

**CABINET**  
**20 DECEMBER 2016**  
**RECRUITMENT FREEZE**

Portfolio Holder: Councillor Alan Jarrett, Leader

Report from: Neil Davies, Chief Executive

Author: Carrie McKenzie, Chief People Officer

**Summary**

This report brings forward 5 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 & Adults**

DOLS Assistant  
Engagement and Quality Lead Officer  
Engagement and Quality Officer  
Head of QA and Safeguarding

#### **Regeneration, Culture, Environment and Transformation**

Business Improvement Officer

- 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.

**Lead officer contact**

Carrie McKenzie, Chief People Officer, Gun Wharf, Dock Road, Chatham Telephone: (01634) 332261 Email: [carrie.mckenzie@medway.gov.uk](mailto:carrie.mckenzie@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>

**Appendices:**

Appendix 1 Recruitment Freeze Forms



## CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3<sup>rd</sup> Floor, Gun Wharf. You will also need to send an electronic word version to [resourcing@medway.gov.uk](mailto: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  | <b>Children and Adults</b>                          |  |  |
| SECTION  | <b>DOLS Service</b>                                 |  |  |
| POST TITLE   | <b>DOLS Assistant</b>                               |  |  |
| GRADE AND SALARY RANGE   | <b>Range 2 (£15,241 – £19,356)</b>                  |  |  |
| POST NUMBER  | <b>11726</b>  |  |  |
| LOCATION   | <b>Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR</b> |  |  |
| DATE POST BECAME VACANT  | <b>04/07/2016</b>                                   |  |  |
| MANAGER POST REPORTS TO  | <b>Jacqueline Fearon</b>                            |  |  |
| *IS THIS REQUEST TO COVER PERMANENT RECRUITMENT                            | <b>Y</b>  |  |  |
| *IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY                            | <b>N</b>  |  |  |
| *IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL           | <b>Y</b>  |  |  |
| IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:                             | <b>01/12/2016 – 31/03/2017</b>                      |  |  |
| IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable) | <b>Martina Rowe</b>                                 |  |  |
| NAME OF RECRUITING MANAGER: <b>Jacky Fearon</b>                            |   |  |  |

This post is funded from the Adult social care base budget.

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 1130 in 2015-16. This is continuing to rise and it is projected that the team will be dealing with 1969 cases this year. The DOLS process requires a high level of administrative work to process applications (between 20-30 cases per week), dealing with Managing Authorities, referring to doctors and IMCA, as well as allocating cases to Best Interests Assessors and sending cases to Authorisers. It includes a significant amount of data inputting to the spreadsheet (the figures of which are supplied to the Department of Health) and finance work (payment of invoices). The DOLS Assistant spends a lot of time dealing with enquiries, for which they need a good understanding of the DOLS process and the legal framework. They have a significant amount of work in processing new applications. 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. This is highly time consuming. The Relevant Person or their representative can challenge the DOLS Authorisation in the Court of Protection, but cannot do so without the papers. Ultimately we are at risk of a challenge in the courts and the potential risk of bad publicity and/or of fines.

The DOLS Assistant has been on a secondment to the Safeguarding Team since July 2016 and his post has been covered by temporary staff. The DOLS Assistant has now tendered his resignation with effect from 09/12/2016. The current temp is due to finish work on 30<sup>th</sup> November 2016, but I would like to request an extension of her contract until 31<sup>st</sup> March 2017. The posts in the team are under consideration as part of the current restructuring of Adult Services. In the meantime, however, we need to ensure that we maintain business continuity to reduce the risk of legal challenge. This is statutory work which needs to be completed but we cannot feasibly process the current level of applications whilst carrying a vacancy.

(\* please delete as appropriate)

### **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 – eg 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, 1 full time DOLS assistant (currently on secondment but leaving the Council on 9<sup>th</sup> December 2016).
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 year on year increase in applications

**Budget Issues**

Please indicate:

- 1. the realisable savings if this post remained vacant until the 31<sup>st</sup> March 2017.
- 2. If any savings could be achieved by alternative ways of providing the service.

1.Current postholder is on range 2  
2. 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.

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

**Comments from Portfolio Holder**

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....

## CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

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|  |   |  |  |
|--|---|--|--|
| DIRECTORATE  | <b>Children and Adults</b>  |  |  |
| SECTION  | <b>Performance and Intelligence</b>   |  |  |
| POST TITLE   | <b>Engagement and Quality Lead Officer x1<br/>Engagement and Quality Officer x1</b> |  |  |
| GRADE AND SALARY RANGE   | <b>Range 3 – £19,356 to £24,943<br/>Range 4 - £24,943 to £ 30,372</b>               |  |  |
| POST NUMBER  |   |  |  |
| LOCATION   | <b>Gun Wharf</b>  |  |  |
| DATE POST BECAME VACANT  | <b>New Post</b>   |  |  |
| MANAGER POST REPORTS TO  | <b>Michelle Lofting</b>   |  |  |
| *IS THIS REQUEST TO COVER PERMANENT RECRUITMENT                            | <b>Yes</b>  |  |  |
| *IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY                            | <b>No</b>   |  |  |
| *IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL           | <b>No</b>   |  |  |
| IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:                             |   |  |  |
| IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable) |   |  |  |
| NAME OF RECRUITING MANAGER: <b>Michelle Lofting</b>                        |   |  |  |

### 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 – eg 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.

This request is to recruit two fulltime quality assurance posts one at range three and the other at a range four.

Their primary function is to ensure that commissioned services are meeting the required standard. Failure to carry out this function could result in litigation against the authority.

We have a statutory duty to conduct compliance visits in particular residential placements (children & adults) if we do not carry out this function could cost the council.

The team should consist of six members of staff at present there is only three (one of those is an Apprentice). The team is struggling to keep up with the demand of QA inspections and as a consequence there is a back log of residential commissioned services requiring visits. These posts are vital to ensuring we are compliant.



**Budget Issues**

Please indicate:

- 3. the realisable savings if this post remained vacant until the 31<sup>st</sup> March 2017.
- 4. If any savings could be achieved by alternative ways of providing the service.

**Please specify the funding source for this post:** 100% from performance and Intelligence budget (C&A)

**Comments from Portfolio Holder**

Signed: .....  
 Portfolio Holder

Dated: .....

Signed: .....  
 Councillor Alan Jarrett

Dated: .....

Signed: .....  
 Director

Dated: .....

## CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

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|  |   |  |
|--|---|--|
| DIRECTORATE  | <b>Children &amp; Adults</b>                        |  |
| SECTION  | <b>Adult Services</b>                               |  |
| POST TITLE   | <b>Head of QA and Safeguarding</b>                  |  |
| GRADE AND SALARY RANGE   | <b>Service Manager (£45,738 - £60,732)</b>          |  |
| POST NUMBER  | <b>7911</b>   |  |
| LOCATION   | <b>Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR</b> |  |
| DATE POST BECAME VACANT  | <b>January 2017</b>                                 |  |
| MANAGER POST REPORTS TO  | <b>Director, Children and Adults</b>                |  |
| *IS THIS REQUEST TO COVER PERMANENT RECRUITMENT                            | <b>Yes</b>  |  |
| *IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY                            | <b>Yes</b>  |  |
| *IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL           | <b>No</b>   |  |
| IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:                             |   |  |
| IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable) |   |  |
| NAME OF RECRUITING MANAGER: <b>Ian Sutherland</b>                          |   |  |

(\* please delete as appropriate)

### 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 – eg 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.

The current post holder will be leaving Medway Council in January 2017.

This post is critical to the provision of high quality services, and essential in terms of meeting the standards required by regulators – Ofsted and CQC.

This service provides internal assurance, independent of the operational services, on the quality of our social work. It also provides essential elements of service including independent Reviewing Officers, LADO and support to MSCB.

## Budget Issues

Please indicate:

3. The realisable savings if this post remained vacant until the 31<sup>st</sup> March 2017.
4. If any savings could be achieved by alternative ways of providing the service.

- |   |
|---|
| <ol style="list-style-type: none"><li>1. The salary range for this post is £45738 to £60732 plus special allowance.</li><li>2. This is a critical role to the service and as such there are no alternative ways of providing the service.</li></ol> |
|---|

**Please specify the funding source for this post:**

Dedicated funding exists for this post, which sits as a direct report to the Director Children and Adults.

## Comments from Portfolio Holder

|   |
|---|
| <p>As can be seen the post holder will be leaving Medway Council in January 2017. The post he fulfils is an important one and should there be a time lapse, then this should be the absolute minimum.</p> |
|---|

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....

## CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

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|  |   |     |
|--|---|-----|
| DIRECTORATE  | Regeneration, Culture, Environment & Transformation |     |
| SECTION  | Customer Contact                                    |     |
| POST TITLE   | Business Improvement Officer                        |     |
| GRADE AND SALARY RANGE   | Range 4 (£24,943 – £30,372)                         |     |
| POST NUMBER  | 9880  |     |
| LOCATION   | Gun Wharf, Dock Road, Chatham, Kent ME4 4TR         |     |
| DATE POST BECAME VACANT  | 22/02/2016  |     |
| MANAGER POST REPORTS TO  | Business Improvement Team Manager                   |     |
| *IS THIS REQUEST TO COVER PERMANENT RECRUITMENT                            | Y/N   | Yes |
| Y*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY                           | Y/N   | No  |
| *IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL           | Y/N   | No  |
| IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:                             |   |     |
| IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable) |   |     |
| NAME OF RECRUITING MANAGER: <b>Lewis Bridger</b>                           |   |     |

(\* please delete as appropriate)

### Impact on Service – please include:-

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

This request for authority to recruit is to regularise the position of the individual currently holding the post, who has successfully done so on an acting up basis since March 2016 following the promotion of the previous post holder who began acting up into the Business Improvement Team Manager role on 22 February 2016.

The Business Improvement Officer - leading on Resource and Performance Management - works as part of a team key to the success of Customer Contact, and alongside administering and providing first line support for its complex ICT infrastructure, is specifically responsible for maintaining staff rosters and ensuring adequate provision of staff across Customer Contact sites to meet forecasted demand, whilst also driving continuous improvement through presentation and analysis of key performance indicators used by Customer Contact senior management to inform the decision-making and service planning process.

In the period between the departure of the previous post holder and confirmation of the current acting up the role was covered by the Acting Business Improvement Team Manager. However, this proved to be an unsustainable arrangement because of the demands and technical complexity of the role. Dedicated focus of an individual is required to ensure day to day activities key to the success of Customer Contact, such as the maintenance of staff rosters, approval of leave requests, monitoring of absence levels, the provision of real time ICT support and the presentation of team and individual performance data are effectively provided.

Additionally, the role has corporate system administration responsibility for the maintenance and development of the workforce management system ShiftTrack, a key business system used by Customer Contact, and Initial Contact in particular, for management of resources across our five Community Hubs, Kingsley House, Rainham Contact Point and the contact centre at Gun Wharf.

### **Budget Issues**

Please indicate:

3. The realisable savings if this post remained vacant until the 31<sup>st</sup> March 2017.
4. If any savings could be achieved by alternative ways of providing the service.

1. £6,235 plus on costs.
2. Please see above. This role provides functions essential to the success of Customer Contact.

#### **Please specify the funding source for this post:**

This is an established post within Customer Contact's staffing budget.

### **Comments from Portfolio Holder**

Signed: .....

Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....