

CABINET
4 AUGUST 2015
RECRUITMENT FREEZE

Portfolio Holder: Councillor Alan Jarrett, Finance

Report from: Neil Davies, Chief Executive

Author: Tricia Palmer, Assistant Director, Organisational Services

Summary

This report brings forward 3 posts to be considered for approval.

1. Budget and Policy Framework

1.1 It is the responsibility of Cabinet to manage income and expenditure to remain within the budget approved by Council.

2. Background

2.1 At Cabinet on 7 January 2003 Members agreed a process by which directors could request approval to fill posts that are not on the list of exempted posts agreed by Cabinet on 10 December 2002. This process was introduced at a time of high concern about overspending as one measure to assist budgetary control. Members have indicated they wish to retain this direct detailed control of recruitment decisions while budgets remain difficult to manage.

2.2 The posts requiring approval to fill are being presented to this Cabinet with the following information: -

- Details of the post including directorate and section, post title, grade and location.
- Length of time post has been vacant.
- Impact on service if the post is not filled with particular reference to services to the public.
- Numbers of posts of this type within the function.
- Realisable savings including any proposals to provide the service in alternative ways, which could also lead to savings.
- Comments from the relevant portfolio holder.

3. Details of the post requiring approval

- 3.1 The following posts are coming forward for approval the details of which are shown at Appendix 1: -

Children and Adults

Deprivation of Liberty Safeguards (DOLS) Administrator
Case Work Assistant x2

- 3.2 The forms attached are email copies and the Assistant Director, Organisational Services, holds the signed copy. The Job profile and structure chart is also held in HR Services.

4. Risk Management

- 4.1 In order to assess the potential impact of posts upon the council's ability to achieve its strategic objectives, the attached forms include details of the likely impact on the service should the posts not be filled.

5. Financial and Legal Implications

- 5.1 The recruitment freeze was instigated to support the realisation of savings against the background of a forecast of a significant overspending. It remains important to ensure that where possible the drive to pursue savings continues. It is important that no cover is taken on to fill any posts which have not been identified as exceptions or been given Cabinet approval to be filled.

- 5.2 There are no legal implications arising from this report at this stage.

- 5.3 The posts will be filled in accordance with the Council's recruitment policies.

6. Recommendation

- 6.1 The Cabinet is asked to agree to unfreeze the posts as set out in Appendix 1 to enable officers to commence the recruitment process.

7. Suggested reason for decision

- 7.1 The posts presented to Cabinet will support the efficient running of the Council.

Appendices: Appendix 1 – Recruitment Forms

Lead officer contact

Tricia Palmer, Assistant Director Organisational Services, Gun Wharf, Dock Road, Chatham Telephone: (01634) 332853 Email: tricia.palmer@medway.gov.uk

Background papers:

Cabinet report 10 December 2002

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=1834&Ver=4>

Cabinet report 7 January 2003

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=1835&Ver=4>

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3rd Floor, Gun Wharf. You will also need to send an electronic word version to resourcing@medway.gov.uk, so that the approval form can be inserted into the cabinet report. This form is not required for those posts covered by the exemptions list shown below.

DIRECTORATE	Children and Adults		
SECTION	Deprivation of Liberty Safeguards (DOLS) Service		
POST TITLE	DOLS (Deprivation of Liberty Safeguards Service) Administrator		
GRADE AND SALARY RANGE	Range 3 (£19,241-24,794) per annum		
POST NUMBER	11724		
LOCATION	Gun Wharf		
DATE POST BECAME VACANT	18/07/2015		
MANAGER POST REPORTS TO	Jacqueline Fearon		
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	Y		
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	N		
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	Y		
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:	10/08/2015-10/09/2015		
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)	Olivia Fearon		
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO?			
<p>ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW</p> <p>This post is funded from the Adult social care base budget.</p> <p>Following the Supreme Court Judgment P v Cheshire West and Chester Council in March 2014, there has been a sixteen fold increase in Deprivation of Liberty Safeguards applications from 37 in 2013-14 to 719 in 2014-15. This is continuing to rise with 192 applications received since 1 April (to 18/06/2015) and many cases will need to be reassessed as the maximum period for an authorisation is 12 months. The DOLS process requires a high level of administrative work to process applications, dealing with Managing Authorities, referring to doctors and IMCA, as well as allocating cases to Best Interests Assessors and sending cases to Authorisers. It also includes managing the spreadsheet and dealing with enquiries, as well as significant work around new applications. DOLS Officers also deal with invoice payments, completing minutes and arranging meetings. Following authorisation it is crucial that the care home, the relevant person and their representative are informed of the outcome, which involves sending letters and copies of the reports to these and any interested persons (who have been consulted in the process). This is an average of 150 pages per case. It is essential that these are sent out promptly and accurately and this is highly time consuming. We have been criticised by one family already due to the time taken to send these out and ultimately we are at risk of a challenge in the courts and the potential risk of bad publicity and/or of fines.</p>			

The high volume of work has meant that there has been a significant backlog in sending out Authorisations to the Relevant Person, their representative and to Managing Authorities therefore we currently have a temp working through these to get these up to date. However, one of the DOLS Officers is leaving on 17th July which will leave us short staffed and falling further behind, particularly as the re-authorisations are starting to come in at a time when staff are away over the summer. We need to ensure that we maintain business continuity to reduce the risk of legal challenge.

NAME OF RECRUITING MANAGER: Jacky Fearon

Impact on Service – please include:-

1. Information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – e.g. 20 care workers 2 posts vacant.
2. Impact on the service if this post is not filled, with particular reference to services to the public.

1. The team consists of 1 full time manager, 1 full time Senior Social Worker, 1 full time Best Interests Assessor, 0.7 Senior Social Worker, 2 full time DOLS Officer (one leaving on 17 July) 1 full time DOLS assistant.
2. This is statutory work which needs to be completed within legal timescales (turn around should be within 14 days of receipt of Urgent Authorisation, 21 days of request for Standard Authorisation). Risk of significant delay in processing applications and consequent delay in completing assessments with potential for legal challenge for unlawful deprivation of liberty, breach of individuals' Article 5 and 8 Human Rights,(reputation damage and risk of fines). Vulnerable people deprived of their liberty in care homes and hospitals not being informed of this and therefore delay in them being able to make a legal challenge if they object to their care arrangements. Judges in the Court of Protection have highlighted the need to refer cases at earliest possible opportunity to ensure that individual's rights are upheld. The team is already under pressure due to the increasing volumes of applications.

Budget Issues

Please indicate:

1. The realisable savings if this post remained vacant until the 31 March 2016.
2. If any savings could be achieved by alternative ways of providing the service.

1.Current postholder is on Range 3

This is statutory work which needs to be completed. The work is complex and needs following through to avoid missing elements, slippage on time and failure to complete work effectively. We have a temp who is experienced in the team's work and can cover this work for a short period whilst we seek agreement to recruit to the vacancy.

Please specify the funding source for this post: DOLS service budget.

Comments from Portfolio Holder

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3rd Floor, Gun Wharf. You will also need to send an electronic word version to resourcing@medway.gov.uk, so that the approval form can be inserted into the cabinet report. This form is not required for those posts covered by the exemptions list shown below.

DIRECTORATE	Children & Adults		
SECTION	Youth Offending Team (YOT)		
POST TITLE	Case Work Assistant x2		
GRADE AND SALARY RANGE	Range 2 (£14,821 - £19,241 per annum)		
POST NUMBER	12220		
LOCATION	Cookham Wood YOI		
DATE POST BECAME VACANT	New post May 2015		
MANAGER POST REPORTS TO	Louise Balderston		
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	N		
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	N		
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	Y		
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:			
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable) N/A			
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO?			
ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW			
N/A			
NAME OF RECRUITING MANAGER: Keith Gulvin			

Impact on Service – please include:-

1. Information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – e.g. 20 care workers 2 posts vacant.
2. Impact on the service if this post is not filled, with particular reference to services to the public.

1.	<ul style="list-style-type: none"> • Team Manager x1 • SSA x1 • Apprentices x2 • Resettlement/Case Work Officers x6 (one on maternity leave) • Social Workers x4 (x1 yet to be appointed)
----	--

There are currently no Assistant Caseworker posts within the team; these are new posts we wish to create to assist the Resettlement Officers/Social Workers with their caseloads. It is intended that these posts will be used as follow on posts within the case work team to allow suitable apprentices to continue to be employed while continuing to study for professional training. The apprentices currently provide administration support and case work as stance where required, but there are limitations within this current role. The posts to be created are permanent posts, but due to the low Range they are pitched, it will be expected that post holders will move on as the progress their qualifications and carers to allow others to take up the opportunity over time.

These posts are being created as part of the planned development of the case work team to allow for the creation of a high vulnerability unit at Cookham Wood that will see the transfer of some of the social work staff into that role while creating further vacancies within the overall case work team.

Budget Issues

Please indicate:

1. the realisable savings if this post remained vacant until the 31 March 2016.
2. If any savings could be achieved by alternative ways of providing the service.

Please specify the funding source for this post:

The Resettlement Team is fully funded by the Prison Service under a long standing LSA between Cookham Wood and the YOT, therefore there are no direct financial implications to the authority in respect of creating these two posts.

Comments from Portfolio Holder