

Report to: Governance Committee

Date of meeting: 10 November 2020

By: Assistant Chief Executive

Title: Amendment to the Constitution – Officer delegations - Adult Social Care

Purpose: To consider proposals to amend the Constitution in relation to officer delegations

RECOMMENDATION: The Committee is recommended to agree and to recommend the County Council agree:

- (i) to amend the Officer Scheme of Delegations as set out in Appendix 1;
 - (ii) that the Executive Director of Adult Social Care and Health and Director of Adult Social Care be considered Chief Officers and Directors for the purpose of delegations to officers and be delegated authority accordingly; and
 - (iii) To amend the Constitution in light of the above and to reflect the new structure
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1 Background Information

1.1 The Governance Committee agreed on 28 October 2020 to the establishment of a new post of Executive Director – Adult Social Care and Health to work across East and West Sussex.

1.2 The current holder of the post of East Sussex County Council Director of Adult Social Care and Health has been confirmed as the Executive Director.

2 Supporting Information

2.1 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 East Sussex County Council.

2.2 The post of Director of Adult Social Care and Health is maintained within the existing staffing structures, but will be renamed as Director of Adult Social Care. The post holder will be the statutory chief officer referred to above. The post will represent the Department on the Corporate Management Team. This enables 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. The Constitution sets out the current staffing structure and so it is recommended that this be amended to reflect the changes.

2.3 As a consequence, the current delegation of functions to the Director of Adult Social Care and Health have been reviewed. A proposal for the amended delegated functions is set out in Appendix 1.

2.4 Alongside delegations to specific Chief Officers, the Constitution sets out a number of delegations to Chief Officers and Directors more generally. These are predominantly set out in the Scheme of Delegations to Officers, the Financial Procedure Rules and the Procurement and Contract Procedure Rules. It is recommended that the posts of Executive Director for Adult Social Care and Health and Director of Adult Social Care be considered Chief Officers and Directors for the purpose of the delegations to officers and be delegated authority accordingly.

3 Conclusion and Reason for Recommendation

3.1 For the reasons set out in the report it is recommended that the Committee agrees the recommendations set out in the report.

PHILIP BAKER
Assistant Chief Executive

Contact Officer:
Claire Lee, Head of Policy and Member Services
Email: claire.lee@eastsussex.gov.uk