
By: Leader of the Council and Group Managing Director
To: County Council
Subject: Change to Keep Succeeding – final proposals
Classification: Unrestricted

1. Recommendations

1.1 The County Council is asked to:

- approve the proposed operating framework
- approve the pay structure
- approve the grading structure
- approve the performance management framework
- endorse the values behaviours and competencies outlined in these proposals
- and note the actions and timescale that will result from this decision as outlined in paragraph

2. Consultation Process

2.1 The Council sought and appointed a Group Managing Director in early 2010 with a remit to “ensure the organisation is lean and flexible; safeguarding frontline services by focussing on efficiencies and innovative approaches to delivery and to challenge our orthodoxy”. (letter to all applicants from the leader if the Council)

2.2 The process of initiating change has been measured and involving. Its foundations are a set of ‘Design Principles’ for the future shape of the organisation. These Design Principles, developed by CMT agreed by Cabinet and CMT include the statements:

KCC will operate as one organisation delivering a coherent service offer with a local and personal presence. Organisational silos which replicate and duplicate activity, and undermine our “one council” approach will be restructured to deliver as one integrated organisation

The Council’s assets will be drawn together to support our front line service model and we will rationalise all “back office” functions – people, money, contracts and buildings – to deliver as one organisation.

- 2.3 Following the agreement on Design Principles, a round of 1 to 1 meetings took place earlier in 2010 with CMT members on possible future organisational framework. The choice of 1 to 1 meeting was deliberate: discussion of changes to management structure which would impact ones own and ones colleagues futures is a charged and delicate subject and 1 to 1 meetings provided a climate that supported open and creative dialogue. Those discussions continued into September, and culminated in the presentation to CMT if a proposed new structure
- 2.4 In September, KCC held an informal consultation, The First Bold Step, with all staff on the shape of a new KCC. It addressed shared values, skills, style, strategy, systems and structures and the Design Principles. There were meetings with over 200 managers and input from over 300 members of staff. It yielded data on our values and behaviours, the ones we have and the ones we wish to have, and provided the basis for subsequent work the workstream on values and behaviours (see below). Its results, summarised in this report, showed KCC staff have an appetite for, and an expectation of, change.
- 2.5 Following agreement from Cabinet, Cabinet Scrutiny and Scrutiny Board in the week 11 to 15 October 2010, a proposed new management structure was published for formal consultation.
- 2.6 From the outset it was decided that the minimum requirement, namely that 25 staff affected by this proposed structure be invited to provide comment on the structure and propose alternative structures within 30 elapsed days, be exceeded. The period for consultation process ran for 46 days, from 18 October to 3 December, and the consultation was extended to include all KCC staff, members, partners and stakeholders. The involvement of these groups in the consultation was widely promoted through, for example, KNET, email to staff, newsletters to head teachers, emails to health partners.
- 2.7 There are thus two groups in the consultation: the 25 impacted staff who would be directly affected by the proposed change to the organisational framework (sometime also referred to as formal consultees) and the other non-impacted staff, stakeholders etc (sometimes referred to as informal consultees). Separate systems were set up to receive written responses from both groups. In addition each impacted staff member was offered a 1 to 1 meeting with the Group Managing Director to discuss the proposed management structure.

Responses from impacted staff

- 2.8 All impacted staff took the opportunity for an individual meeting with the GMD. The 25 impacted staff produced 21 separates responses on the two proposed new structure. Some of the responses were made jointly; three were made by Directorate SMTs. Other impacted staff made more than one response, or made a personal response in addition to a joint one. All responses were accepted, none were rejected on procedural grounds, and because of the poor weather responses arriving on Monday 6 December were accepted.
- 2.9 The organisational frameworks on which the impacted staff were responding are attached at Appendix 1B and 1C. It should be noted that the **recommended** management structure, attached at Appendix 1A, is different to these two structures - as indeed it ought to be, having taken into account the points made during consultation.

2.10 Key points from consultation are summarised below. While the number of responses is indicated, this should be treated with caution as responses from a group only could count as a single response; nor are the weight and force of respective arguments taken into account.

2.11 Of the 21 responses (covering all 25 impacted staff):

- 11 expressed support for the change, of which 5 wanted a more radical approach with fewer directorates
- 6 commented on specific functions and made little or no reference to the overall structure
- 2 acknowledged the need for change but wanted it to proceed at a slower pace
- 2 acknowledged the need for change but were against the proposed change and offered a counter-proposal
- Of the 5 proposals that wanted fewer directorates, some were not specific, but 2 suggested that Environment and Enterprise¹ should be merged with Customer and Communities or dissolved and its functions spread over other directorates. In contrast, 2 responses urged it be retained. One proposal thought we should move away from a service-based structure to one based on outcomes.

2.12 Within the consultation feedback from staff impacted by these proposals there is a comment about additional consideration of responses from statutory officers. This has also been raised by scrutiny when considering the draft structure proposals. There is a misunderstanding here of the role of the statutory officer post within the consultation process which needs to be clarified.

2.13 Staff impacted by the proposals all have an equal status in law and councillors bear an absolute equal duty of care as their employer to listen to and evaluate each of their comments when making their decision on the structure. All officers who bear a statutory duty to this authority must if they consider that their ability to carry out those duties are being infringed in any way raise that formally with the Head of Paid Service and the Monitoring Officer in the first instance. The infringement must be of a specific nature that prevents a specific statutory function from being carried out. It cannot be a general point that could be argued by any of the staff impacted by the proposals. This is an important point for members as it is essential that comments are given equal weight and proper consideration and that no voices in the consultation are given an unfair advantage in their ability to influence member's decisions. No such formal notification has been received.

Directorates

2.14 The transfer of Children's Services to Families and Social Care was supported by 3 respondents, and opposed by 3. The opponents thought the 'dotted line' from Director of Children's services to DCS was not safe. The split of Children's Services was described as a retrograde step, and it was noted that combining Director of Adult Social Services and Director of Children's Services [DASS and DCS] roles had met

¹ This was referred to in the consultation as 'Enterprise' but for readability the proposed new name is used in this report.

with mixed results in other authorities. The joint DASS DCS roles met with approval by two respondents.

- 2.15 An argument advanced by 3 respondents that Public Health should be a directorate in its own right and not part of FHSC. A response for 1 proposed that Public Health should be part of Customer and Communities, another that it should remain in FHSC but noted that this may change in light of developments in health. A single respondent proposed that Public Health should deal with strategic issues, and that FHSC not Public Health should own the strategic development of health and social care and deal with GPs consortia. Two respondents held the opposite view.
- 2.16 There was a proposal to reduce the number of directors in ELS from 3 to 2, and to devolve more responsibility to the districts.
- 2.17 The counterproposal, supported by 2 respondents, suggested a Families directorate that:
- Excluded Public Health (transferred to a new directorate as referred to above)
 - Held the DASS and DCS roles (referred to above)
 - Included KDAAT, Youth Offending Service, but not Youth Service
 - Retained its own finance and HR staff.

Director Posts

2.18 There were proposals that:

- The Director of Governance & Assurance and MO should be a member of CMT.
- The Director of Customer Services is too big a role (2 respondents) and Gateway, Contact Centre and Business Web Development should move from this role to become part of Communication, Consultation and Community Engagement. There were 2 responses to the contrary: that the size of the role was right; and that these functions were better included within Customer Services.
- In FHSC, the Director of OP/PD and Director of LD/MH should be joint posts with Health.
- The post of Director of Waste should be retained, and a separate response that a Director of Highways and Waste was too large a role.
- An additional post of Director of Regulatory Service should be created and expanded from its current role to include functions such as planning applications and enforcements.

Functions

2.19 The structure proposed centralisation of support functions. Of the responses, 2 endorsed centralisation, 1 commenting that an initial concern over rigidity of this approach had been assuaged by sight of the pragmatic approaches being adopted in

the planning; 3 were concerned over the speed of centralisation and 2 were opposed to any centralisation (for their directorate) of Finance and HR.

2.20 A proposal was made that Commercial Operations should be outside this structure and operate through a separate Board.

2.21 The positioning of rural and countryside functions was a subject of debate:

- It was suggested that Kent Downs AONB is not a customer facing function but a regulatory one and should lie in E&E.
- Country Parks is customer facing and can sit in C&C or in due course in Commercial Operations.
- PROW could fit in either location: if is customer facing but it has synergies with rural tourism and environment and could benefit from being located in E&E.

2.22 The proposal that KDAAT, YOS and Youth Service should be co-located in C&C and not in FHSC was made by 2 respondents; 1 thought KDAAT and YOS should be with FHSC and YS with ELS. There were arguments also for placing in it Public Health or elsewhere in FHSC. Another view was that KDAAT's location may change when proposals in the Public Health white paper comes into effect in 2013 but until then there is a case for leaving this service where it is

2.23 One respondent suggested that Legal Services should not become a separate legal entity, and provided the advice on this subject. However it should also be noted that the structure under consideration was not proposing that the legal services team become a separate legal entity but that it might do so at some point in the future. That legal advice is therefore not relevant at this point .

2.24 Views were expressed that the Gypsy and Traveller Unit, which deals with a disadvantaged group, should be in C&C (2 respondents) or FHSC (1 respondent) and not in E&E where it conveys a regulatory message.

Responses from non-impacted staff

2.25 The responses for non-impacted staff were, for the most part, thematically similar to those of impacted staff. In some cases the balance of opinion was different, and some different points were raised. Given the similarity of the comments from the two groups I will comment only in cases of differences of view or emphasis. The full set of comments is available at the Information Point

2.26 The majority of non-impacted staff were in favour of restructuring with only two against restructuring while two thought it was proceeding too quickly.

2.27 The non-impacted staff also showed much greater appetite for centralisation.

2.28 Many thought the proposals were not radical enough and that there should be fewer Directorates and Directors than proposed: E&E and C&C should be combined; the number of directors in EL&S should be reduced, in one case to zero and replaced by Heads of service. In contrast there were three suggestions that Public Health should be a directorate, and one that Commercial Services should be a directorate.

Director Posts

2.29 There were proposals for:

- a post of Director of Waste
- a post of Director of Procurement
- a large number of proposals that HR and IT did not sit well under a single director. These functions should either be under separate directors, or IT and Property Services should be combined under one director.
- A Director of all Youth Services in EL&S, to include KDAAT, YOS, Youth Services and extended schools.

Functions

2.30 The non-impacted staff raised similar issues to the impacted staff:

- The location of KDAAT generated a large number of comments. Arguments were put forward for locating it in FHSC , C&C, Public Health, and in strategic commissioning
- YOS and KYS should be combined and placed variously in FHSC, C&C or either directorate so long as they are together
- There were many comments on the location of Country Parks, PROW, AONB, and Countryside Access, with neither consensus nor overwhelming reason why it should be in E&E or C&C (or even in the case of Country Parks, that it be placed into Commercial Operations)

2.31 The following points were new (i.e. were not raised by impacted staff):

- Film Office should be in Enterprise on the ground that it is a commercial operation designed to increase commerce in Kent and support tourism.
- The management of the requirements for Workplace Transformation, Office Transformation and Total Place should be in Service Improvement on the basis that these should be driven by service needs and linked to changes in service delivery.
- Waste and Kent Highway Services to move to C&C.
- Waste should be in commercial operations and positioned for a management buy out.
- Transport Policy should be with Highways and should not be in BSS.

Responses from Councillors

2.32 At number of comments at POSCs were of a general nature or not resolved at the time or immediately afterwards

- the proposed structure is not radical enough
- the structure was being implemented too quickly and could impact morale

- DCS reporting line will need to be robust, with various views about where it should be located
- The Youth Service, KDAAT and the Youth Offending Service had been placed under the Director of Customer Services as in the alternative structure.
- Combining Highways and Waste may be too big a job
- Contrary views on whether Countryside Access & PROW are a good fit in C&C and whether Country Parks and Kent Downs AONB should remain within E&E)
- Questioned the wisdom of a transition of Legal Services to an external arms length organisation.
- Some corporate directors have a small span of control
- How do you make managers behave more corporately, incentivise staff to adopt new behaviours?
- Will schools operations be a trading organisation, and will profits be re-invested in the service?

3. Recommended Operating Framework

- 3.1 The final proposals before Full Council for a new operating framework are shown in Appendix 1. They are drawn from a wide range of consultation responses from staff directly impacted by the proposals, staff from across the council and a number of our partners. The final proposals have altered from the original draft proposals reflecting comments received during the consultation as outlined in section 3 above
- 3.2 This report must also be read in conjunction with the proposed medium term plan “Bold Steps for Kent” that is also before Full Council for approval.
- 3.3 The Council along with all other local authorities is facing an unprecedented level and pace of change. What is before Full Council is not simply a new set of structure proposals but a new operating framework for the County Council that enables it to face these changes and drive forward the implementation of its next medium term plan “Bold Steps for Kent”.
- 3.4 Kent County Council has over the last decade been one of the most successful local authorities in the country. The title of this report “Change to keep succeeding” is very specific - to ensure that we continue to deliver services of the quality Kent residents and County Councillors expect. The world that the County Council has operated in over this last decade is changing beyond recognition and as outlined in the new medium term plan; we very much want to be at the forefront of leading and delivering the new public service model. This will require a change in how we operate as a Council, new ways of working internally and new ways of communicating with local communities and our partners.
- 3.5 The Coalition Government are offering new powers that will enable us to maximise our strategic capability for Kent and our detailed knowledge of and relationships with communities. The Government’s vision repeated in many of its documents is very clear.

*“Our vision looks out to strong communities, not up to the state - to a big and open society. It shifts the power from the state to the citizen, from Whitehall to the town hall and from provider to citizen.” A vision for Adult Social Care
- Capable Communities November 2010*

- 3.6 During the consultation period the Coalition Government has published a number of white papers outlining in more detail the implementation of the Coalition Agreement. This new operating framework positions the County Council to be able to respond to the new national agenda and reap the benefits of the new powers and opportunities for people in Kent.
- 3.7 Whilst Kent County Council has been a very successful organisation, there are areas that need to be challenged and improved in the way it has operated in the more recent past. A growing degree of silo working has become apparent and many processes and activities have been duplicated throughout the Council. This is not the best use of officer time and taxpayers' money and failure to tackle that trend will hold us back in being able to seize the new agenda that is unfolding.
- 3.8 The Council also has a difficult task in continuing to deliver quality services in the light of the financial settlement in the recent Comprehensive Spending Review. Every pound that we spend must be done so in the most efficient manner and these proposals set in train the ability of the Council to totally challenge its operating costs and reduce them. We will work with commitment to implement the Design Principles in reducing tiers and increasing span of control, and therefore reducing costs. It has at its heart the design principles that were widely consulted upon and supported by staff as to the future way we should operate. Central to the design principles is the idea of operating as one council focused upon the people of this county. Whilst a structure is just one aspect of how an organisation operates, this new structure contains within it drivers of new behaviours that will ensure we do begin to operate as one council. The earlier report that launched the consultation on the structure also referred to the feedback that had been received from staff on changing the values and behaviours of the council. There was a very strong desire by staff that the culture of the council had to change. The structural drivers of activity will align with these new values and behaviours being created by staff.
- 3.9 There is an explicit commitment to building upon the Gateway model as **THE** front door to the Council's services and to transforming all the Council's services so that we take full opportunity of that model and reduce duplication and operating costs.
- 3.10 There will be a whole Council approach to the delivery of all support services with the explicit intention of fully utilising the ORACLE and other council wide system capacity that we already own so that our managers can be fully self-sufficient and supported. This will also help us to reduce our operating costs and duplicated practices. This will be designed and managed through a very clear risk assessment of council services and those needing additional support will receive that.
- 3.11 There will be a whole Council approach to communication, consultation and engagement with local people in Kent, drawing together the expertise that exists in many different parts of the Council, supporting councillors in their communities and really harnessing the value of one of the most recognised brands in public services.
- 3.12 The strategic activity of the Council is also drawn together along with business intelligence and performance management enabling officers to access the critical information in the round that we need to advise members on their decisions and

assure them of the service delivery performance of this authority in the most effective manner.

- 3.13 The proposed new operating framework also contains new areas of capacity for the Council to enable it to meet its objectives within “Bold Steps for Kent”. There are a number of references within the directorates of new roles to enable the Big Society to take effect within Kent. The medium term plan proposes that the County Council should create its own Big Society Bank. This very much reflects the Government’s desire to see the model of public service delivery alter and reduce the size of the state. New ways of working with schools, with the GP Commissioners and Health services in Kent are referenced. The Council’s role as one of the national pilots for Community Budgets and creating the Big Society in Kent is also fully supported.
- 3.14 The new operating framework also requires a new way for the corporate management team to operate, working much more closely with Cabinet and Scrutiny to deliver the medium term plan.
- 3.15 The development of and support for the new locality boards is also hosted within the structure and the work that has begun in the twelve Children’s Trust Boards is fully supported and will continue.
- 3.16 Most fundamentally the three priorities as outlined in the medium term plan “Bold Steps for Kent” are at the heart of the new operating framework and within all Directorates. For example, the drive to put “citizens in control” is reflected within the new front door of the council in the Customer and Communities Directorate and the transformation of all council services to fully use that front door model. The drive to “tackle disadvantage” is reflected in the new Families and Social Care directorate with the greater alignment of activity across age groups and patterns of needs and pathways of care being able to be integrated. The new strategic commissioning function will also look at need and commissioning across all care services and use a much more family approach to prevention and support. The work on the community budgets pilot will be essential here. The drive to “grow the economy” is reflected within a more commercially minded Enterprise and Environment Directorate clearly focused to deliver the major regeneration projects.
- 3.17 Overall the Council will be challenging the way in which it provides all its services to ensure that the “right source” is chosen – whether that is out-sourcing, co-sourcing or in-sourcing to ensure that we deliver the services the people of Kent need in the most effective and efficient manner and create a bigger society.
- 3.18 Operating frameworks clearly have a lifespan and the current council framework has been in existence for around four years. It is envisaged that this framework will continue to adapt and change over the coming period as new legislation and the full opportunities of the proposed new power of competence become available. All new operating frameworks are a search for an optimum arrangement and that is a constantly moving position as the influences and demands upon the council changes.
- 3.19 The direction of travel is clear; the journey that we are embarking on is new. This should enable us to take what has been excellent from our past and weave that into the new public service models of delivery that will emerge from us operating as one council, working more closely with our partners, in localities and with our communities.

Changes to structure as a result of consultation

3.20 As a result of the arguments advanced during consultation through the formal and informal routes, the organisational framework now proposed differs from that which was published for consultation in the following key aspects:

- The Corporate Director Families and Social Care [FSC] will hold the DASS and DCS roles. As a result there will be a direct reporting line, not a dotted line, from the Director Of Specialist Children's Services (this addresses the concerns expressed over the original proposal for dotted line reporting). As a consequence there will be dotted line from DCS/DASS to the Corporate Director EL&S.
- The Director of Public Health, will not, as proposed, be part of FHSC (now renamed Families and Social Care) but will have a direct reporting line to the Managing Director. This will be a transitional arrangement whilst we resolve the role of Public Health and the Government's proposals
- The combined post of Director HR and IT will be replaced by separate directors. This was in response to a large number of responses that persuasively argued that HR and IT would each be pivotal to the changes to be made across the Council over the next 3 years, and each need to be led by a 'head of profession'.
- "Enterprise" is renamed "Enterprise and Environment" to better reflect its remit.
- It is accepted that the post of Director Highways and Waste has too large a remit for its immediate workload. Waste will continue to be led by a Head of Service who will report directly to the Corporate Director E&E.
- A large number of conflicting comments were received on the location of KDAAT, Youth Offending Service, Youth Services and Supporting People. The conclusion reached was that on balance these services are best co-located in the remit of the Director of Service Improvement.
- Children's Disability Service will be part of Specialist Children's Services; SEN and health assessment will remain in EL&S.
- The location of Countryside access, PROW, Country parks and Kent Downs AONB together generated more responses, than any other subject. There was no consensus view, often the views were in conflict, and many were well-argued. The final decision is best described by reference to the new structure chart at 1A.
- The Director of Governance and Assurance has been renamed Director of Governance and Law.
- Services provided by suppliers, such as Locate in Kent and Visit Kent, are not properly part of our structure and have been removed from the structure chart.
- A very important point was made in the feedback of having a direct reporting relationship between the Corporate Director FSC and the safeguarding function for Adults' and Children's social care. This has been adopted.

3.21 Certain responses to consultation did not result in a change to the structure, either because there were conflicting views or because the case put forwards was not persuasive:

- A number of comments have been received suggesting that the pace and timing of the changes are inappropriate. This view is not upheld due to the urgent need to deliver savings and the new model of service delivery, and thus avoid the need to restructure more than once in a limited period. It also enables the Council to reduce the cost of how it delivers services rather than any reductions being needed in what we deliver.
- Some responses argued that all children's services should be kept together and the separation of Specialist Children's Services from EL&S was a retrograde step. But on balance it was felt that the advantages of integration into FSC outweighed these disadvantages.
- A suggestion that there be a Director of Procurement was not accepted. There will a post of Head of Procurement reporting to the Corporate Director Finance & Procurement.
- The proposal that the Monitoring Officer should be a member of CMT is not accepted. The Monitoring Officer does not have to be a member of CMT in order to discharge his duties. More importantly, and more relevantly, the Monitoring Officer will continue to have direct access to the Managing Director whenever necessary. Bringing the Monitoring Office role in as a full member of CMT means that officer becomes a part of all policy making and discussion, which is not fully relevant to their effective functioning. It also removes their ability to be slightly remote and offer more disinterested advice. It is absolutely essential that the Monitoring Officer attends CMT if the situation requires it, and he receives all CMT papers as a matter of routine.

4. Financial Implications

4.1 The savings on implementation given the proposed restructuring and likely outcomes will deliver a reduction in costs at implementation of approximately £750k. .

5. Legal implications

5.1 These final proposals for a new operating framework for the County Council are compliant with the legislative requirements placed upon this authority. The design of the specific Corporate Director and Director posts which have a statutory role incorporated within them are also compliant with the demands placed upon them.

5.2 The creation of the combined role of Director of Children's Services and Director of Adult Social Services as the Corporate Director Families and Social Care will be underpinned by an amendment to the Constitution (to be brought to Council for approval by 1 April 2011) enabled through an assurance protocol with the Corporate Director Education, Learning and Skills to ensure that the current statutory guidance on the post of Director of Children's services is met. This protocol will also form part of the job descriptions and employment contracts for both posts.

5.3 The Council's compliance with emerging legislation has been monitored during the consultation period to ensure that the structure that was to be proposed did not come

into conflict with any new acts of Parliament. As at the time of writing this report the Government White papers and Green papers that have been published are fully compliant with the design of the new operating framework.

6. Senior Management Roles

- 6.1 Job descriptions and Person Specification for the new roles in the operating framework will be available from the Information Point.

Pay and Grading

- 6.2 Personnel Committee has discussed and agreed the approach to the grading, pay and performance management for director level roles within the Authority. This has involved independent assessment of these jobs, market position analysis for pay and design of an approach to performance management for this group which is consistent with the rest of the organisation.
- 6.3 The HayGroup was engaged to undertake a detailed analysis of the proposed new job roles. HayGroup are an internationally recognised management consultancy with an expert understanding of job evaluation and market pay, and particular experience in the public sector. Their advice helps to ensure the implications of the new organisational structure are fully understood and that the approach to performance management and pay is consistent, equitable and effective.
- 6.4 Consideration has been given to what market position the Authority wants to adopt, whether the pay structure meets our business requirements, how best to deliver pay progression through proper performance management and removing individual spot salaries and 'bonuses'.
- 6.5 Benchmarking roles to pay ranges which reflect market position will enable the introduction a modern, more flexible and relevant approach to pay and performance.

Scope

- 6.6 The top 29 roles are evaluated as part of the scope. The implications for all 'M' Grade employees include the slotting to roles that are regarded as equal. In practice this means at least a 75% match or going through an assessment process before being appointed to a role that is different or larger.

Evaluation of Roles

- 6.7 Jobs can be broken down into constituent parts of knowledge (know how), complexity (problem solving) and size (accountability). This, combined with the level of budget responsibility, enables an overall evaluation of the role to be made. The pay structure will have pay bands associated with different job evaluation scores. In exceptional circumstances, if this pay band is not deemed appropriate, a market payment can be made according to our Market Premium Policy which does not then inappropriately skew the salary or the individual's pay progression based on performance management. Any such premium payment would be easily identifiable, a contractual variation and subject to annual review. We have asked HayGroup to assess whether any of the roles in the proposed structure would warrant consideration of such a market premium supplement.

Pay Policy

6.8 There are numerous ways of designing a pay structure, however the choice of principles governs which ones work best in practice for a particular organisation. Principles which we have discussed before and informed the revision of Kent Scheme ranges KR2-15 in have been:

- Pay ranges as opposed to fixed salaries
- No incremental points
- Performance based progression
- Individuals at the top of the grade being able to gain the same award albeit as a non consolidated payment, i.e. not built into the following year's salary
- Transparent extension of KR2 - KR15

6.9 In order to deliver a consistent approach to pay across all the salary ranges these principles have been incorporated in the new director level grading structure.

6.10 A decision has been taken on the breadth of pay band. A broad payband (+/- 25%) enables a high level of flexibility. Narrower bands give a closer link to pay principles, greater control of the pay bill and more consistent application. The proposal recommends narrower bands of +7%/-10%.

Role Analysis

6.11 The following is an extract from the HayGroup Report.

Corporate Director roles

We start from the premise that the role of Managing Director remains broadly the same as before. Kent County Council is one of the largest counties in the country and we would see this as the equivalent to only a few of the largest local authorities. In relative terms there are three big Corporate Director roles:

- *Deputy MD and Corporate Director Business Strategy and Support*
- *Corporate Director Families, Health and Social Care*
- *Corporate Director Education Learning and Skills*

We also looked at this latter role without having the formal accountability for Child Protection in which case there is a case for including it in the mid range below.

There are two Corporate Directors in the mid range:

- *Corporate Director Customer and Communities*
- *Corporate Director Enterprise*

Although one of our alternative views is that the Director Enterprise role may be grouped alongside the two smaller Corporate Directors:

- *Corporate Director Finance and Procurement*
- *Corporate Director HR and IT*

Director roles

We have also reviewed the Director roles and these fall into three groups in terms of role size depending on the scale of resources controlled, the complexity and criticality of the roles. All of the roles fall into the Strategic Alignment work level of the work level and role type matrix where they are all responsible for developing the strategy for their areas of responsibility in line with corporate strategy. A combined list of all roles is shown in Table 1.

Comment

Child protection has received a very high level of publicity in recent years and it is often seen as a high risk area. The role covering older people and disability has been placed in the same group because of the increasing focus and priority and indeed cost of services to this group. However this relativity should be open to further discussion if needed and both could be included in the lower, mid group

The Director of Kent Highways and Waste has been included in the higher Group. If the roles were split the Highways role would be definitely be included in the Mid Group. However the Waste area has a very high potential for both cost and risk to Kent County Council in the future and adds to the complexity of the role if it is to be more than a span breaker for the Waste role.

Table 1. - Evaluation of roles

Note: The roles in italics have not been formally evaluated under this current review and are representative of current incumbents. They are shown in order to give a complete picture of the director group population and grading.

Role	Pay Band / (Hay No.)
Managing Director	KR21 (1)
Corporate Director – Families and Social Care	KR20 (2)
Corporate Director – Bus. Strategy and Support	KR20 (2)
Corporate Director – Education, Learning and Skills	KR19 (3)
Corporate Director – Customer and Communities	KR19 (3)
* Corporate Director – Enterprise and Environment	KR18 (4)
Corporate Director – Finance and Procurement	KR18 (4)
Corporate Director – HR	KR18 (4)
Director of School Operations	KR18 (4)
Director of Business Strategy	KR18 (4)
Director of Older People and Physical Disability	KR17 (5)
Director of Children’s Social Services	KR17 (5)
Director of Kent Highways	KR17 (5)
Director of Customer Services	KR17 (5)
Director of Commercial Operations	KR17 (5)
Director of Learning Disability and Mental Health	KR17 (5)
* Director of Strategic Commissioning	KR17 (5)
* Director of Schools Resources	KR17 (5)
Director of Schools Improvement and Standards	KR17 (5)
Director of Service Improvement	KR17 (5)
Director of Property and Infrastructure Support	KR17 (5)
Director of IT	KR17 (5)
Director of Public Health	KR17 (5)
Director of Governance and Assurance	KR17 (5)
Director of Coms, Consultn &Community Engagement	KR16 (6)
Director of Planning and Environment	KR16 (6)
Director of Procurement	KR16 (6)
<i>Chief Accountant</i>	<i>KR16</i>
<i>Head of Financial Management</i>	<i>KR16</i>
<i>Head of Audit and Risk</i>	<i>KR16</i>
<i>Head of Employment Strategy</i>	<i>KR16</i>
<i>Head of ICT Commissioning</i>	<i>KR16</i>
<i>Head of ICT Operations</i>	<i>KR16</i>
<i>Head of Strategic Policy</i>	<i>KR16</i>
<i>Head of Research Strategy and International</i>	<i>KR16</i>
<i>Director of Public Assess & Strategic Development</i>	<i>KR16</i>
<i>Director – Policy & Resources, Communities</i>	<i>KR16</i>
<i>Head of Waste Management</i>	<i>KR16</i>

* subject to final verification.

Salary market information

We have used an analysis from the Hay Group database of 121 public sector organisations as the main source of data. These include County Councils, Unitary Councils, Housing Associations, London Boroughs, NHS Trusts, Universities and a range of other public sector agencies.

Market analysis

Grade	Q3	Base Salary Median	Q1
2. Big Corporate Director Grade	£187,000	£172,000	£154,000
3. Mid Corporate Director Grade	£158,000	£143,000	£130,000
4. Smaller Corporate Director and Big Director Grade	£135,000	£124,000	£112,000
5. Mid Director Grade	£112,000	£99,000	£88,000
6. Smaller Director Grade	£90,000	£82,000	£75,000

Conclusion

Your present salary policy is well in line with this market data.

Pay Band Design

- 6.12 The recommended pay scale design is illustrated in [Appendix 3](#).
- 6.13 The market information from the HayGroup analysis is shown as a reference point for the pay scale design. The straight implementation of this does not deliver all of the pay scale principles which have been adopted within the design of the wider Kent Scheme.
- 6.14 The proposed pay scale is Market Median +7/-10%. The pay maximum is 7% above the market median and the bottom of the grade is 10% lower. This restricts the maximum salary payable and retains a lower minimum value to reduce costs for new starters and promotions.
- 6.15 The pay ranges allow the salary for current incumbents to be accommodated with a small degree of headroom for M1 and M4 roles.
- 6.16 Pay progression will be based on personal performance. Once at the top of the grade payments would be non consolidated, i.e. not built into base pay and re-earned each year in a consistent way with others on the revised Kent Scheme.
- 6.17 Personnel Committee recommended that the overlap which occurs between top of KR18 and bottom of KR19 is removed and the gap is diminished between KR 15 and KR16. These are represented as the dotted borders within the scales on [Appendix 3](#).

Costs

Performance Management

The following is an extract from the HayGroup report.

The Kent Scheme for Total Contribution Pay is linked to an assessment of performance against four key elements of Total Contribution.

- Objectives and Accountabilities*
- Way 2 Success*
- Wider contribution*
- Personal Development*

There is no reason why this approach outlined in the Total Contribution Guidebook and the principles behind it should not be extended to all Directors and Corporate Directors. However the performance management and setting of objectives for Corporate Directors and Directors need to be seen in the light of a broader interpretation of performance to include organisational outcomes and team performance.

Context

At the national level, the CSR is imposing big funding costs on councils whilst at the same time calling for extended and improved services in a changed organisational context for health and local delivery. Councils can only manage and reconcile these pressures by having a clear vision of what they are trying to do, the Cabinet and executive officers working closely together to translate that into specific plans and a strong process of performance management from top downwards to deliver results.

This is all relevant for Kent.

You have a demanding strategy in Bold Steps for Kent with the clear aims of:

- Helping the Kent economy to grow*
- Putting the citizen in control*
- Tackling disadvantage*

To make these aims a reality, it is essential to define the performance and behaviours expected of officers at all levels, support their development and manage their performance. Clarity at the Corporate Director and Director level is absolutely critical to lead the rest of the staff through a difficult change and cost reduction programme as well as delivering the strategy.

The county has always been seen (and seen itself) as a leading edge authority, including in its employment practices. Now the political debate has focused attention on remuneration governance and on the disclosure of executive pay – which you have already implemented – you will also want to take the initiative and explain not only what people get paid but why, and demonstrate how remuneration relates to performance which benefits residents.

Setting performance contracts

The starting point of any good process of performance management is effectively setting up a performance contract between an individual and their managers or indeed a whole team and the team leader. However, we recommend an approach which, prior to drafting any individual objectives answers the following fundamental questions.

- Confirmation of organisational purpose and priorities.*
- clarity about the respective roles and how they will contribute to strategic priorities.*
- Agreement on expected behaviours on terms of engagement to achieve agreed objectives*
- the Corporate Management Team (CMT) would work together in a workshop (possibly facilitated) to:*
 - explore and discuss any areas where there are differing views on corporate purpose, priorities or focus;*
 - agree expected behaviours and ways of working;*
 - reach a consensus position on the respective role and contribution of the CMT;*
 - be clear how CMT and Cabinet roles differ;*
 - determine a preferred framework and format for performance contracts.*

Drafting performance contracts or scorecards

All of the usual performance criteria should apply:

Intrinsic

- Clarity*
- Measurement:*
- Stretch*
- Alignment:*
- Development:*

Extrinsic

- When reviewed collectively, do the objectives set out for each individual add up to the sum total of the priorities one would expect to see ascribed to the Directorate team as a whole?*
- Are any inter-dependencies or shared objectives between team members reflected appropriately and equitably in each of the relevant scorecards?*
- Is the level of stretch comparable for all of the staff under review?*

A strong element of the objectives for the Corporate Director group or the Corporate Management Team should be team based and reflect the goals of KCC as a whole both in terms of delivering change but also the day-to-day statutory requirements and expectations of citizens. Thus if the KCC succeeds the team as a whole succeed and if there is a failure to deliver a core service or responsibility, then the team as a whole shoulder responsibility.

For Directors, there should be an element of team based objectives for the particular delivery or corporate support area.

Conclusion of Pay & Grading

- 6.18 KCC has the ability to deliver a modern, fit for purpose approach to pay and performance management for director based roles.
- 6.19 A key aspect to the delivery of highly effective performance management, improved service delivery and enhanced group responsibility is to link personal objectives to pan directorate priorities. This has the greatest likelihood of delivering a one employer, one KCC one voice approach.

Values and Behaviours

- 6.20 As articulated in all the consultation on Change to Keep Succeeding, this change programme is aimed at enabling Kent County Council to alter the way it operates so that it can meet the new challenges it is facing. It cannot therefore be solely about the organisation structure, but must also lead to a new organisational culture. An external provider, Q Learning, has engaged with staff across the Authority, Members, Trade Unions and a representative sample of partners to design a set of values and behaviours. The work was informed by KCC's current behavioural competencies, Ways to Success, the work completed by Learning and Development on the core skills required of KCC managers and the feedback from the consultation sessions GMD held with senior managers. The process has been warmly welcomed as a means of being involved in shaping the Council and ensuring we can deliver as well in the future as we have in the past. A number of ways of engaging with people have been employed including four face to face sessions (disrupted by the snow and rescheduled); information on KNet followed up with e-mails from Directorates encouraging staff to respond through e-mails to Q- Learning or through a questionnaire; phone calls to partners and one to one meetings with members. Q-Learning received over 150 personal responses and 106 people completed the questionnaire. The resulting draft competencies will be available through the Information Point.

7. Project Outline and Risks

- 7.1 The project to deliver the changes to the organisational framework has been planning and preparation stage since September. Since the start of consultation, 18 October, the project is operating to a project plan the Gantt chart, 6, and is on schedule. Subsidiary plans are in place for changes to the HR and Finance records and systems to allow the new structure to come into force in April 2010.
- 7.2 Transition planning has progressed well. A transition manager is in place for each directorate, and their attention has been directed to identifying other change activities in progress across the Council taking place in parallel with this project over the period February to end April 2010 so that conflicts and contention with this project can be identified. A chart of such activities, listed service by service, and referred to as the 'in-flight' register is attached at Appendix 7. Subject to the decision of Council, the next action by the heads of function will be to establish the necessary mitigating actions over that period. By making the heads of functions responsible for mitigation the disruption to service over the transition period is materially reduced.

7.3 There were questions over the ability of the finance systems to support the new structure, and the capacity of finance and HR staff to implement the changes. Both of these questions have been resolved successfully and the risk reduced accordingly: finance has confirmed that the systems can be adapted to accommodate the new structure and HR and Finance have confirmed that the changes can be made without adverse impact on its other work, notably the budgeting process and a change in accounting standards.

7.4 The report to Cabinet of 11 October identified 4 major (red) risks. Since then 3 of these risk have been lessened or mitigated as follows

- The demands on KCC resources is acknowledged, but are lessened. First the MTFP planning and 2011/12 budgeting are proceeding as described below; second transition managers are in place and actively working on the transition.
- The risk around 2011/12 budgeting has been reduced by allowing services and directorates to plan for 2011/12 in their current budget structures, and making finance responsible for recasting the budgets into the new structure (a task for which finance has capacity) the demands on KCC management are reduced from the level expressed in the risk assessment in October's report.
- The risk that finance does not have the resources to support the implementation of the new structure has been removed. Finance has scoped the task and is now confident that it does have the resources.

7.5 The fourth red risk deals with the consequences of not implementing the new structure or from delaying the project. This risk remains unchanged, or arguably heightened.

7.6 Of the amber risks

- The risk of senior managers not supporting the new framework and actively opposing changes has been mitigated due to the nature of many positive comments in the responses from impacted staff.
- A fall in staff morale impacting service delivery is less likely given the positive support for the changes evidence by staff in the response to consultation
- The potential for weakening financial controls is being mitigated and ultimately resolved by a cross-directorate working party led by Finance.
- The risk of opposition to the model for centralised business support has crystallised in KASS, as evidence by the counter proposal from KASS. However the matter will be resolved as part of the working party set up above
- The risk of opposition to the new Education and Families model from headteachers and partners did not materialise.

Equality Impact Assessment

7.7 The risks around this restructure have been explained and considered through the Equality Impact Assessment (Appendix 2). We will continue to be mindful of the implications of changes on both staff and service provision. The restructure will be a

standing item on both the Health and Safety Strategy Group and the joint Health and Safety Committee."

8. Immediate actions subject to Council's approval of the recommendations

8.1 If the proposed structure is agreed by County Council, the following timescales and Personnel process will follow:

- 17 December 2010
Letters will be issued to all of the individuals impacted by the Senior Management restructure. These letters will advise either that the individual has been 'slotted' to a particular post in the new structure or is now considered to be 'at risk' of redundancy. Those that have been placed 'at risk' will be advised that they can lodge an appeal if they are of the view that they should have been 'slotted' to a particular post. They will also be invited to apply for the remaining posts in the structure, details of which will be available to them on Sharepoint. It is expected that people 'at risk' will apply for positions within the new structure and they will therefore be contacted by the executive talent assessment company Q Learning and invited to participate in on line assessments to be completed prior to attendance at one of two full assessment centres .
- 04 January 2011
Closing date for expressions of interest.
- 05 January 2011
Candidates will be contacted and advised of the dates and details of the selection process.
- 06 January 2011
Deadline for appeals regarding 'slotting' arrangements
- 10-13 January 2011
Assessment Centres will be held at Oakwood House to assess applicants against behavioural competencies
- 18 January - 03 February 2011
Member panel interviews, and service user panels if appropriate

9. Consultation and Communication

9.1 This has been addressed in section 2 above

10. Background Documents

- Change to Keep Succeeding of 11 October 2010
- Bold Steps for Kent