



Minutes

Name of meeting	APPOINTMENTS AND EMPLOYMENT COMMITTEE
Date and Time	WEDNESDAY 9 MARCH 2022 COMMENCING AT 12.30 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs L Peacey-Wilcox (Chairman), P Brading, S Ellis, K Love, J Robertson and I Stephens
Also Present (Non voting)	Cllr G Brodie
Officers Present	Judy Mason, John Metcalfe
Apologies	Cllr J Bacon

1. **Minutes**

RESOLVED

THAT the minutes of the meeting held on 10 July 2020 be approved.

2. **Declarations of Interest**

There were no declarations of interest.

3. **Public Question Time - 15 Minutes Maximum**

There were no public questions submitted

4. **Urgent Business**

There were no items of urgent business

5. **Appointment of Director of Adult Social Care and Housing Needs**

Approval was sought to begin the appointment process of a permanent full- time position of Director of Adult Social Care and Housing needs. It was explained that it was a statutory requirement to fill this position and that the Council had added 'Housing Needs' into the job title as it was felt that social care and housing were closely linked.

It was anticipated that the whole recruitment process would likely take until June 2022 before the appointee was appointed and that they would be subject to a notice period if coming from outside the authority.

Questions were asked about why it had taken so long to begin the process and that, by habitually appointing interims to senior posts, the council was giving the impression of favouring existing Council employees at the expense of forgoing new talent.

It was explained that, appointing an interim for six months lent itself to a more balanced approach which gave continuity and that that the Council shouldn't be at odds with promotion from within. Nurturing existing talent was seen as a positive approach, particularly as there had been previous problems with recruitment to senior positions in the Council.

Questions were asked about whether the Council needed to up the pay scale for this position as it was important that the Council appointed the right person for the job and whether the salary structure offered was too low.

It was highlighted that the Council should not attempt to break its own pay structure by offering more money, and that the salary offered was about in accordance with the council's grading structure however, it would likely attract people stepping up into the role of Director rather than those already in a Director position

The differences between male and female rates of pay were questioned and it was concluded that that had been a deterioration in this area across the council.

It was concluded that the appointment for this position would be carried out in a transparent and fair way.

RESOLVED:

THAT the appointment process for the new Director of Adult Social Care and Housing Needs be approved.

6. Member's Question Time

Cllr Brodie submitted a written question regarding the recent media coverage surrounding the Committee's Chairman (MQ 08-22).

CHAIRMAN



Appointments and Employment Committee

Date	WEDNESDAY 9 MARCH 2022
Title	APPOINTMENT OF DIRECTOR OF ADULT SOCIAL CARE AND HOUSING NEEDS
Report of	CABINET MEMBER FOR ADULT SOCIAL CARE AND PUBLIC HEALTH AND THE CABINET MEMBER FOR COMMUNITY PROTECTION, DIGITAL TRANSFORMATION, HOUSING PROVISION AND HOUSING NEEDS

EXECUTIVE SUMMARY

1. Members are invited to approve the recruitment and permanent appointment of a Director of Adult Social Care and Housing Needs in accordance with the job description and person specification provided for the role.
2. The post has been filled on an interim basis since September 2021 and given the expected changes in the delivery of health and care services over the next few years it is important to confirm a permanent appointment to the role as soon as possible. This will allow the postholder sufficient time to give effect to the medium / long term planning for the services necessary to respond to these changes.

RECOMMENDATION

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| <ol style="list-style-type: none">3. It is recommended that the committee agree option 1 in this report and:

Proceed to appoint a DASCHN in accordance with the job description and person specification as appended to this report |
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BACKGROUND

4. The position of Director of Adult Social Services (DASS) is a statutory chief officer post, and the functional requirements of the role are set out in statutory guidance issued by the Department for Health in 2006. This provides that the DASS be accountable for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended), other than those for which the Director of Children's services is responsible. It also provides that the DASS should be directly accountable to the Chief Executive. Further details in relation to the role of the DASS are summarised in Appendix 1.

5. In 2017 the council also added the responsibility for housing needs to the responsibilities for the DASS role creating a post of Director of Adult Social Care and Housing Needs (DASHN). This capitalised on the council's unitary status to bring together functions that are closely aligned and can often be working with the same members of the community, but which are split in two tier areas where district councils are responsible for housing needs. This approach has achieved much success in the better support for individuals from earlier identification of potential issues achieved thorough a single director accountability for "vulnerable adults".
6. The previous holder of the role of DASCHN left the council at the end of August 2021 and the position has been filled on an interim basis by the Assistant Director of Social Care and Housing Needs since that time. The assistant director role has been backfilled by a mix of external support and internal acting up arrangements.
7. As the nation emerges from responding to the covid-19 pandemic it and the council need to consider how to recover from the impacts of the pandemic which have been especially great in the health and social care sectors. Part of the council's recovery actions should be to appoint to the DASCHN role on a permanent basis as soon as possible. This will be especially important given the future challenges faced by the sector, including but not limited:
 - (a) Rebuilding the workforce capacity.
 - (b) Changes to service access as provided for by the Health and Care Bill.
 - (c) Greater integration of health and social care as required under the Health and Care Bill.
 - (d) The reintroduction of Care Quality Commission (CQC) inspections of local authority adult social care services.
 - (e) The ongoing need to plan and commission services in a covid-19 secure way.
 - (f) The available budget envelope to meet increasing demands for services.
8. The response to these and many other challenges facing the council require a medium to long term approach so that the council's response is provided in a proportionate, structured and sustainable way. The response will require building strong and effective relationships with partners in the health, voluntary and independent care sectors. Many of these relationships will invest in the personal interactions between the DASCHN and the key leaders in these sectors. People will only want to invest their limited time and capacity in building these relationships if they are aware there will be a degree of longevity to them.
9. The staff in the directorate of Adult Social Care and Housing Needs have been central to the council's activities to protect the most vulnerable members of the community throughout the covid-19 pandemic; they have repeatedly gone above and beyond what has been asked of them to keep people safe. They too are now looking to the future leadership of the directorate to guide them through the challenges ahead and what it means for them personally and their services in particular.
10. Attached at appendix 2 to this paper is the proposed job description and person specification for the role DASCHN. Members of the committee are asked to consider the appendices and confirm the recruitment process for the post can commence. It is intended that, following a decision today, an appointment is made by the end of June 2022.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

11. The DASCHN is the most senior officer in the council for taking forward the corporate priority to “place the health and wellbeing of residents at the centre of all we do”. Whilst this objective cuts across all council services, a member of the Corporate Management Team needs to ensure this is happening, this role is performed by the DASCHN.

CONSULTATION

12. The Leader and Deputy Leader of the council support the proposed action to start the recruitment process for a permanent appointment to the position of DASCHN

FINANCIAL / BUDGET IMPLICATIONS

13. The pay grade for this position was established when the council completed its major job evaluation exercise in 2015. There have been no changes to the outcomes of that exercise since its completion, therefore the grade is established relative to all of the other rates of pay across the council.
14. The role is graded at point 20 on the council’s pay scales with a salary of £105,914 to £113,931 per annum (before the 2021 pay award is applied - this is still not agreed between employers and unions). This is allowed for in the council’s current budgets.

LEGAL IMPLICATIONS

15. The Appointments and Employment Committee is responsible for the appointment of a governance statutory chief officer or a director. Such appointment must be:
 - (a) made on merit
 - (b) subject to a job summary
 - (c) subject to appropriate advertisement where the appointment is not an internal process
16. The committee cannot make an offer of appointment to a candidate until it has confirmation that the Cabinet has no material objection to the proposed appointment.

EQUALITY AND DIVERSITY

17. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
18. The council’s, “aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best” (Equality, diversity and inclusion statement and guidance, 2021). The recruitment and appointment process will be undertaken in accordance with this aim and the council’s published guidance.

OPTIONS

19. There are a number of options for the committee to consider:
- Option 1: Proceed to appoint a DASCHN in accordance with the job description and person specification in appendix 2 to this report.
- Option 2: Proceed to appoint a DASCHN but with committee agreed variations to one or all of the job description and person specification in appendix 2 to this report.
- Option 3: Defer the appointment of a DASCHN to reconsider other available options for the council to meet its statutory duties delivered through this role.

RISK MANAGEMENT

20. Any delays in recruiting and appointing to the DASCHN post on a permanent basis risk impacting on the council's effective response to the challenges highlighted earlier in this report; especially those from the health and care bill and in recovering from the impacts of covid-19. The job descriptions and person specification proposed in appendix 2 are considered appropriate to securing the most appropriate person to meet these challenges and lead the directorate. However, the annual personal review conversations between the postholder and the Chief Executive will establish what is expected of the postholder in any particular year, aligned to the corporate plan.
21. Consideration of options for the council to meet its statutory responsibilities other than through a directly employed DASCHN is possible but the committee would want to be assured of the benefits of such an approach before reviewing the options. The directorate of adult social care and housing needs is the council's biggest spending department which therefore has the greatest impact on the council's overall financial sustainability. In addition, local relationships across the health and care sector are of immense importance to the effective delivery of services to the most vulnerable in the Island's community. The committee would need to be assured that these relationships could be sustained in any approach taken other than through a permanent DASCHN.

EVALUATION

22. This is a pivotal time for the delivery of adult social care and housing needs services; the changes that are required by government in these services over the next few years are significant and need a careful and planned response from all partners across the health and care sectors.
23. Such a response can only come from having a DASCHN that is employed on a permanent basis and therefore invested in building partnerships that will underpin the changes that have to be made for the good of the vulnerable in the Island's community
24. The appointment of a DASCHN on a permanent basis strengthens the capacity of the council's corporate management team to plan across all service areas and respond to opportunities and challenges that require the capacity of the whole body corporate (such as in the covid-19 pandemic).

APPENDICES ATTACHED

25. Appendix 1: Statutory responsibilities of local authorities in relation to adult social care (Source: Association of Directors of Adult Social Services).

Appendix 2: Job Description and Person Specification for the role of Director of Adult Social Care and Housing Needs (DASCHN).

BACKGROUND PAPERS

26. None

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JOHN METCALFE
Chief Executive

(CLLR) KARL LOVE
*Cabinet Member for Adult Social Care and
Public Health*

(CLLR) IAN STEPHENS
*Cabinet Member for Community
Protection, Digital Transformation,
Housing Provision and Housing Needs*

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Summary of the statutory responsibilities of Local Authorities in relation to adult social care and the statutory role of the DASS

The following is a summary of the guidance issued by the Department of Health in 2006 on the role of the Director of Adult Social Services (DASS).

The statutory responsibilities of Local Authorities in relation to adult social care

- Chief Executives of local authorities with social services responsibilities should ensure that a DASS is in post
- The local authority shall take steps to ensure that the post holder is given the necessary authority, is enabled/given the necessary resources to provide professional leadership (including delivering workforce planning) in social care and deliver the cultural change necessary to implement person-centred services and to promote partnership working, and such other responsibilities as the local authority determines
- The local authority shall ensure that the DASS is made accountable for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended), other than those for which the Director of Children's services is responsible.
- Local authorities shall ensure that the DASS is directly accountable to the Chief Executive of the local authority and comparable in terms of seniority, with the Director of Children's Services.
- The Local Authority Social Services Act 1970 (as amended), allows local authorities to jointly appoint a single DASS to cover their local authority areas. The partnership arrangements provided for by the Health Act 1999 also enable joint funding of posts between a local authority and an NHS body.
- A joint appointment of a person to a DASS post and a post in the NHS is therefore possible. Where such a joint appointment occurs the DASS must remain an employee of the local authority for the full range of social services responsibilities. In addition, local authorities may extend the DASS's responsibilities to cover other local authority services and responsibilities (such as leisure, housing, transport and adult education). It is for local authorities themselves to determine whether to utilise/make use of these provisions given their particular circumstances.
- The DASS is a politically restricted statutory chief officer post under Section 2 of the Local Government and Housing Act 1989 (as amended). This means that he or she may not be a Member of the local authority. As is the case with former Directors of Social Services, the appointment of the DASS is not a function of the executive. This means that the full council can take the decision, or may choose to delegate the decision.

The statutory role of the DASS

The DASS's key leadership role is to deliver the local authority's part in:

- Improving preventative services and delivering earlier intervention
- Managing the necessary cultural change to give people greater choice and control over services
- Tackling inequalities and improving access to services
- Increasing support for people with the highest levels of need

There are seven key aspects to be included in the DASS's remit:

- (i) Accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services
- (ii) Professional leadership, including workforce planning
- (iii) Leading the implementation of standards
- (iv) Managing cultural change
- (v) Promoting local access and ownership and driving partnership working
- (vi) Delivering an integrated whole systems approach to supporting communities
- (vii) Promoting social inclusion and wellbeing

Source : ADASS (February 2012)

Job Description and Person Specification for the role of Director of Adult Social Care and Housing Needs (DASCHN).

JOB PURPOSE

1. To act in the capacity of nominated Director of Adult Social Services and to fulfil the statutory responsibilities associated with this role.
2. Set the overall direction and provide strategic leadership of the council's adult social services and housing needs and shape the successful delivery of integrated and innovative service solutions.
3. To secure the best possible outcomes for wellbeing for residents of the Isle of Wight as well as ensuring that vulnerable people are safeguarded, in line with legislation and within available resources.
4. Develop and maintain key strategic relationships that optimise the commissioning and delivery of integrated solutions that serve the needs of the Island's people and its communities, bringing about best value for every Island £1 spent.
5. Bring about a culture of robust performance management, business acumen and commercial mindedness to services that have the potential to be delivered through a range of service delivery methods.

SPECIFIC DUTIES AND RESPONSIBILITIES

Leadership:

1. Lead the development and maintenance of key strategic relationships with external stakeholders in the public, private and voluntary sectors to optimise opportunities for developing a one Island approach to service delivery, reducing duplication and maximising best value for money.
2. Develop and implement effective policy and strategy on all matters relating to Adult Social Services and housing needs and to lead on the integration of health and social care, driving through significant cultural change.
3. Ensure that the care aspects of the Director of Adult Social Services role set out in the statutory guidance issued under section 7 of the Local Authority Social Services act of 1970 are fully discharged
4. Contribute to the leadership of the organisation, ensuring a high calibre, well-motivated, effective and engaged workforce.
5. Leading the development and implementation of occupational and professional standards across services.
6. Be accountable for the assessment of local needs and ensuring availability and delivery of adult social services.

Strategic direction:

1. Radically transform the way services within the scope of the role are delivered, through consolidation, integration and co-ordination for the delivery of new operating models that secure efficiency savings and offer a better experience to those who need to use them.
2. Working closely with the Director of Children's Services and Director of Public Health to improve outcomes for Island residents.
3. Be responsible for ensuring vulnerable adults on the Isle of Wight are safeguarded through robust multi-agency arrangements.

Policy advice:

1. Act as the principal advisor to Executive Members and corporate management team on all matters in respect of adult social care and community wellbeing.
2. Act as the principal point of contact (including for the Care Quality Commission) and ensure that information is provided as required by national agencies.

Partnerships:

1. Work with elected members in their role as community leaders by advising on building and fostering relationships across the local community to ensure that the needs of the Island community are articulated and their interests progressed to achieve improved outcomes for local people within the fiscal constraints that exist.
2. Promote the image and reputation of the council by supporting members in building its influence through constructive relationships nationally and locally with private, public and voluntary sector organisations, ensuring that the Island secures the best possible deal for its residents.
3. Work with partners and stakeholders to harness and develop the resources of the Island to develop policies and community plans which will benefit local people in line with the council's aspirations and which makes best use of available resources.

Operational Management:

1. Hold accountability for the management of staff within the Adult Social Care and housing needs directorate. Develop a culture which demonstrates both a positive outlook and commitment to continuous improvement, in order to effectively meet the challenges in a time of financial constraint.
2. Ensure the delivery of robust financial planning policies and procedures that allow the directorate and council to conduct its financial affairs effectively whilst maximising the potential for income generation, whilst operating within its means.
3. In conjunction with heads of service, be responsible for developing a culture of collective and individual accountability for the overall performance management, risk management, people management and change management operations to ensure the capability of effectively delivering the Council's objectives.
4. Promote the development of effective policies in response to the changing demands imposed by legislation, government and service demands.
5. Take overall responsibility for the directorate's risk and reputation management by ensuring it operates in an open, respectful, accountable and democratic manner.

PERSON SPECIFICATION

KNOWLEDGE SKILLS AND EXPERIENCE

1. Significant senior strategic leadership experience and proven record of achievement in translating organisational drivers into strategic objectives and sustainable longer term strategy across a portfolio of services within an organisation of comparable scope, size and complexity.,
2. Proven leadership ability for developing and embedding vision and direction.
3. Evidence of sound financial management skills and proven track record of accountability for significant budgets and ensuring the delivery of services within agreed resources.
4. Evidence of continuing professional development that demonstrates up-to-date knowledge of legislation and best practice
5. Extensive knowledge of the major issues facing local government, the national policy context, requirements and future direction for service provision.
6. Evidence of developing and modelling a strong performance culture together with sound business and commercial acumen that has brought about demonstrable improvements in efficiency and value for money.
7. Clear evidence of personal leadership capability and how this has impacted on taking services successfully through challenging situations that encourages trust and respect, is ethical and self-aware.
8. Experience of developing strong links between professional groupings to bring together services linked by locality and liveability issues.
9. Evidence of successful experience in leading radical transformation of services from inception through to delivery.
10. Significant experience of creating, leading and sustaining partnerships both internally and externally to achieve shared objectives and synergies in service delivery.
11. Authority and credibility to work effectively in a political environment that provides evidence of developing and sustaining positive relationships with portfolio holders and other members.
12. Demonstration of successful delivery of integrated and co-ordinated location-based initiatives that have secured significant improvements to the local community.
13. Experience in persuading a wide range of stakeholders to work together , encouraging an organisational focus on the needs of the community.
14. Ability to manage multiple complex projects within statutory, constitutional and value for money requirements.
15. Accepts accountability and holds others to account for their performance.

QUALIFICATIONS

Evidence of high intellectual capacity, which may include one or more of the following:

- Educated to degree level or equivalent standard
- A postgraduate qualification in a related subject or equivalent standard
- Membership of an appropriate professional body

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Appointments and Employment Committee

Written question from Cllr Geoff Brodie to the Chairman of the Appointments and Employment Committee.

In the light of the recent media coverage of the Chair of this Committee's now admitted but unapologised publishing of a racially offensive image on social media, how can every opponent of discrimination be assured that full adherence to the Council's Equality & Diversity policy will be applied to this Committee's appointment of a new Director of Adult Social Care and Housing Needs under her chairmanship?

Response

As a result of my life and especially my recent experiences, I can assure the committee I will be especially vigilant in making sure the highest standards of fairness are applied in considering individuals of all protected characteristics who might apply for this role.

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