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To: County Council, 15 December 2011

Subject: Change to Keep Succeeding – the next steps

Classification: Unrestricted

Electoral Division: All

Summary: This report proposes changes at senior management level to the operating framework introduced under the Authority's medium term plan, Bold Steps for Kent, including the deletion of the post of Managing Director from the organisational structure.

Recommendations:

County Council is asked to:

- agree the deletion of the post of Managing Director from the operating framework
- agree that the Head of Paid Service responsibilities are designated to the Corporate Director of Business Strategy and Support
- approve the revised job descriptions for the Corporate Director Business Strategy and Support; the Corporate Director Customer and Communities; the Corporate Director Human Resources and the Director of Governance and Law
- agree the change of reporting line for the Director of Public Health to the Corporate Director Families and Social Care
- agree that the posts of Director of Education Standards and Director of Education Planning and Access as part of the senior structure in ELS
- designate the Director of Governance and Law as the Returning Officer
- support a proposal being made to the Lord Lieutenant that the Director of Governance and Law becomes the Clerk of the Lieutenancy for Kent
- note the proposed change in the contracts of employment for the Corporate Director Families and Social Care as described in Section 9 (8)
- authorise the Monitoring Officer to make any necessary changes to the Constitution as outlined in Section 9 (9) and set out in Appendix 3.

1. Introduction

- (1) In December 2010, the County Council approved the introduction of the current operating framework and the creation of five new Directorates. This structure, outlined in the report to County Council “Change to Keep Succeeding”, was implemented in April 2011.
- (2) A set of Organisation Design Principles was agreed as part of Bold Steps for Kent, which has informed all the changes to our organisation structure and culture over the last year. Section 3 of this report explores the relevance of these to the proposals in this report.
- (3) Under the Managing Director, Katherine Kerswell, significant progress has been made and improvements introduced to align the organisation to these principles – many sooner than anticipated.
- (4) These improvements have been achieved against a background of unprecedented change in local government generally and Kent County Council in particular. These changes include the need to respond to the realities of the global economic situation, the resultant squeeze on local government funding, the localism agenda and significant national changes in Education and Health. Put this against the realities of changing demographics and the expectations of our customers and service users and the need for continuous development and improvement is unprecedented.
- (5) It is this background, coupled with the Cabinet desire for a new way of working enshrined in both this report and the report on new governance arrangements that is before the County Council today, which has led to the proposals outlined here.

2. Background

- (1) The seriousness of the current economic situation facing local government cannot be underestimated. Having been expected to make some £340 million savings by 2015 following the last Comprehensive Spending Review, the Chancellor’s Autumn Statement 2011 makes it clear that austerity measures will now continue for at least the first two years of the next Parliament. Even if this proves accurate, the likelihood is that financial pressure on local authorities will continue for the entirety of the next Parliament (i.e. until 2020) and beyond, especially given demographic pressures. Only radical and transformational change, beyond that even envisaged two years ago, can deliver the changes local authorities must make.
- (2) It is increasingly accepted that the leadership model for local government must adapt to the new financial reality. For example, there is a pre-existing trend for some local authorities to share their Chief Executive or other senior management posts. The executive mayoral model set out by the Government for the English core cities fundamentally challenges the notion of traditional local government leadership, placing greater emphasis on the elected Leader as the driver of transformational change, rather than drawing distinction

between officer and member roles. The importance of the democratic mandate in shaping service provision around the wishes of the local communities is further reinforced through the proposals for elected Police and Crime Commissioners for England and Wales.

- (3) Some local authorities, in particular many south eastern councils, are now moving towards a new operating model which will see them increasingly commission services from the private, voluntary, community and social enterprise sectors, rather than provide them directly. Combined with the challenge of localism and the shift towards greater personalisation, the commissioning authority approach does not lend itself to traditional hierarchical and linear management structure. Rather, commissioning authorities must instead respond quickly to the varied and different groups and individuals who will be service commissioners in the future - be they individual service users, the local community or the executive KCC member. In a commissioning authority model, flexible and responsive strategic management becomes the critical success factor, and a streamlined and more integrated approach to conducting business a pre-requisite.

3. Bold Steps for Kent and Policy Framework

- (1) The Organisation Design Principles are an integral part of Bold Steps for Kent. These principles include the statements:
 - (a) The organisation must be leaner, with less duplication and more responsive decision making.
 - (b) The chief officer team will be one team – collectively responsible for advising, responding and delivering Cabinet’s agreed priorities effectively and efficiently to build member confidence across all service areas.
 - (c) KCC is a single organisation delivering a cohesive service offer. Organisational silos which increase replication, duplication and undermine our ‘One Council’ approach will be changed to deliver as one organisation.
 - (d) Our structure will be as flat as possible to ensure the appropriate number of tiers between the Corporate Management Team and the front line (no more than five tiers of management) with effective spans of control throughout the organisation.
 - (e) Planning, monitoring and management systems will drive corporate accountability for delivery by officers across all levels of the organisation.
 - (f) Provides a framework for creative discipline for managers with a “tightloose” relationship which allows decisions to be taken at the appropriate level and managers having operational freedom within an underpinning ‘one council’ approach. Only those decisions that need be escalated up the management chain will be, and managers will be personally held to account for delivery.
- (2) The County Council is now working with fewer silos and ensuring that decisions are made and accountabilities are held at the appropriate level in the organisation. This must be applied at all levels in the Authority. Cabinet believes that now is the right time for members of CMT, working collaboratively with the Leader and their Cabinet portfolio holders, to be held more directly accountable

not just for the service delivery in their Directorates but also for the performance of Kent County Council as a whole.

- (3) It is believed that at this point in the Authority's development, the principles and ambitions outlined above are most likely to be achieved if the post of Managing Director is deleted from the operating framework. The redistribution of the responsibilities of that post in the way proposed in this report does not lead to a change of more than 25% compared to their current roles for any of the existing CMT members. Formal consultation has therefore been conducted with the Managing Director, whilst other senior managers and members have been involved in informal consultation.
- (4) Katherine Kerswell has taken the lead in reshaping the new approach to service delivery and recasting our overall management arrangements. The Authority has shifted from an approach that was highly departmentalised to one based on the whole organisation working together. Cabinet and chief officers will now work much more collaboratively together. This structural change has already resulted in improved services to Kent's residents and better value for money for Kent's taxpayers.
- (5) As these arrangements have begun to bed in, Katherine Kerswell has discussed the next phase of change with the Leader and this report is a result of those considerations. It is agreed that now is the appropriate time to put this proposal to the County Council.

4. The proposal to delete the post of Managing Director

4.1 Background

- (1) Whilst recognising the professionalism and contribution of the current incumbent, it is proposed that the role of Managing Director is no longer required as part of the Council's new operating framework.
- (2) The pace of change in local government and the public sector generally, as well as the impact of the wider UK and world economy, has been even greater and more fundamental than envisaged when the appointment was made.
- (3) It is important that the Council adopts a dynamic and flexible approach to ensure that it has the appropriate structure in place to meet the future needs of the communities of Kent.
- (4) Furthermore, it is important to recognise the agenda of both central government and the Council's administration towards greater involvement by Members in the executive and strategic management of the Council, with aim to ensure a Member-led, locally-focused authority.
- (5) Following discussions held with the three Group Leaders, it has been agreed that the mutual termination of Katherine Kerswell's contract of employment, as approved by the Personnel Committee on 28 November, be formally concluded in the form of a confidential compromise agreement. The only decision that

remains for the County Council to take is whether the post of Managing Director should be deleted from the operating framework.

4.2 Factors Informing Change

- (1) There are a number of factors that inform the proposal to delete the post of Managing Director. These are explored further in the course of this report and include:
 - (a) Consistency with KCC's strategic direction
 - (b) The desire to become a more visibly and explicitly Member-led Authority
 - (c) To fundamentally change the relationship between CMT and Cabinet
 - (d) To improve the outcomes of KCC as one Council
 - (e) To improve mitigation of organisational risk
 - (f) Sharing ownership for delivery
 - (g) Potential cost savings

4.2.1 Consistency with KCC's strategic direction

- (1) Whilst it is recognised that the role of Managing Director is a relatively new one (being ratified as part of Change to Keep Succeeding in December 2010), it is felt that such is the pace of change both within the Council and externally, the role is no longer consistent with the strategic direction the Council needs to take.
- (2) It is no longer expected that one individual needs by definition to be the single lead officer figurehead for the organisation. The strategic direction going forward requires Chief Officers to work together as a team to a corporate agenda, focussed on delivery, in a more joined up way. The job descriptions of all KCC's most senior officers already include a number of corporate responsibilities, so the change required can be achieved within minimum disruption to the organisation.
- (3) It is believed that the flatter officer hierarchy will help ensure Member queries are given quickly by the appropriate senior officer.

4.2.2 The desire to become a more visibly and explicitly Member-led Authority

- (1) The Council will shortly move to a new Cabinet committee structure, which was endorsed at October's County Council meeting and further debated at this meeting. This will result in a significant change in the way that the Council makes its decisions. The key objectives of this approach can be summarised as:
 - (a) strengthened policy development, allowing non-executive Members greater input into shaping the County Council's policies and major decisions
 - (b) greater accountability of decision makers
 - (c) fundamentally changed dynamic of pre-scrutiny of decisions (rather than post-scrutiny)

- (d) a streamlined committee infrastructure
 - (e) greater transparency and openness, making the decision making process more inclusive, robust and accessible
 - (f) supporting Cabinet Members to make more effective decisions
 - (g) improved performance management
 - (h) ensuring the impact on the Members' Allowances Scheme is cost neutral
- (2) The change will necessitate a new way of working, and Members of the Administration will, under this new system of governance, be able to take a more explicit executive leadership role which, in turn, fundamentally calls into question the need for the post of Managing Director.
- (3) Whilst the Cabinet system has served KCC well in many ways, the speed of the decision-making process can sometimes lead to significant numbers of Members feeling removed from the decision-making process. There are significant opportunities for the new model to resolve some of these issues and these would be helped by a flatter officer hierarchy with members of CMT taking more individual responsibilities for decisions relating to their service delivery functions.

4.2.3 To fundamentally change the relationship between CMT and Cabinet

- (1) The Leader and Cabinet believe that KCC will be better placed to move to the highest performance levels and adapt to future challenges and that Cabinet will be better supported to deliver their strategic objectives if:
- (a) CMT and Cabinet work more collaboratively as a leadership team, taking key strategic decisions together, allowing things to happen faster and minimising any problems associated with mixed messages. The framework for achieving this ambition is described below.
 - (b) CMT provides better support to Cabinet by itself taking a much more collegiate leadership approach and taking responsibility as a group for overall KCC performance
 - (c) Corporate co-ordination is at the highest level with the new corporate Divisions working even more effectively and offering cohesive support to Cabinet and the business
 - (d) CMT is responsible for delivering the Administration's objectives, and supporting the political leadership with appropriate overview, balance and impartial, coherent advice.
 - (e) Managerial leadership is achieved through a combination of a team of senior officers working seamlessly with their executive elected counterparts, without needing a single officer conduit through which to channel activity
 - (f) Members of CMT will continue to provide briefings to Members from all political groups
- (2) Traditional policy, administrative and managerial functions will continue to be performed by CMT, who will also hold the trust and confidence of those they lead and with whom they work. The leadership qualities needed in an

organisation the size of KCC cannot be uniquely vested in one senior officer role.

- (3) Cabinet will support CMT to bring the best out of a team of chief officers, who will take responsibility strategically for the whole organisation, the ONE Council (see 6, below). The role of Managing Director is seen as superfluous with this changed relationship.

4.2.4 To improve the outcomes of KCC as ONE Council

- (1) Significant progress has been achieved by the Managing Director in delivering a more unified approach in the way that the Council carries out its functions. The next stage is for the Council to create greater effectiveness and joined up working between Cabinet and CMT.
- (2) The removal of the Managing Director post provides the opportunity for a different and improved overall organisational leadership. There will be scope for fewer perceived tensions between the agendas and decisions of Cabinet and CMT, which can lead to lack of clarity and delay. Similarly, a more joined up way of working will lead to fewer actual tensions and avoid duplication of effort.
- (3) KCC will become a truly “joined up” organisation with a modern approach to delivering excellent services and value for money and the ability to put the latest thinking on effective organisational leadership in place.

4.2.4 Sharing Ownership for Delivery

- (1) By moving to a structure that demands an even more collegiate approach from Chief Officers, working alongside the Leader and Cabinet, KCC will broaden their experience, enhance their roles and get better value for money from their input. There will be greater corporate assurance through collective working. Innovation will become more essential and lead to a culture of providing solutions, not just highlighting problems or protecting self-interest. This approach has already been seen to add value through the improved joint working between Children’s Specialist Services, Education, Learning and Skills and the Health Service. Quicker, “one and done” decision making will mean that there is less likelihood of a decision being made in isolation by one part of the organisation which is then challenged by another, delaying action and causing frustration and potential tension between different parts of KCC.

5. Factors for consideration

- (1) In considering how KCC will organise its senior manager team and ensure all the duties of the Managing Director are properly reallocated, a number of aspects need to be considered:
 - (a) The job description
 - (b) The statutory responsibilities of Head of Paid Service
 - (c) The delegated authorities in the Constitution
 - (d) Other duties and activities not explicitly covered in the above documents

- (e) The leadership of the officer cadre, including line management arrangements
- (2) The aim is to build on the corporate responsibilities already enshrined in senior job descriptions and keep the amount of change to other posts to a minimum.

6. Other duties and activities

- (1) The Managing Director fulfils a number of other duties, particularly in relation to civic responsibilities and representing KCC on external groups and bodies. These duties will be reallocated to other senior managers, ensuring a match to their existing areas of responsibility wherever possible, and Members may represent the Authority at some others.

7. Leadership and line management

- (1) This is a critical aspect of this new working arrangement being effective. The most important factor will be the closer interchange and working relationship between the Leader, Cabinet and CMT as a whole and the individual portfolio holder, corporate directors and the Leader.
- (2) There are five aspects which need to be considered under this heading:

7.1 Joint working between Cabinet and CMT

- (1) Improved joint working and decision making between Cabinet and CMT will be achieved primarily through a change in the current prevailing culture, but it will also require a suitable framework for discussion on decision making to be put in place. It is suggested that a regular joint meeting, building on the format and membership of the current Cabinet Briefing which is made up of Cabinet, the Corporate Director members of CMT and the Director of Governance and Law.
- (2) The CMT will operate in the way described above. Members of the team will take collective responsibility for a sharper, more responsive approach which delivers the strategic agenda through a cohesive approach which makes best use of resources across the Authority.

7.2 Performance Management

- (1) The Cabinet portfolio holder, reporting to the Leader, will be responsible for leading the discussion with the relevant Corporate Director to agree the key performance measures and deliverables for the services in that portfolio. These will be formally agreed by Cabinet and individual corporate directors will then be held accountable for delivery. In essence, this replicates the current arrangements that exist between the Leader and the Managing Director, which will be put in place for each Corporate Director and Cabinet member.
- (2) In the event of any significant issues arising about an individual's performance or a matter that has longer term implications for the Authority, the Corporate Director Business Strategy and Support (CDBSS) will be expected to liaise with

the Leader, Cabinet Member responsible, take advice from the Monitoring Officer, Section 151 Officer and/or Corporate Director of HR, as appropriate. Each of the senior managers will have an obligation to keep the CDBSS informed of issues of strategic importance on which they are liaising with members, each other or external partners.

- (3) If there are divergent priorities or differences of opinion that cannot be resolved by the individuals concerned, the CDBSS will take responsibility for resolving them in consultation with the Cabinet members and Leader. Similarly, any formal performance monitoring or disciplinary action needed will be initiated by the CDBSS in consultation with the Leader and on advice from the Monitoring Officer and/or Corporate Director of HR. Any performance issues concerning the CDBSS will be initiated by the Leader with advice from the Monitoring Officer and Corporate Director of HR and subsequently dealt with as prescribed in the Constitution. If there are complaints or issues with a Cabinet member these will be dealt with by the Leader and the CDBSS.

7.3 Day to day line management

- (1) By nature of his designation as Head of Paid Service, essential line management functions (for example agreeing leave, signing off expenses, dealing with sickness absence), will be undertaken by the CDBSS, as will any more informal support and advice needed by individuals in the CMT. The current line management arrangements in place for the Corporate Directors of HR and Finance will continue (i.e. the reporting line to the CDBSS). He will also take responsibility as Head of Paid Service for any employee relations issues or personnel issues at a very senior level. If any such issues arise concerning the CDBSS they will be dealt with by the Leader with advice on appropriate process to be followed from the Corporate Director of HR.

7.4 Leadership of the broader staff group

- (1) Leadership of staff at KCC is a critical factor in the Authority's on-going success and it is critical that there is a visible leadership cadre giving clear strategic direction and developing a staff group with high morale and sense of shared purpose. Whilst the Head of Paid Service retains the ultimate responsibility for staffing issues across the authority, leadership will be shared between CMT with each Corporate Director being very visible amongst both their own staff group and across the Authority. There will be an increased role for the Leader and Cabinet members in this area. The Pioneer group of Directors will also have a critical role to play in staff engagement and leadership. The continuing improvement of internal communication will be essential to the success of this approach.

7.5 Other proposed changes to operating framework

- (1) Following previous discussions, it is proposed that the Director of Public Health reports to the Corporate Director, Families and Social Care. It is felt that this change will ensure that Public Health is properly supported through being part of the Directorate management team meetings in FSC and that the post-holder

has the opportunity to discuss issues, policy and strategy with a line manager who has the most relevant set of experience and expertise.

- (2) Following consultation with the new Corporate Director Education, Learning and Skills, the new Cabinet portfolio holder, the Managing Director and the Leader, two revised Director posts have been agreed for that Directorate and the new structure for ELS is now out for consultation. The job descriptions for these posts, the Director of Education Standards and the Director of Education Planning and Access, and the proposed structure are included at **Appendix 1**. The costs of two Director level posts in ELS were included in the Change to Keep Succeeding report agreed by the County Council in December 2010.
- (3) In line with the strengthening of procurement capability across the Authority, the establishment of a Procurement Board and the appointment of a new Head of Procurement, Commercial Services will be managed through a Board chaired by the CDBSS. This will ensure the proper separation, in line with good procurement practice, between “decider” and “provider” which can become blurred under the current arrangements. This will be effective from April 2012 at which time Commercial Services will cease to part of the Enterprise and Environment Directorate. Both the Boards mentioned will include members of Cabinet and CMT.

8. Financial Implications

- (1) Decisions on how to structure a Council’s staff base rightly belong to elected Members. The proposal to delete the post of Managing Director has not been taken lightly and the desire to ‘balance the books’ has not been allowed to override the need to maintain good corporate governance.
- (2) However, whilst not the most significant factor in this proposal, the financial advantages to be had from removing such a senior post cannot be ignored.
- (3) The proposal for the deletion of the post of Managing Director and the impact on the current postholder have been considered by the Section 151 Officer and the District Auditor. Neither has raised any objections to the proposal. The details of the costs of implementing these proposals have been fully considered and agreed by the Personnel Committee at its meeting on 28 November 2011.
- (4) The annual costs of the Managing Director post when employer’s costs are taken into account are £265,000 per annum. Savings will therefore accrue from its deletion and will begin to be visible during the second financial year. Any changes to other officers’ terms and conditions will be reported to the next Personnel Committee in January 2012.

9. Legal Implications

- (1) It is open to the Council to delete the post of Managing Director from its Management Structure. There is no legal requirement for the Council to retain a chief executive/managing director position, provided that it ensures that the legal duties and governance obligations that were previously designated to the

Managing Director are properly assigned and undertaken elsewhere. This includes the roles of Head of Paid Service and Returning Officer.

Head of Paid Service

- (2) The Council has a statutory duty under section 4 of the Local Government and Housing Act 1989 to designate one of its officers as the Head of Paid Service. The Council's Constitution currently designates the Managing Director as the Head of Paid Service. It can, however, be discharged by any officer, other than the Monitoring Officer. The main statutory provisions are described below:
- (a) It is the duty of every authority:
 - i. to designate one of their officers as the head of their paid service; and
 - ii. to provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow his duties to be performed.
 - (b) It is the duty of the Head of Paid Service, where he considers it appropriate to do so in respect of any proposals of his with respect to any of the matters listed below, to prepare a report to the authority (and copied to each member of the authority) setting out his proposals:
 - i. the manner in which the discharge by the authority of their different functions is co-ordinated;
 - ii. the number and grades of staff required by the authority for the discharge of their functions;
 - iii. the organisation of the authority's staff; and
 - iv. the appointment and proper management of the authority's staff.
 - (c) The authority must consider any report by the Head of Paid Service at a meeting held not more than three months after copies of the report are first sent to members of the authority.
- (3) It is proposed that the various statutory and non-statutory duties outlined in the Managing Director's job description are reallocated to members of CMT and the Director of Governance and Law as shown in the revised Job Descriptions attached at **Appendix 2**. In particular, it is proposed that the duties of the Head of Paid Service are duly designated to the Corporate Director of Business Strategy and Support. The appendix includes a number of tracked changes to enable members to see where text has been inserted and deleted.

Returning Officer

- (4) Section 35 of the Representation of the People Act 1983 requires the Council to appoint an officer of the Council as Returning Officer for local authority elections. This is a personal appointment, and, once made, the Returning Officer is not subject to the direction of council or members. It is proposed that

the duties of the Returning Officer are duly designated to the Director of Governance and Law.

Arrangements to support the Lieutenancy

- (5) The historic office of Lord-Lieutenant dates from the reign of Henry VIII, at which time the holder of the office had responsibility for the maintenance of order in the Lieutenancy and for military measures necessary for defence. A Lord-Lieutenant is appointed by Her Majesty the Queen for each County in England and Wales, and each area in Scotland. Section 5 of the Lieutenancies Act 1997 provides that there must be a Clerk of the Lieutenancy for each county or area, appointed by the Lord-Lieutenant. In many counties, the role is carried out by the chief executive of the county council. Customarily in Kent, the Chief Executive/Managing Director has been appointed Clerk of the Lieutenancy.
- (6) The duties of the Clerk of the Lieutenancy may be summarised as follows:
 - (a) Publishing in the London Gazette and other media as required the names and date of commission of newly appointed Vice Lord-Lieutenants and Deputy Lieutenants.
 - (b) Maintaining the Lieutenancy roll showing the residential qualifications of the Vice Lord-Lieutenant and all Deputy Lieutenants.
 - (c) Preparing the commissions of the Vice Lord-Lieutenant and the Deputy Lieutenants.
 - (d) Undertaking all necessary administrative work in connection with the functions of the Lieutenancy, including arrangements for Royal Visits, and a wide variety of other activities and ceremonial duties, including presentations on behalf of Her Majesty.
- (7) Guidance issued in April 2008 by the Association of Lord Lieutenants states that the Lord Lieutenant may appoint whichever person of standing and integrity he wishes to be Clerk of the Lieutenancy. In the absence of a Managing Director and subject to the agreement of the Lord-Lieutenant, it is proposed that the Director of Governance and Law would be an appropriate officer to assume the role of Clerk of the Lieutenancy.

DCS/DASS roles

- (8) The Corporate Director Families & Social Care is both the Council's Director of Children's Services and Director of Adult Social Services. Government guidance (to which the Council must have regard) suggests that these posts should report directly to the Head of Paid Service who, in turn, reports to the council on the performance of its officers. The accountability and responsibility of the DCS/DASS to assure the Head of Paid Service and, through him, the Members of the authority that he is fulfilling his statutory safeguarding responsibilities, will be written into the two contracts of employment of the officers concerned and the Accountability Protocol for the Director of Children Services revised accordingly.

Constitutional changes

- (9) The Council's Constitution will require revision to reflect changes to the senior management structure and, in particular, the deletion of the post of Managing Director and the re-designation of the roles of Head of Paid Service and Returning Officer. The Council is asked to authorise the Monitoring Officer to make any necessary consequential changes to the Constitution, including those to the Articles set out in **Appendix 3**.

10. Impact Assessments

- (1) An equality impact assessment has been undertaken as a result of the proposal to delete a post from the senior structure of the Authority. It concludes that there is no equality issue to be addressed.

11. Risk and Business Continuity Management

- (1) Removal of the post of Managing Director will facilitate improvement in better prioritisation, mitigation of organisational risk and overall good governance. The leadership cadre will be responsible for the delivery of overall objectives, and have to understand and take part in the decision making for other parts of the organisation. Importantly, this will mean they will have an understanding and ownership of the impact of their plans/actions on other services.
- (2) The unified approach will lead to a greater sense of risk evaluation, mitigation and understanding. In the future structure, all the Authority's most senior officers would also be directly responsible for elements of business delivery as well as being part of the collegiate CMT. An open discussion around risk can take place in an environment where the evaluation and impact of that risk is a shared exercise.
- (3) The risks, and their mitigation, of deleting the post of Managing Director can be summarised as follows:
 - (a) The risk of senior managers not supporting the new framework and actively opposing changes. This risk has been mitigated due to the nature of many positive comments from and the explicit support of these staff.
 - (b) KCC not being represented in key stakeholder meetings and events due to lack of capacity among CMT members. Careful consideration has been given to the civic duties of the Managing Director and the key fora at which she has represented KCC. The risk will be mitigated by ensuring no individual member of CMT is expected to take on a disproportionate share of these meetings and by making use of the strategic potential that exists within Directors at Pioneer level, as appropriate. The careful review of the job descriptions for CMT roles has ensured the impact is not significant for any individual.
 - (c) Performance management and service delivery standards suffer because of the lack of a direct report line to a single senior officer for all members of

CMT. This risk is mitigated by the clarity of the mechanisms being put in place for a joint group of Cabinet and CMT which will be a focal point, in addition to the other formal governance structures, for decision making and performance monitoring. This mitigation is further enhanced by the changes to governance arrangements and the formation of Cabinet Committees. The most recent iteration of the quarterly monitoring information and the improvement and centralisation of performance monitoring across the Authority will also help mitigate this risk.

12. Consultation and Communication

- (1) Katherine Kerswell has been formally consulted on the proposal to delete her post. All members of the Corporate Management Team and the Director of Governance and Law have been informally consulted on aspects of these proposals.
- (2) The three political group leaders have been involved and consulted on all aspects of the proposal. The Cabinet has considered and endorsed the proposal to delete the post of Managing Director.

13. Sustainability and Rural Proofing Implications

- (1) There are no issues or impacts to report under this heading.

14. Staffing or Health and Safety issues

- (1) The staffing issues inherent in this proposal have been covered in the main body of the report above. The remaining senior officers in the operating framework are not impacted significantly by the proposed changes.

15. Conclusions

- (1) Through this further change to the organisational structure, it is felt that the organisation will be even better placed to meet the needs of the communities of Kent.
- (2) The steps and processes outlined in this report will ensure the success of the proposal by delivering robust arrangements for managing the organisation if the post of Managing Director is deleted.

16. Recommendations

- (1) County Council is asked to:
 - agree the deletion of the post of Managing Director from the operating framework
 - agree that the Head of Paid Service responsibilities are designated to the Corporate Director of Business Strategy and Support
 - approve the revised job descriptions for the Corporate Director Business Strategy and Support; the Corporate Director Customer and Communities;

the Corporate Director Human Resources and the Director of Governance and Law

- agree the change of reporting line for the Director of Public Health to the Corporate Director Families and Social Care
- agree that the posts of Director of Education Standards and Director of Education Planning and Access as part of the senior structure in ELS
- designate the Director of Governance and Law as the Returning Officer
- support a proposal being made to the Lord Lieutenant that the Director of Governance and Law becomes the Clerk of the Lieutenancy for Kent
- note the proposed change in the contracts of employment for the Corporate Director Families and Social Care as described in Section 9 (8)
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