

Nottingham City Council Delegated Decision



Reference Number:	4489
Author:	James Rhodes
Department:	Finance and Resources
Contact:	James Rhodes (Job Title: Policy, Performance and Insight Manger, Email: james.rhodes@nottinghamcity.gov.uk, Phone: 0115 8765726)
Subject:	Approval of External Resources for Transformation and Improvement #27 (Organisation and Culture) - Theme 6 (Analysis and Insight)
Total Value:	Up to £230,000 (Type: Revenue)
Decision Being Taken:	To approve the allocation of funding towards external resources for Transformation and Improvement, as set out in Appendix A. The funding allocation is being approved by the Chief Executive as an executive decision, and the establishment of posts will be approved by the Chief Executive as a non-executive decision under Delegation 16. Authority to take this decision was delegated to the Chief Executive, in consultation with the Leader of the Council, by the Executive Board at its meeting on 20 July 2021.
Reasons for the Decision(s)	<p>The Council is on a rapid journey of improvement as set out in the Recovery and Improvement Plan (R&IP), adopted at Full Council on 25 January 2021. Delivery of both the R&IP and organisational transformation requires significant financial investment - time, skills and technology - to ensure that its impacts are meaningful in operational and financial terms. The Council has received support from central Government in the form of a Capitalisation Direction in two tranches: £20 million for 2020/21 and an in-principal allocation of up to £15 million in 2021/22 to support transformation, modernisation and an invest to save, if required. Council resources have been stretched to capacity during the Coronavirus pandemic and, in order to deliver the transformation needed, it will require greater capacity through a blend of external specialist resource, combined with the skills and experience of existing staff. Delivery is of a complex nature and additional resources will provide focus and a faster pace of change.</p> <p>This decision seeks to allocate a proportion of the funding towards external resources for improvement works, as set out in Appendix A, and links to pervious decisions taken as referenced later in the form.</p>
Briefing notes documents:	Appendix A - Theme 6 - Organisation Culture A&I v2.docx

Other Options Considered: 1) To not allocate the funding: this option is rejected as this would mean that the Council would be unable to meet the requirements set out in the R&IP.
2) To allocate some, but not all, of the proposed funding: this option is rejected as the requests for resource have been reviewed and challenged and considered valid in the delivery of the outputs required to deliver on the R&IP.

Background Papers: None

Published Works: Executive Board meeting, 20 July 2021: Transformation and Improvement Update (<https://committee.nottinghamcity.gov.uk/ieListDocuments.aspx?CId=177&MId=9108&Ver=4>)
Delegated Decisions 4271, 4294, 4360, and 4401 to 4404: Improvement and Transformation resources (<https://committee.nottinghamcity.gov.uk/mgdelegateddecisions.aspx?bcr=1>)

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: There are no implications on crime and disorder.

Equality: EIA not required. Reasons: This decision does not represent proposals for a new or changing policy, service or function

Relates to staffing: Yes

Decision Type: Officer

Executive Decision? Yes

£50,000 or more: Yes

Scheme of Delegation Reference Number or Other Source of Delegation: Executive Board Meeting, 20 July 2021: Transformation and Improvement Update

Subject to Call In: Yes

Call In Expiry date: 18/01/2022

Advice Sought: Legal, Finance, Human Resources

Legal Advice:

Any appointment, including any secondment arrangement, must be in accordance with the appropriate Council policies. Any appointments must be made on merit in accordance with Section 7 Local Government and Housing Act 1989, and any pay relating to new posts must be assessed in accordance with the Council's pay policy.

For any fixed-term posts the contract of employment should state the period for which the employment will be in place and explain the reason as to why it is of a limited duration. The contracts should also be clear that the employment will end upon the cessation of the fixed-term period or some other event, or by way of standard notice provisions for Council employees. In addition the provisions of the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 must also be considered. It is proposed that an appropriate exit strategy is in place which may include utilising the redundancy process and making a redundancy payment.

Advice provided by Naomi Vass (Senior Solicitor) on 24/12/2021.

Finance Advice:

This decision seeks to approve the allocation of funding towards additional resources and capacity to support the development and implementation of the business cases approved to deliver on the Recovery and Improvement Plan. This requirement is in addition to the specialist capacity approved in Delegated Decision 4453.

This resource is time-limited based on a task and finish approach and the cost of this decision is to be met from the Transformation and Improvement reserve. The approval of this funding is delegated to the Chief Executive, in consultation with the Leader of the Council, through the report to Executive Board on 20 July 2021.

Spend will be monitored to ensure approval limits are not exceeded. Should any further funding be required then additional approval will need to be undertaken.

The appointment of these resources will align to both Human Resource and Procurement processes where appropriate.

Advice provided by Ceri Walters (Head of Commercial Finance) on 04/01/2022.

HR Advice:

Please see attached document.

Advice provided by Sheena Yadav-Staples (HR Consultant) on 16/12/2021.

Advice documents: Online DDM - Approval of external resources for transformation and improvement (SYS).docx

Signatures:

Mel Barrett (Chief Executive)

SIGNED and Dated: 11/01/2022

Online DDM – Approval of external resources for transformation and improvement

The proposal seeks approval to spend £229k of identified capitalisation funding for additional staffing resources to support the transformation and improvement work.

The proposal, if approved, seeks authorisation to use this funding to cover (1) existing Council staff in order to utilise their knowledge and skills to deliver the transformation work and to also (2) recruit two fixed term contract (FTC) posts to support the work of the programme for a period of 24 months. The posts include:

- Policy and Performance Officer – Grade H (0.67FTE) x 2

Additional capacity is not currently available in the team in order to carry out the level of work. Due to the critical nature of the work required as part of the transformation and improvement programme, the service seek the temporary appointment of staff that would otherwise impact the timescales and pace of delivery of the programme as well as the inability to embed the culture change that is required.

Should any extension of the FTC take individuals beyond a 2 year period, the service will need to be aware of the associated redundancy costs. At this point, the recommendation is for the service to consider making the employees permanent, rather than to continue extending the FTC incrementally. If redundancies need to be made after this time, the affected employees should be consulted with accordingly, in line with the Restructuring Principals and Redundancy Guidelines.

Any appointment to these temporary posts should be on a FTC or secondment basis and in accordance with the Council's recruitment process. If approved, recruitment for the posts cannot commence until the posts have been established in Oracle Fusion.

I understand from management that a job description already exists for the above job roles that has undergone a job evaluation process and been evaluated as detailed above.

Recruitment should follow the current protocols, with consideration for the current vacancy freeze and budget/spending controls that are in place. A business case for recruitment is required, with the support of the relevant Director, and all requests should be submitted through the recruitment portal. The posts will be considered for redeployment in the first instance. The service should ensure that their recruitment process is supportive of the Council's Equality, Diversity and Inclusion (EDI) strategy and make every effort to attract a diverse pool of applicants.

Management should be aware that the selected candidates should commence on a starting salary of Level one within the respective grade, unless the appointed colleague is already in employment at the Council and currently on Level two of the same grade, in which case the employee would be matched over at the rate of pay they currently receive.

There will need to be a support and development plan for the new post holders once appointed in line with managing performance through the probationary policy. An appropriate exit strategy must be in place in order to terminate the contracts in line with NCC guidance in the event that the post/funding cannot be made permanent at the end of the FTC.

Management will need to ensure appropriate timelines are in place to notify the affected employees and give appropriate notice.

Employees should be referred to redeployment in good time, 12 weeks before the end of contract (end of funding), and supported by management throughout the redeployment process.

The proposal also seeks to use this funding for an additional payment for the following posts on a temporary basis for a period of 24 months, to reflect the additional level of responsibility, technical expertise and decision making this job role will have as part of this transformation and improvement work:

- Policy and Performance Officer – Grade H to I (total 1.33FTE) (2 x headcount)
- Analytical Manager – Grade J to K (0.67 FTE) (1 x headcount)

The additional duties and grade have not yet been evaluated by the job evaluation team, however management will ensure they follow the Council's re-grading process. The evaluation of the additional duties will be reflective of the temporary changing nature and wider remit of the job role and will be a development opportunity.

The above opportunities will be ring-fenced to the existing team and expressions of interest in the job roles will be sought. An appropriate assessment should take place to ensure the post holder meets the criteria and the additional responsibility required for the re-graded job role, skills gaps identified and a development plan put in place to address this.

Sheena Yadav-Staples
HR Consultant

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