

Report to:	Governance Committee
Date of meeting:	28 October 2020
By:	Chief Executive
Title:	Partnership Working with West Sussex County Council
Purpose:	To seek the Committee's agreement to establish a post of and remuneration level for, an Executive Director, Adult Social Care and Health who will work across East and West Sussex County Councils

RECOMMENDATIONS

The Governance Committee is recommended to agree to the establishment of a post of Executive Director, Adult Social Care and Health who will work across East and West Sussex County Councils and that they be placed on the Chief Officer Band B for the purpose of the ESCC's contribution to the remuneration.

1 Background

1.1 In December 2019 Cabinet approved the proposal to work with West Sussex County Council as an improvement partner including sharing the services of the Chief Executive of East Sussex County Council and other officers as required, along with the Leader of the Council working closely with the West Sussex Leader. The partnership envisages the two Councils working together at a member and senior officer level to provide experience, mutual learning, assistance and improvement

1.2 The agreement started on 6th January 2020 and at its meeting on 14 July 2020, the Governance Committee endorsed the continuation of the partnership arrangements. A number of benefits were identified to the Committee and in particular, that partners across Sussex have welcomed the fact that the more joined up approach has assisted the opportunity in exploring potential joint working in Adult Social Care and Health with a view to:

- Developing a more consistent approach to whole system working with the NHS to improve outcomes for our residents;
- Integrating working across East and West Sussex to address quality, capacity and sustainability for social care markets;
- Developing an integrated approach to commissioning support for people with complex needs, including those with autism, cognitive impairments and mental ill health; and,
- Putting in place a consistent framework for sharing best practice.

2 Proposal

2.1 The agreed partnership arrangement between East and West Sussex County Councils is proving successful and this report proposes a further development. The approach continues to be firmly based on both Councils remaining as separate sovereign authorities and working together on a range of issues where there is mutual benefit to do so. The agreement will next be subject to review in July 2021 after the County Elections.

2.2 Adult Social Care and Health is a key area where both councils consider closer working will be valuable. To fully leverage the benefits identified above, it is now proposed to establish a new post of Executive Director, Adult Social Care and Health to operate across both East and West Sussex County Councils. The proposal will specifically enable:

- stronger joint working and learning by the two public health teams under unified management;

- stronger and more consistent joint working by the two county councils with the NHS and PHE (and successor body) especially as national health structures increasingly looks to work at a Sussex level;
- a stronger voice to influence DHSC and other Government departments working on national policy, especially reform and funding of Adult Social Care and Public Health;
- improved management of care markets which are increasingly vulnerable due to covid and financial constraints in a context where this is an increasing priority for Government and there is likely to be expectation that councils work at a sub regional level;
- stronger joint work on safeguarding, building on existing pan Sussex policies and procedures; and,
- shared learning and problem solving in uncertainty.

2.3 Given the improvement agenda in West Sussex County Council, the balance of time spent by the Executive Director will be considerably greater in WSCC than ESCC and is expected to be in the proportion of 80% WSCC and 20% ESCC. This will be reflected in the contributions made by each authority.

2.4 In light of this and in order to ensure that there is no detriment to the Adult Social Care and Health services delivered in ESCC, it will be necessary to consider the appropriate structural arrangements to be put in place in ESCC. Under the Social Services Act 1970 a local authority is required to appoint a statutory chief officer with responsibility for delivering local authority social services functions in respect of adults. Specific responsibilities of this statutory role include:

- Accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services;
- Professional leadership, including workforce planning;
- Leading the implementation of standards;
- Managing cultural change;
- Promoting local access and ownership and driving partnership working;
- Delivering an integrated whole system approach to supporting communities; and
- Promoting social inclusion and wellbeing.

Given the scale and balance of the proportion of time to be spent across the two Councils, it will not be possible for the Executive Director role to undertake the statutory functions identified above in ESCC.

2.5 Careful consideration has therefore been given to the most appropriate arrangements for ESCC that ensure both the leadership and management of the Adult Social Care and Health department, as well as the performance of the statutory functions identified above. In order to fulfil these responsibilities it is proposed that the (current) post of Director of Adult Social Care and Health is maintained within the existing staffing structures and will represent the Department on the Corporate Management Team. This will enable both the statutory functions to be undertaken as well as ensuring there is no detriment to the delivery of adult services to the residents of East Sussex. This post and the Director of Public Health will be managed by the Executive Director.

2.6 Under the Localism Act 2011 a local authority is required to formulate and publish a pay policy statement relating to the pay of its chief officers. In addition, Government Guidance published pursuant to the Act states that full Council, or a meeting of members, should be offered the opportunity to vote before large (suggested level greater than £100,000) salary packages are offered in respect of a post. In order to avoid potential delays to any future recruitment of Chief Officers, given that full Council meets only six times a year, Full Council agreed that authority be delegated to the Governance Committee to approve the remuneration for posts which have a salary level greater than £100,000, providing existing grade bands and terms and conditions of service are applied and that any proposed exceptions be reported to full Council for consideration.

2.7 It is proposed that the Executive Director post is established as a chief officer post within the context of the existing ESCC staffing pay scales and terms and conditions. It is proposed that the post is established at the level of the existing chief officer grade i.e. CO Band B, and consequently the 20% of the remuneration for which ESCC will be responsible for will be within the existing pay scales and terms and conditions of service. It will be a matter for WSCC as to the level of remuneration that they pay for the remaining 80% and although for administrative purposes this will be paid by ESCC it will be recharged to WSCC.

2.8 In line with the partnership agreement between East and West Sussex Councils, it is further proposed that these arrangements are open ended. Allied to this, as the Committee will be aware, a fundamental principle of the agreed arrangement with WSCC is that ESCC does not suffer any financial detriment. Given the expected balance of time across the two Councils, the proposed arrangements will not cost any more than at present given the savings that will be achieved through the appointments to be made further down the staffing structure.

3. Recommendations

3.1 The Governance Committee is recommended to agree to the proposal to establish a post of Executive Director, Adult Social Care and Health and the level of remuneration. Should the Committee agree to the proposal then the agreement entered into with WSCC will be amended to reflect the development.

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LOCAL MEMBERS: All
BACKGROUND DOCUMENTS: None

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