

COMMITTEE	DATE	CLASSIFICATION	REPORT NO.	AGENDA ITEM
Human Resources Committee	20 th December 2005	Unrestricted	HRC004/056	
REPORT OF: Christine Gilbert, Chief Executive		TITLE: Appointment of Director of Adult Services		
ORIGINATING OFFICER(S): Mark Keeble, Acting Head of Human Resources Strategy				

1. INTRODUCTION/SUMMARY

- 1.1 Following amendments to the Local Authority Social Services Act (1970), the Council has a statutory duty to appoint a chief officer with responsibility for the provision of adult social services. The Council proposes to appoint a Director of Adult Services who will assume these statutory duties from January 2006. Therefore, it is a matter of urgency the Council establish and appoint to this post to enable these duties to be assumed and support the wider implementation of the Council's new management structure for Children's Services.

2. RECOMMENDATIONS

- 2.1 That the Human Resources Committee agrees to establish the post of Director of Adult Services from January 2006.

3. BACKGROUND

- 3.1 In addition to placing a statutory requirement on local authorities to appoint a Director of Children's Services, the Children Act (2004) also made an amendment to the Local Authority Social Services Act (1970). This amendment requires authorities to appoint a Director of Adult Social Services who will be responsible for the delivery of social services functions other than those for which the Director of Children's Services is responsible.

Local Government Act, 2000 (Section 97)

List of "Background Papers" used in the preparation of this report

Children Act (2004)
 Local Authority Social Services Act (1970)
 Department of Health Draft Guidance on the role
 of the Director of Adult Social Services (2005)
 Carers Act (2004)

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- 3.2 The Department of Health issued draft guidance on the role of the Director of Adult Social Services in March 2005. In February 2005, the Government also issued the Green Paper *Independence, Wellbeing and Choice; Our vision for the Future of Adult Social Care in England*. Responses to this paper, which have recently been published, indicate that the post of Director of Adult Social Services may be renamed Director of Adult Services to better reflect the range of services the role will be allocated. The Government is not intending for the guidance to be statutory. The aim is to issue best practice guidance to give authorities the scope and flexibility to adopt an approach that reflects local needs, provided the role retains sufficient focus on the needs of its adult client group. Our work on the best value review of older people already emphasises the value of a broader vision rather than a narrower focus on social care which, of course, still remains of vital importance. This report therefore proposes the establishment of a post with the broader range of responsibilities.
- 3.3 The Council's Corporate Director, Children's Services, was appointed in September 2005 and is currently leading on the establishment of a new Directorate of Children's Services in the Council. As is evident from another report on the agenda at this meeting, consultation is now imminent on the Service Head structure necessary to support Children's Services and it is appropriate to consider the place of Adults Services. Although the role of Director of Adult Services is ongoing, I do not envisage a separate Adult Services directorate is sustainable in the medium to longer term. However, a radical corporate re-organisation of directorates is not appropriate at this current time and would be likely to de-stabilise and slow progress. Furthermore, we have yet to assess the organisational implications of our Local Area Agreement and the emerging health and well-being strategy that will be considered by Members early in 2006. Whatever organisational structure is agreed in 2006, it will require a statutory chief officer with adult social care responsibilities.

4. ROLE AND RESPONSIBILITIES OF THE DIRECTOR OF ADULT SERVICES

- 4.1 The Council's Director of Adult Services will ensure a co-ordinated approach is taken to meeting the needs of adults in a similar way to that expected from the Director of Children's Services in ensuring the needs of all children and young people are met. The draft guidance outlines seven key aspects to the role, these are:
- accountability
 - professional leadership
 - leading the implementation of standards
 - managing cultural change
 - promoting local access and ownership and driving partnership working

- delivering an integrated whole systems approach to supporting communities
- promoting social inclusion and wellbeing.

4.2 The requirements of the statutory role will entail establishing clear lines of responsibility, a heavy investment in working with partners and ensuring the social care needs of adults are given appropriate emphasis. Adult users of social care are defined as people aged eighteen or over with assessed social care needs and may include:

- people with physical frailty due to ageing
- people with physical disabilities
- people with sensory impairment
- people with learning disabilities
- people with mental health needs (including mental frailty due to old age)
- people with long term medical conditions requiring social care in addition to health care
- people who misuse substances
- asylum seekers.

4.3 The Director of Adult Services will play a key role in ensuring the different providers of services to adults deliver them to meet the needs of individuals s/he will champion the needs of adults across organisational boundaries. This will involve working particularly closely with a range of partners including housing services and associations, primary care and mental health trusts. The Director will need to play a leading role in the Tower Hamlets Partnership and the Local Area Agreement will provide an important framework for ensuring the needs of service users are met effectively.

4.4 There is an expectation that as a statutory chief officer, this post will be a senior one within the Council. The Council's Director of Adult Services will therefore be a member of the Corporate Management Team and will be expected to play a leading role corporately across the Council. The post will report to the deputy to the Chief Executive but as a statutory officer will also have a direct relationship with the Chief Executive. It is envisaged that the post will work particularly closely with the Corporate Director, Children's Services, to ensure information about adult services is provided to young people as they make the transition from childhood to adult life. The Director of Adult Services will also be responsible for ensuring adult social services are compliant with the Carers Act 2004.

5 APPOINTING A DIRECTOR OF ADULT SERVICES

5.1 Given the similarities between the proposed role of Director of Adult Services and the current Service Head, Adult Service post, it is expected that the post holder will be assimilated into the new role. This

will be confirmed once a matching exercise has been completed in accordance with the Council's Handling Organisational Change Procedure, the results of which be reported to Human Resources Committee. It is anticipated that the new post would become operational from January 2006.

- 5.2 A draft job description and person specification are attached as Appendix 1.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 6.1 The cost of appointing a Director of Adult Services will be contained within existing budgets.

7. CONCURRENT REPORT OF THE CHIEF LEGAL OFFICER

- 7.1 The report sets out the requirement for the Council to appoint a Director of Adult Social Services in accordance with the requirements of the Local Authority Social Services Act (1970) following its amendment by Children Act (2004).

8. EQUAL OPPORTUNITIES IMPLICATIONS

- 8.1 The Government's Green Paper on *Independence, Wellbeing and Choice* sets out the vision for the future provision of adult social care services. Appointing a Director of Adult Services will assist in tackling the social exclusion faced by adults with social care needs, for example, those that are disabled, have mental health needs and asylum seekers.

9. ANTI-POVERTY IMPLICATIONS

- 9.1 The delivery of high quality services to adults will help to ensure they can continue to participate or enter the labour market. Increasing levels of employment amongst adults, particularly those who are disabled, will make a direct contribution to the prosperity of the local area.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 No direct implications for environmental sustainability.

11. RISK ASSESSMENT

- 11.1. If the Council does not appointment a Director of Adult Services then it will fail to meet a statutory requirement. The action in this report mitigates this risk.