adult Social Services (DASS) that Disabled Children and Young People Services (DCYPS) should transfer from Adult Social Care and Health to CYPE. This decision was taken to ensure the pathway of services to young people with disabilities was optimised for service users.
- 3.2 The Council for Disabled Children had been invited earlier in 2019 to assist in making the decision about the best location for DCYPS across the adult and children directorates and in that work highlighted the scope to strengthen co-ordination and join-up of provision to address the picture that emerged of parental perception of a fragmented offer for their children and a need to think about expanding the scope of the (well evaluated) DCYPS to meet the needs of a wider cohort of children.
- 3.3 In the current CYPE structure, the transferred responsibilities would sit with the Director Education, Planning and Access. This role already has a considerable breadth of responsibility. The postholder has lead 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. The responsibilities of the post increased dramatically following the SEN reforms contained in the 2014 Children and Families Act which were described as the “biggest education reforms in a generation for children and young people with special educational needs”. These changes have had a significant impact on services both locally and nationally. Whilst this is a national problem, it is clear that the struggle in Kent to keep pace with the increased expectations and demands has been even greater than elsewhere given our size and complexity.
- 3.4 The poor outcome of the Local Area SEND Ofsted Inspection early in 2019 led to the requirement for a Written Statement of Action with nine identified areas of weakness. This necessitates significant additional leadership, input and scrutiny of provision. Whilst KCC is not an outlier in the requirement to produce a Written Statement of Action, the scale of the challenges that we are faced in Kent is reflected in the number of improvements that we need to deliver.
- 3.5 Given the changing requirements of the post, it became clear that the responsibilities of Director Education Planning and Access role were too broad and onerous for a single person. The SEND inspection outcome requires a greater level of management drive and scrutiny than is possible within current resources. There is also a recognition, both from the internal review but also from the work carried out by the Council for Disabled Children, that services are too siloed, did not meet the needs of a sufficiently wide group of young people and needed to be better connected and co-ordinated.

4 PROPOSED TOP TIER DIRECTORATE STRUCTURE

- 4.1 It is proposed to introduce two new Director level roles. Both have been evaluated at KR17 and will be direct reports to the Corporate Director CYPE and a member of the Directorate's Management Team. The proposed top tier structure chart for the CYPE Directorate is shown at Appendix 2.
- 4.2 The Director – Special Educational Needs and Disabilities would be responsible for the management of the Special Education Needs (SEN) service, Disabled Children and Young People Service (DCYPS) and Education Psychology Service, the latter to create a smoother link for pupils with SEN. The post will lead and drive the improvements required as a result of the SEND Ofsted inspection and the reforms required as a result of the changes contained in the 2014 Children and Families Act. A full job description for the role is shown at Appendix 3.
- 4.3 The Director – Education will lead, shape and direct:
- The development and delivery of strategies aimed at improving educational outcomes for all children in Kent including effective school place planning, provision and inclusion.
 - The delivery of support for schools (school improvement, governor services, finance, early years etc), currently through its commissioning strategy in respect of the provision of these education services, through The Education People, to Kent County Council.
 - The strategy for and delivery of Community Learning & Skills across the county.

A full job description is shown at Appendix 3.

5 CONSULTATION

- 5.1 There was one individual directly affected by the proposal to change the Director level posts. Individual consultation has been undertaken about the changes to the senior structure and the content of the new Director roles. The detail of the job descriptions and accountabilities has been developed in consultation with the wider Directorate leadership team. Following the Personnel Committee endorsement of the structure in January 2020, formal discussions were held with the individual personally impacted.
- 5.2 The postholder indicated that he did not wish to be considered for either of the new roles. Importantly he did not meet the requirements of the person specification for the Director –Special Educational Needs and Disabilities role and the Director Education would not have been a “slot” for him because it is more than 25% different than his previous role because of the transfer of activity.
- 5.3 The top tier structure was due to be discussed at the County Council meeting on 19 March 2020. This meeting was cancelled because of the Covid-19 pandemic. In the circumstances and to mitigate legal risk, it was agreed that

it was appropriate for the redundancy to be implemented as planned from 31 March 2020.

6 FINANCIAL CONSIDERATIONS

- 6.1 The cost of the additional KR17 Director post will be accommodated within the Directorate budget, so no additional funding is being sought for this new structure.

7 NEXT STEPS

- 7.1 Further work is required to ensure activity levels are evenly distributed at the levels below the Directors and this will comprise a second phase of the work.
- 7.2 Interim arrangements for the two Director posts will be put in place whilst a full recruitment process is undertaken should the new structure be agreed by the County Council. This will involve an internal and external recruitment/ Executive search campaign. A Personnel Committee Member Appointment panel will be convened.

8. RECOMMENDATIONS

- 8.1 The County Council is invited to endorse the recommendation of the Personnel Committee to agree:
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 - the introduction of a new Director – Education role and a new Director – Special Educational Needs and Disabilities role, both as described in Appendix 3.

Amanda Beer
Corporate Director People and Communications
Ext 415835

Background Documents: Personnel Committee paper 30 January 2020