

Committee/Meeting: HR Committee	Date: 11 December 2014	Classification: Unrestricted	Report No: 3.2
Report of: Head of Paid Service and Corporate Director of Education, Social Care & Wellbeing Originating officer(s) Stephen Halsey, Head of Paid Service; Robert McCulloch Graham Corporate Director ESCW.		Title: Education, Social Care and Wellbeing organisational structure Wards Affected: All	

REASONS FOR URGENCY

The report was not prepared in time for publication five clear days in advance of the meeting. However, it seeks input from the Committee on a key aspect of the Council's organisation and it may be considered that this is a matter of priority which should not wait until after the next meeting of the Committee.

1. SUMMARY

- 1.1 This report provides members with an update on the review of service structure for the Education Social Care and Wellbeing Directorate..

2. The Committee is recommend to

- 2.1 Support the review of options available for service structure to meet the statutory duties across Public Health, Adult Social Care, Children's Social Care and Education.
- 2.2 Note that the Corporate Director ESCW and Head of Paid Service will present a further report to the next meeting of the HR Committee following appropriate advice on the options.

3 ALTERNATIVE OPTIONS

The Council might reorganise without first conducting or completing the review. However the Council has earned a reputation as being a leader within these services through a policy of continual improvement. Taking an opportunity to reflect on the appropriateness or otherwise of the service delivery model would be consistent with this espoused policy.

4. BACKGROUND

- 4.1 The Councils' Cabinet agreed in March 2011 to integrate the Children, Schools and Families and Adults Health and Wellbeing Directorates. The new Directorate of ESCW was established in January 2013. There were clear efficiency and operational drivers for the Directorate merger at that time, however over the course of the last 2 years there have been significant changes in national and local priorities and focus which have led the Head of Paid Service and the Corporate Director ESCW to initiate a review of current arrangements to ensure they remain fit for purpose.
- 4.2 The most recent HR Committee reviewed a number of issues in relation to the Council's organisational structure and agreed that officers progress a review of structural options in relation to ESCW Directorate.

5. STRUCTURAL REVIEW

- 5.1 A detailed review and analysis by the Head of Paid Service and Corporate Director of ESCW, particularly in light of national concerns regarding safeguarding and the need for close management control and accountability, is now underway.
- 5.2 The review is considering the Council's clear strategic priorities and statutory obligations including continuing to drive up educational attainment in the boroughs' schools, the maintenance of effective safeguarding operations in an increasingly difficult social and complex operational environment, and the need to provide good health, integrated care and support for our most vulnerable residents.
- 5.3 Some of the key strategic and service challenges which the ESCW services will face in the near future include:
- Implications for the Council's approach to child safeguarding from recommendations from the Jay inquiry into Rotherham child sexual exploitation and any recommendations from the independent inquiry set up by the Government under Lord Mayor Fiona Woolf
 - The introduction of the Care Act bringing fundamental reforms to local authority's support and care responsibilities in relation to adults
 - The national drive to improve integration of health and adult social care and the Better Care Fund and a need for adults' services to work more closely with health colleagues in joint commissioning and joint re-design of services. This also brings opportunities for us to draw more funding into the Council for social care support but only if we pay careful attention to how we manage our relationship with health commissioners and providers;
 - Significant changes to assessing children's attainment at Key Stage 2, GCSE and post 16 which require close working with schools to ensure that the strong progress we have made in children's attainment in Tower Hamlets is not undermined;
 - The extension of the Government's Troubled Families programme with a focus on 'managing families more proactively', earlier intervention including

with under 5s, including children at risk of needing social care, and a new recognition of the importance of improving poor health as part of the programme; and

- The transfer of responsibility for commissioning health visiting and other children's public health services to local authorities from 2015.

5.4 Whilst the outcome of the election in 2015 may bring some changes to the framework for local government and related functions, there is no evidence that there are likely to be major changes in terms of ongoing focus on child safeguarding, further integration of health and social care and support for the most vulnerable.

5.5 The review is examining 3 major drivers which have considerable significance for the Councils strategic outcomes and the safety of local residents – and where the focus has changed considerably in the 3-4 years since decisions were taken to merge the Children's and Adults Health and Well Being Directorates, including:

- The need for renewed focus on safeguarding following recommendations from the Rotherham Inquiry and any emerging from the Woolf inquiry
- The need for close work with schools to ensure that changes in national assessment do not undermine our strong track record in improving attainment
- The need for close work with health colleagues to ensure that we maximise opportunities and minimise risks from greater integration of health and adult social care and the implementation of the Care Act.

5.6 At the same time, the exigencies of austerity continue to impact. The merged Directorate has a combined budget of approaching £200 million, excluding schools funding, over 60% of the overall Council budget and employs over half of the Council's staff. At a time when the Council faces ongoing Medium Term Financial Plan savings requirements, there is the need to have the strongest possible controls in place around expenditure and staffing levels in the Council's most resource intensive service areas.

5.7 The review will examine closely the benefits of one directorate where shared back office functions have improved efficiency and driven down costs, where expertise in safeguarding within children's services are now being implemented within adults. There is a joint Principle Social Worker for both Adults and Children's Services and both independent Safeguarding Boards for adults and children are now supported by one administrative team. November's Safeguarding Month promoted "Safeguarding as Everyone's Business" with over 50 shared events.

The review must however also realistically balance these positives against the new pressures and drivers facing this work as outlined in 5.5. The final report will provide a clear and expertly informed judgement on current arrangements compared with several other options being utilised in other London Boroughs.

5.9 Since the last meeting of the committee a great deal of work has been undertaken to access expert advice to support the review to ensure members

will be fully informed so that any resulting decisions can be undertaken confidently.

Proposals will need to ensure that the strong working relationships between those working with adults and with children which have been developed are maintained so that we continue to derive the benefits from close working around the transition of young people to adulthood and the focus around families and parents as well as children.

6. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 6.1 Committee is asked to agree to a review of the structure required to deliver Public Health, Adult Social Care, Children's Social Care and Education, and receive at the next HR Committee a report on the proposed options. That report will assess the financial implications of any such decision.

7. LEGAL COMMENTS

- 7.1 The Local Government Act 1972 requires that a local authority must appoint such staff as it considers necessary for the proper discharge of its functions. Staff hold office on such terms as the authority thinks fit, including terms of remuneration.
- 7.2 Most functions relating to the appointment of staff are non-executive matters. The Head of the Paid Service has overall responsibility for the organisation of the officer structure with further delegated power to Directors in respect of job descriptions, creating and deleting posts and changes to the structure and reporting lines.
- 7.3 In the review of staffing structures and service delivery arrangements, the Council must have regard to its duties under the Equality Act 2010 to have due regard to the need to avoid unlawful discrimination.

8. ONE TOWER HAMLETS CONSIDERATIONS

- 8.1 The review of the structure of the ESCW Directorate will ensure that we continue to have the appropriate focus on the needs of both vulnerable children and adults requiring care and support, ensuring that we pay due regard to their needs and meet our equality and other statutory duties.
- 8.2 All organisational change proposals consequent upon this report will be handled in line with the Council's Handling Organisational Change procedure which includes undertaking an Equality Assessment to determine any impact on groups with protected equality characteristics.

9. APPENDICES

Appendix 1 – Current structure for ESCW Directorate

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

Human Resources Committee report and minutes – 22 October 2014

Current structure for ESCW

Corporate Director
Education Social Care
and Wellbeing

