

## **CABINET**

**5 SEPTEMBER 2017**

### **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 6 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**

Engagement & Quality Lead Officer x 1

Engagement & Quality Officer x 1

Casework YOT Officer

#### **Business Support Department**

Lawyer, Employment and Contracts, Place Team, Legal Services

Lawyer, Employment and Contracts, Place Team, Legal Services

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

Social Media Marketing Executive

- 3.2 The forms attached are email copies and the Chief People Officer, 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 &amp; Adult Services</b>	
SECTION	<b>Performance &amp; Intelligence</b>	
POST TITLE	<b>Engagement &amp; Quality Lead Officer x1 Engagement &amp; Quality Officer x 1</b>	
GRADE AND SALARY RANGE	<b>Range 3 - £19,356 to £24,943 Range 4 - £24,943 to £30,372</b>	
POST NUMBER		
LOCATION	<b>Gun Wharf</b>	
DATE POST BECAME VACANT	<b>5 July 2017</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>	

(\* 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 is to recruit two fulltime quality assurance posts one at a 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 one with the assistance of the member of staff who has been seconded to another role. The member of staff left 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. In addition this team is also responsible for formal consultation across the directorate.

## 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.

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

## Comments from Portfolio Holder

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....

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DIRECTORATE	Children & Adults	
SECTION	Cookham Wood YOI/ YOT Service	
POST TITLE	Casework YOT Officer (Part Time)	
GRADE AND SALARY RANGE	Range 3 (£19,472 - £25,093) per annum	
POST NUMBER	3738	
LOCATION	Cookham Wood YOI	
DATE POST BECAME VACANT	May 2017	
MANAGER POST REPORTS TO	Louise Balderston – Head of Casework	
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	No	
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	No	
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	No	
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:	Fixed Term Contract 6 Months	
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable) N/A	N/A	
NAME OF RECRUITING MANAGER: Louise Balderston – Head of Case Work		

(\* 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.

**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.**

We currently have the following Medway staff members in the detached Youth Offending Team placed at Cookham Wood:

- Team Manager: 0.8 FTE
- Social Workers: 1 FTE + 1 FTE maternity leave, 1 FTE vacant
- Casework/YOT Worker: 4 FTE + 1.4 FTE maternity leave, 1 FTE vacant.
- Admin Manager 0.85 FTE

- Case Work Assistant 1 FTE (temp currently in post)
- LAC Apprentices: 3 FTE (all vacant)

**Impact on the service if this post is not filled, with particular reference to services to the Public.**

The Caseworkers within the Team are responsible for managing the 150 + boys held at Cookham Wood on Remand and Sentence plans. As part of the Youth Justice Board's delivery, each case worker is expected to carry out the role and responsibilities pertaining to the personal element to the supervision of the boys whilst held at Cookham to ensure their wellbeing and progress against targets set in their Remand and Sentence Plans and ensure a robust release plan is in place for the resettlement or transition to the Adult Estate.

The caseworkers are the public interface of the prison and are the first point of contact for community agencies and parents alike but also being the central communication between community and internal agencies to ensure robust training plans and release plans are in place to meet the boys' needs and address the risks their behaviour poses.

In doing so, they are expected to develop with the other agencies, a comprehensive resettlement package for the boys leaving Cookham and returning to their communities, by ensuring interventions from a variety of agencies to meet these needs and address risks.

We have a staff shortage at the moment due to a number of reasons:

- 1 x Social Worker being on maternity leave currently
- 2 x Caseworkers on maternity leave currently
- 1 x Caseworker left the team in May 2017
- 1 x Team Manager reduced hours to 30 per week
- 1 x Admin Manager reduced hours to 32 hours
- 2 x Apprentices left the team in May/June 2017

No approval to the posts as contract is to be reviewed.

With increasingly caseloads, there is no capacity for additional cases and subsequent responsibilities to be safely allocated, and therefore there is the need to recruit in order to safeguard the young people held in Cookham and uphold the responsibilities that the Youth Justice Board and the Local Authorities expect in managing the boys safely in custody and provide the transparency to all Local Authorities who have their children placed within Medway Council's area within Cookham, that this model of case work, which is recognised as good practice, brings.

The Governor of the Prison has agreed that we are to recruit to this post in order to enable the Team to meet their responsibilities whilst there is a review of the service.



**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.

There would be **no cost** or savings to be made to Medway Council as this initiative is **fully funded by the Prison Service**.

Under the terms of the SLA a quarterly invoice is sent by Medway to the Prisons for all payments to cover all detached staff and their on costs, as well as a management fee of £20,000. This arrangement has been in place for 10 years and is satisfactory.

**Comments from Portfolio Holder**

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....

## 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 forward 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 overleaf.

DIRECTORATE	<b>Business Support</b>		
SECTION	<b>Legal Services</b>		
POST TITLE	<b>Lawyer, Employment and Contracts, Place Team, Legal Services</b>		
GRADE AND SALARY RANGE	<b>Grade 6 – Salary £35430 - £40741pa plus on costs (estimated at 27% of salary costs)</b>		
POST NUMBER	<b>3602</b>		
LOCATION	<b>Gun Wharf, 2<sup>nd</sup> Floor</b>		
DATE POST BECAME VACANT	<b>22 October 2017</b>		
MANAGER POST REPORTS TO	<b>Vicky Nutley</b>		
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	<b>No</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:	<b>18-09-2017 to 22-12-17</b>		
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)			
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO? Phase Two			
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: <b>Perry Holmes, AD Corporate Services</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.

This request is for a Locum, full time Lawyer in the Place Team in Legal Services. This is to cover recruitment to an existing post which will become vacant on the 22 September 2017. Approval is sought ahead of the current post holder leaving to try and minimise the gap between the lawyer leaving and a replacement starting which is particularly pressing given the nature of the work undertaken by the current post

holder. They are currently the only employment lawyer within the team and none of the current lawyers have the experience or extra capacity to take on this work. Any recruitment is likely to take several months before a new post holder can take up the post and approval is therefore sought to obtain the services of a locum lawyer in the interim period to minimise the effect on client departments.

Agreement is sought to recruit to this post immediately despite the ongoing moratorium to reduce the gap between the lawyer leaving and a replacement starting.

In addition to running a full caseload of employment matters, the present post holder has been working within the contracts team on a number of major projects including the expansion of the MCG companies to take on further services. Any vacancies in this area are likely to have a very detrimental effect on the team's ability to deliver the Council's aims in this area. The Contracts team deals also deals with academy conversions which bridge the two practice areas of contracts and employment (as well as having a property element) these matters often have extremely tight deadlines and any vacancy here will severely affect the team's ability to effectively deliver this service and allow schools to convert within the strict deadlines imposed by the DfE.

If this lawyer is not replaced it will have a significant impact on the Council's ability to successfully deal with employment matters and will lead to a significant increase in external legal spend as the team will no longer be in a position to undertake the vast majority of employment work in house.

## **Budget Issues**

Please indicate:

1. the realisable savings if this post remained vacant until the 31<sup>st</sup> March 2015.
2. If any savings could be achieved by alternative ways of providing the service.

If we are unable to cover the work in house it will need to be outsourced to external firms

Employment of external solicitors or counsel to undertake work of this type would be much more expensive than a permanent post, with hourly charge-out rates of between £250 - £400. This would also incur Counsel's fees to cover any tribunal hearings which would incur further spend.

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

This is an existing post and is therefore currently provided for in the Legal Services department budget. The Place Team Litigation Lawyer post is range 6, with a salary of £35 430 - £40 741pa plus on costs (estimated at 27% of salary costs).

**Comments from Portfolio Holder**

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....

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*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)		
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO? Phase Two		
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: <b>Perry Holmes, AD Corporate Services</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.

This request is for a permanent, full time Lawyer in the Place Team in Legal Services. This is an existing post which will become vacant on the 22 September 2017. Approval is sought ahead of the current post holder leaving to try and minimise the gap between the lawyer leaving and a replacement starting which is particularly pressing given the nature of the work undertaken by the current post holder. They

are currently the only employment lawyer within the team and none of the current lawyers have the experience or extra capacity to take on this work.

Agreement is sought to recruit to this post immediately despite the ongoing moratorium to reduce the gap between the lawyer leaving and a replacement starting.

In addition to running a full caseload of employment matters, the present post holder has been working within the contracts team on a number of major projects including the expansion of the MCG companies to take on further services. Any vacancies in this area are likely to have a very detrimental effect on the team's ability to deliver the Council's aims in this area. The Contracts team deals also deals with academy conversions which bridge the two practice areas of contracts and employment (as well as having a property element) these matters often have extremely tight deadlines and any vacancy here will severely affect the team's ability to effectively deliver this service and allow schools to convert within the strict deadlines imposed by the DfE.

If this lawyer is not replaced it will have a significant impact on the Council's ability to successfully deal with employment matters and will lead to a significant increase in external legal spend as the team will no longer be in a position to undertake the vast majority of employment work in house.

## **Budget Issues**

Please indicate:

1. the realisable savings if this post remained vacant until the 31<sup>st</sup> March 2015.
2. If any savings could be achieved by alternative ways of providing the service.

Locum lawyers with experience in this type of work tend to command high hourly rates. Recent experience has shown that the hourly rate is often £40 - £46, so a 37 hour week would cost up to £1702. Using a locum would therefore be significantly more expensive than recruiting a permanent employee, where the annual salary would be in the region of £41,873 (which divided by 52 gives a weekly figure of £803).

Employment of external solicitors or counsel to undertake work of this type would be much more expensive than a permanent post, with hourly charge-out rates of between £250 - £400.

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

This is an existing post and is therefore currently provided for in the Legal Services department budget. The Place Team Litigation Lawyer post is range 6, with a salary of £35 430 - £40 741pa plus on costs (estimated at 27% of salary costs).

**Comments from Portfolio Holder**

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Director

Dated: .....

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DIRECTORATE	Regeneration, Culture, Environment and Transformation		
SECTION	MAE		
POST TITLE	Part-time Social media marketing executive		
GRADE AND SALARY RANGE	Range 3 (tbc), £19,472-£25,093 pro-rata, 1-day pw		
POST NUMBER	New post		
LOCATION	Rochester Community Hub		
DATE POST BECAME VACANT	31/7/17		
MANAGER POST REPORTS TO	Hilary Treays		
*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:	4/8/17 – 31/3/2018		
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)	-		
NAME OF RECRUITING MANAGER: <b>Hilary Treays</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.

- |  |
|--|
| <ol style="list-style-type: none"> <li>1) MAE had a long term arrangement with HR whereby it paid for the services of a member of the HR team to maintain its social media presence, with the allocation of that officer's time being equivalent to 0.2fte effort. This special arrangement worked well for HR with it providing the income it needed to allow it to employ its member of staff on a full time basis and with the individual having the social media marketing skills MAE needs. However, this arrangement has come to an end with the officer concerned having been assigned a new full time remit within the HR team.</li> <li>2) This leaves a difficult gap in MAE's marketing strategy, with this role previously providing the immediacy of response Social Media requires, and one that Corporate Communications is unable to service. Not filling this post will impact on enrolments and income generation and could lead to the service not fulfilling its ESFA contract.</li> </ol> |
|--|



## Budget Issues

Please indicate:

1. the realisable savings if this post remained vacant until the 31<sup>st</sup> March 2018.
2. If any savings could be achieved by alternative ways of providing the service.

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

1. If this position remained vacant until 31 March 2018 it would realise savings of £2,596.
2. Externally funded - ESFA

### Comments from Portfolio Holder

Signed: .....  
Portfolio Holder

Dated: .....

Signed: .....  
Councillor Alan Jarrett

Dated: .....

Signed: .....  
Assistant Director

Dated: .....