

MAYORS' EXECUTIVE DECISION MAKING

Monday, 20 June 2011

Mayor's Decision Log No. 005

- 1. IMPLICATIONS OF THE MUNRO REVIEW OF CHILD PROTECTION ON THE RECRUITMENT OF AN EXECUTIVE DIRECTOR, EDUCATION, SOCIAL CARE AND WELLBEING (Pages 1 - 8)**

The Mayor has decided to pause the recruitment process until the Secretary of State has made his position clear in response to the Munro Review with regard to the roles of Director of Children's Services and Director of Adult Social Services.

For further details please see the attached report.

If you require further information regarding this Mayoral Decision, please contact:
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Agenda Item 1

LONDON BOROUGH OF TOWER HAMLETS
MAYORAL DECISION PROFORMA

Mayoral Decision Log No: 5

Title: Implications of the Munro Review of Child Protection on the Recruitment of an Executive Director, Education, Social Care and Wellbeing

Is this a Key Decision: No

UNRESTRICTED

EXECUTIVE SUMMARY

In March 2011, Cabinet agreed a report that recommended that the Directorates of Children's Services and Adults Services could be re-organised into one unified Directorate and to proceed with the recruitment of an Executive Director, Education, Social Care and Wellbeing, combining the roles of the Directors of Children's Services and Adults Social Service.

In May 2011, Professor Eileen Munro published the final report of the Munro Review of Child Protection. The report makes specific recommendations in relation to the role of Director of Children's Service that has an impact on the Cabinet decision that was made in March 2011. We are now awaiting the Government's response to the Munro report. Meanwhile, the Executive Mayor will need to decide how to proceed in light of the Munro report.

DECISION

The Mayor has decided to pause the recruitment process until the Secretary of State has made his position clear in response to the Munro Review with regard to the roles of Director of Children's Services and Director of Adult Social Services.

APPROVALS

1. Corporate Director

I approve the attached report and recommendations above for submission to the Mayor.

Signed  Date 20.6.11.

2. Chief Finance Officer

I have been consulted on the above recommendations and my comments are included in the attached report.

Signed  Date 21/6/11.

3. Assistant Chief Executive (Legal Services)

I have been consulted on the above recommendations and my comments are included in the attached report.

(For Key Decision only – delete as applicable)
I confirm that this decision:- *Not applicable.*

- (a) has been published in advance on the Council's Forward Plan OR
- (b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed  Date 20.6.11

4. Chief Executive

The recommendations above are consistent with the Council's agreed Budget and Policy Framework and will contribute to the achievement of the authority's Strategic Plan.

Signed  Date 20/6/11

5. Mayor

I agree the recommendations above for the reasons set out in the attached report.

Signed  Date 20.6.11

Committee/Meeting: Mayoral Decision	Date: 20 June 2011	Classification: Unrestricted	Report No:
Report of: Chief Executive Originating officer(s) Kevan Collins, Chief Executive, x4310		Title: Implications of the Munro Review of Child Protection on the Recruitment of an Executive Director, Education, Social Care and Wellbeing Wards Affected: All	

Lead Member	Mayor Lutfur Rahman; Cllr Oliur Rahman
Community Plan Theme	
Strategic Priority	

1. SUMMARY

- 1.1 In March 2011, Cabinet agreed a report that recommended the recruitment of an Executive Director, Education, Social Care and Wellbeing, combining the roles of the Directors of Children's Services and Adults Social Service.
- 1.2 In May 2011, Professor Eileen Munro published the final report of the Munro Review of Child Protection. The report makes specific recommendations in relation to the role of Director of Children's Service that has an impact on the Cabinet decision that was made in March 2011. We are now awaiting the Government's response to the report. Meanwhile, the Executive Mayor needs to decide how to proceed in light of the Munro report.

2. DECISION

- 2.1 The Mayor has decided to pause the recruitment process until the Secretary of State has published his response in relation to the Munro recommendation not to join the roles of Director of Children's Services and Director of Adult Social Services.

3. REASONS FOR THE DECISIONS

- 3.1 The recommendation of the Munro Review came out in May after the recruitment process had been commenced. Pausing the recruitment at this stage would mean that we would not have acted precipitately and all options would remain open. The Secretary of State has indicated that he will respond to the report early in the autumn. There is a small risk to our reputation in ending the recruitment process at this stage but the statement

in the Munro review is a legitimate concern and would be to the candidates also if the government supported her view.

4. ALTERNATIVE OPTIONS

- 4.1 Do nothing and proceed as planned. The prospect of government designation of corporate management structures is contrary to the localism agenda. However the Secretary of State may decide to follow the Munro recommendation and require local authorities to maintain a dedicated and single lead for Children's Services. This would leave the Council in the position of having to undergo two more senior recruitment exercises and possibly relinquish the services of a high performing director. The reputational damage would also be very high.
- 4.2 Agree with the Munro analysis and change our position. Munro has completed a very serious and well regarded piece of work which in many ways is in keeping with the Borough's approach and philosophy (indeed the work of LBTH is cited in the report). Her review has added new knowledge and understanding and we may now decide that the arguments are compelling and therefore we are adjusting our policy position accordingly. However, the narrative for merging the two directorates, and the two director posts, is a very compelling one due to the prospects of better working arrangements that would eliminate areas of duplication and promote transition and continuity in service delivery. It would be preferable to await further guidance from the Secretary of State before making a final judgement.

5. BACKGROUND

- 5.1 In March 2011, Cabinet agreed a report that recommended the recruitment of an Executive Director, Education, Social Care and Wellbeing. The report set out the Mayor's ambition to bring together the directorates responsible for children, schools and families with the services for adults, health and wellbeing. Following this decision, the Chief Executive secured the services of a recruitment agency to test the market and invite applications from suitably qualified candidates
- 5.2 In May 2011, Professor Eileen Munro produced the final report of the Munro Review of Child Protection (the Munro report). The Munro report is a government sponsored piece that has been generally welcomed and presents a much needed opportunity to restore confidence in an unfairly maligned profession. Professor Munro's report included an explicit comment that has an impact on the proposal of expanding the role of the designated Director of Children's Services and combining this function with designation as the Director of Adult Social Services.

6. BODY OF REPORT

- 6.1 One recommendation of the Munro report (recommendation 7 in the executive summary) states that “local authorities should give due consideration to protecting the discrete roles and responsibilities of a Director of Children's Services and Lead Member for Children's Services before allocating any additional functions to individuals occupying such roles”. The recommendation makes it quite explicit that Professor Munro is opposed to the joining of the two roles into one post as it calls for the Government to “amend the statutory guidance issued in relation to such roles and establish the principle that... it should not be considered appropriate to give additional functions (that do not relate to children's services) to Directors of Children's Services and Lead Members for Children's Services unless exceptional circumstances arise”. The Secretary of State for Education who is leading the Government's response to the Munro report has broadly welcomed the findings and is due to publish a response in the autumn.
- 6.2 Professor Munro was not asked to look at this issue and it has come as a surprise that she has adopted such a strong position. At this stage it is not clear how the government will respond although a number of local authorities (thirty at the last count) have moved or are moving in a similar direction of travel as LBTH to combine responsibility for adults' and children's services under a single senior director.
- 6.3 Following the publication of the Munro report the Chief Executive worked with the Mayor to consider the implications for the recruitment process. The Independent Chair of the Local Safeguarding Children Board and the Adult Safeguarding Board was commissioned to produce a report setting out the risks and issues that will require further consideration in a combined service. Officers, partners and Members have asked for reassurance that the process has considered the points raised in the Munro report and it has become increasingly clear that the issue needs careful consideration before the momentum of the appointment process concludes the matter.
- 6.4 In light of Professor Munro's recommendations and the acknowledgement that this is a critical decision the Chief Executive has taken the unusual step of providing this update note to the Executive Mayor and seeking confirmation before continuing the recruitment process agreed at the March Cabinet.
- 6.5 The decision of the March Cabinet was made with the information and guidance available at the time. The publication of the Munro report in May has changed the position and presents a new, well informed and respected perspective. This is not an area where the Council takes risks or acts in haste. We have well established Directorates that have been consistently judged to provide safe and well managed services. The Mayor and Lead Member have always been clear that safety and delivery of excellent services is the over riding priority in these areas.

6.6 The Munro recommendation requires careful examination and until the government has responded and the Mayor has been assured we have properly considered all of the issues raised by Professor Munro we should not proceed with the recruitment.

6.7 **Implications**

6.7.1 **The Recruitment Process:** Pausing the current recruitment process, as per the recommendation, could lead to a small risk of reputational damage. However, the majority of people, including those professionals who may have been applying for the post, will appreciate the prudence in pausing while we await the Government response to the report and any further guidance.

6.7.2 **Leadership:** The existing interim directors would continue to lead their respective directorates. Both have extensive experience in their respective fields and have strong teams with which they have maintained and built on excellent services and will continue to do so. There would be no impact on Cabinet portfolios as a result of a pause.

6.7.3 **Closer Working Arrangements:** Until the Government response to the review, and any further statutory guidance, is received, the management teams in both Directorates will be requested to develop closer working arrangements to eliminate areas of duplication and promote transition and continuity in service delivery. This will help to achieve some savings without full merger pending a decision on the recruitment.

7. **COMMENTS OF THE CHIEF FINANCIAL OFFICER**

7.1 Any costs associated with pausing the recruitment process and starting it again would be met within existing budgets.

7.2 There may be delays in realising the savings that were proposed in the March 2011 Cabinet report.

8. **CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

8.1 The implications are set out in the report.

9. **ONE TOWER HAMLETS CONSIDERATIONS**

9.1 There are no direct One Tower Hamlets considerations arising from this report.

10. **SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

10.1 There are no sustainable action for a greener environment implications arising from this report.

11. RISK MANAGEMENT IMPLICATIONS

11.1 Risk management implications are addressed in the body of the report.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

12.1 There are no crime and disorder reduction implications arising from this report.

13. EFFICIENCY STATEMENT

13.1 The recommendation in this report is not concerned with proposed expenditure, reviewing or changing service delivery or the use of resources. The decision to pause will have a negligible financial impact which will be absorbed within existing budgets.

**Local Government Act, 1972 Section 100D (As amended)
List of "Background Papers" used in the preparation of this report**

Brief description of "background papers"	Name and telephone number of holder and address where open to inspection.
None	-

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