

**Appointments Committee**  
**Tuesday 17 January 2023**  
**6.45 pm Sedgemoor Room, Dillington**  
**House**



**SUPPLEMENT TO THE AGENDA**

To: The Members of the Appointments Committee

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 6	To Appoint an Executive Director of Climate & Place (Pages 3 - 112) To consider the recommendations of the Appointments Panel.
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Published on 11 January 2023

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## Recruitment to Tier 2 Posts in Somerset Council

### Appointments Committees Briefing Paper

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Lead Member: Cllr Bill Revans

Division and Local Member: n/a

Lead Officer: Duncan Sharkey

Author: Chris Squire – Director of Customers, Digital & Workforce

#### 1. Background

1.1 Somerset Council will be established on 1<sup>st</sup> April 2023, with the four District Councils being abolished and their functions transferring to Somerset County Council, as the continuing authority. The programme to achieve this merger has the following objectives:

- Create a new unitary Council for Somerset that delivers the approved business case on 1 April 2023.
- Enable performance capability – to deliver the approved business case vision on 1 April 2023.
- Develop the new council to optimise benefits and opportunities from 1 April 2023 to 31 March 2025.

The process to appoint a chief executive for the new council was completed in July 2022, with the appointment of Duncan Sharkey to Somerset County Council (as the continuing authority designated to become Somerset's unitary local authority). The programme is now preparing to appoint the leadership team ('tiers two & three') to the new Council.

On 18 March 2022 the Secretary of State made the Somerset (Structural Changes) Order 2022 (SCO). The SCO formalises the decision to implement local government reorganisation in Somerset and sets out the legal framework for implementation. Staff at the four district councils employed immediately before the transfer will become Somerset Council employees on 1 April 2023; in the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

A consultation on the new structure and pre-transfer collective redundancy consultations took place from 10<sup>th</sup> November 2022 to 12<sup>th</sup> December 2022. This consultation also covered:

- The proposed structure for the top 3 tiers of Somerset Council and the process to recruit to the posts at tiers 2 and 3.
- Proposed redundancies that will be made post Vesting Day by Somerset Council, as a result of Tiers 2 & 3 restructuring.

Any changes proposed to SLT and supporting officer structures are subject to consultation with the Executive and informing Full Council of the changes. Changes will be agreed via a formal decision taken by the Chief Executive

## **1.2 Purpose of the Restructure**

The opportunities presented by local government reorganisation are huge, as are the challenges that the new organisation will face. Bringing together 5 organisations will help the new Council to realise positive change, including:

- Putting the people of Somerset at the heart of the new Authority.
- Creating new local opportunities for residents to have a real say about their own communities.
- Cutting red-tape.
- Freeing up money that can be spent on real local issues and challenges, including:
  - Caring for our most vulnerable residents
  - Delivering life-chances for our children and young people
  - Reducing rural isolation and loneliness
  - Delivering the housing each community needs
  - Investing in climate change
  - Boosting economic growth, jobs and apprenticeships.

It is anticipated that the restructuring of senior teams will result in approx. £2 million of savings.

The existing structures within each of the 5 Councils vary significantly both in terms of roles and levels. It is not sustainable or manageable for the existing senior leadership structures to remain with the creation of a single Council. It is vital to the delivery of the new Council that an effective and sustainable leadership team is in place, in time for Vesting Day on 1<sup>st</sup> April 2023, to help realise the opportunities that local government reorganisation presents, and to deliver financial stability to the organisation.

- 1.3** The Chief Executive proposed a structure for Tiers 2 & 3 in Somerset Council, with a list of functions by directorate. This proposal was agreed with the Leader of Somerset Council and the Executive. The proposal has subsequently been consulted on with staff and trade unions – see sections 3.1 – 3.3

After careful consideration of the responses from staff and trade unions to the consultation, the Chief Executive decided that the posts that will exist at Tier 2 necessary for the Council to meet its objectives are those set out in section 1.5 and 1.6 below. The proposed job title for one of the roles was changed, following feedback from staff as part of the consultation, from Director of Strategy, Performance & Localities to Director of Strategy, Workforce & Localities.

- 1.4** As a result, the Appointments Panel confirmed the process which includes:

- Job Descriptions
- Salaries
- Appointments Committees

The Briefing Paper for the Appointments Panel can be seen in Appendix Two. The Chief Executive having determined following consultation the roles that will

exist at Tier 2 agreed the job descriptions for the roles detailed in section 1.5.

**1.5** As a result of these considerations, the decision was taken to recruit to the following posts:

- Executive Director of Climate & Place
- Executive Director of Community Services
- Executive Director of Resources (151 officer)
- Executive Director of Strategy, Workforce & Localities

**1.6** The Chief Executive also took a decision to exclude three posts from Tier 2 Appointments Processes (see below, section 2.2). These are as follows:

- Executive Director of Adults' Services
- Executive Director of Children's Services
- Executive Director of Public Health

## **2. Options Considered**

**2.1** To advertise the four Tier 2 posts externally. This was discounted, due to employment law considerations, retention and development of current talent in the five local authorities and the additional time that it would take to appoint to the posts.

**2.2** To include the posts of Executive Director of Adults' Services, Executive Director of Children's Services and Executive Director of Public Health within this restructure. This was rejected, as the posts are broadly the same after Vesting Day and there are no comparable roles in Somerset's district councils.

## **3. Consultations undertaken**

**3.1** A 30-day consultation process has been completed, which gave all staff and recognised trade unions the opportunity to feedback on the structure. This included the statutory 30-day pre-transfer collective consultation period to consult with the elected representatives of staff in roles that are immediately affected by proposals in respect of tiers 2 & 3. The Consultation Paper can be seen in Appendix Three.

**3.2** The consultation with staff was concluded on 12<sup>th</sup> December 2022. There were 135 responses to the consultation and each one has been answered individually, with a collective response to the consultation also written. All questions and answers (anonymised and depersonalised) will be shared with staff.

**3.3** The Chief Executive read all the responses to the staff consultation and took the view that the response to the consultation did not present any issues which required material changes to the Tier 2 structure. There will be further work on the Tier 3 structure, as a consequence of the consultation and following the appointments to Tier 2 posts. Recruitment to Tier 3 posts will follow an additional decision by the Chief Executive.

- 3.4** The Leader of the Council and the Executive have been consulted on the structure, in line with section 7.1 of the Constitution. Full Council will be informed of the final structure at its meeting on 22<sup>nd</sup> February 2023.
- 3.5** A set of principles to govern Organisational Change has been agreed with trade unions and chief executives. This can be seen in Appendix Four.
- 3.6** An Equalities Impact Assessment to support the 30-day pre-transfer redundancy consultation can be seen in Appendix Five.

#### **4. Process**

The selection processes for these roles include the following:

- Invitation to staff to submit a ‘matching’ request, if they believe that their current role is broadly the same as the advertised post. Requests were assessed by a panel comprising HR advisors, a job evaluation specialist, a representative from the recruitment partner (Faerfield) and recommendations made to the relevant Appointments Committee. There were no matched roles.
- Written application including supporting statement and CV.
- Psychometric Assessments.
- Interview with staff panel.
- Interview with stakeholder panel, to include partner organisations.
- Interview with the relevant Appointments Committee.

Members of the Appointments Committees met on 4<sup>th</sup> January to shortlist candidates for interview.

#### **5. Implications**

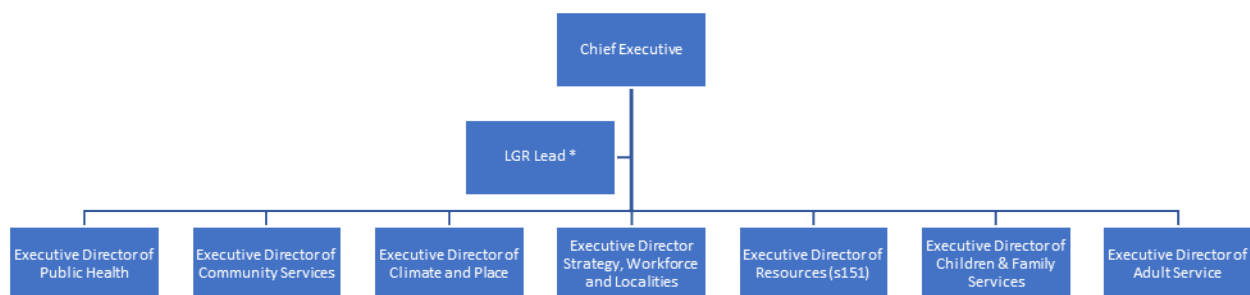
- 5.1** As set out in the decision report.

#### **6. Background papers**

- 5.1** Appendix One – Proposed Tiers 2 & 3 Structure for Somerset Council
- 5.2** Appendix Two - Appointments Panel Briefing Paper
- 5.2** Appendix Three - Somerset Council Tiers 2 & 3 Restructure Proposal and Pre-Transfer Redundancy Consultation
- 5.3** Appendix Four – Organisational Change Principles
- 5.4** Appendix Five – Equalities Impact Assessment

## Appendix One – Proposed Tier 2 Structure for Somerset Council

The proposed Tier 2 structure for Somerset Council can be seen below.



The proposed Tiers 2 & 3 structure can be seen in the following embedded document:

## Appendix Two – Appointments Panel Briefing Paper

The briefing paper for the Appointments Panel is a separate document.

## Appendix Three – Somerset Council Tiers 2 & 3 Restructure Proposal and Pre-Transfer Redundancy Consultation

The consultation paper for Tiers 2 & 3 Restructuring and the Pre-Transfer Redundancy Consultation is a separate document.

## Appendix Four – Organisational Change Principles

The principles that have been agreed to govern Organisational Change for Somerset Council is a separate document.

Appendix Five – Equalities Impact Assessment

## Somerset Equality Impact Assessment

**Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer**

<b>Organisation prepared for</b>	Somerset County Council, as the continuing authority to Somerset Council		
<b>Version</b>	V2 - draft	<b>Date Completed</b>	08/11/2022

**Description of what is being impact assessed**

Somerset Council will become the new Unitary authority as of 1<sup>st</sup> April 2023. As part of the creation of the single organisation under the SCO (Structural Changes Order) there will be a restructure and recruitment exercise of tiers 2 & 3 of the Senior Leadership Team, this is an internal process.  
This EIA considers the equality impacts of this change.

**Evidence**

**What data/information have you used to assess how this policy/service might impact on protected groups?** Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Workforce data for tiers 2-3 across all 5 Councils has been considered.  
The specific data for each Council is not being published as for some Councils the numbers are small and may identify individuals. Instead, whilst all the equality data has been considered, the below collective data is being published:

Total number of posts affected: 48  
Total number of employees affected: 44

**Sex**

Page 8



Male: 48%  
Female: 52%

**Disability**

Not known: 36%  
The data does highlight that more than one employee has declared a disability

**Race & Ethnicity**

The data does highlight that one or more employees have declared their ethnicity as being from an ethnic minority group.

**Age**

54yrs & under 48 %  
55yrs & over: 52%

**Who have you consulted with to assess possible impact on protected groups?** If you have not consulted other people, please explain why?

LGR People's Equality, Diversity and Inclusion representatives from 5 Councils. Unions through informal JNF, HR Committee & affected staff will be consulted with

Analysis of impact on protected groups				
<p>The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.</p>				
Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> <li>Some employees who are older and may have been in their current posts for some time, may have less recent experience of undertaking a recruitment process and therefore may have increased anxiety in relation to this.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability	<ul style="list-style-type: none"> <li>Some employees with disabilities may find recruitment exercises more challenging. For example, employees who identify as neurodiverse may find the format of interviews and /or assessments challenges and require reasonable adjustments.</li> <li>Some employees with disabilities may experience greater levels of anxiety associated with significant change.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<ul style="list-style-type: none"> <li>The protected characteristic of gender reassignment has been considered and no specific impact identified.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marriage and civil partnership	<ul style="list-style-type: none"> <li>The protected characteristic of marriage and civil partnership has been considered and no specific impact identified.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>The protected characteristic of pregnancy and maternity has been considered and no specific impact identified.</li> </ul>	□	□	□
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>The protected characteristic of race and ethnicity has been considered and no specific impact identified.</li> </ul>	□	□	□
<b>Religion or belief</b>	<ul style="list-style-type: none"> <li>The protected characteristic of religion or belief has been considered and no specific impact identified.</li> </ul>	□	□	□
<b>Sex</b>	<ul style="list-style-type: none"> <li>There are more women than men that will be affected by this process.</li> </ul>	□	□	□
<b>Sexual orientation</b>	<ul style="list-style-type: none"> <li>The protected characteristic of sexual orientation has been considered and no specific impact identified.</li> </ul>	□	□	□
<b>Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.</b>	<ul style="list-style-type: none"> <li>No specific impact identified.</li> </ul>	□	□	□

<b>Negative outcomes action plan</b>				
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
<b>Action taken/to be taken</b>	<b>Date</b>	<b>Person responsible</b>	<b>How will it be monitored?</b>	<b>Action complete</b>
Provide guidance and signposting to all candidates in relation to recruitment support	Ongoing	LGR People Workstream	LGR People Workstream	<input type="checkbox"/>
Post-recruitment support & feedback	Ongoing	CEOs & HR Leads	LGR People Workstream	<input type="checkbox"/>
Ensure all candidates are able to request reasonable adjustments for any recruitment process	Ongoing	HR Recruitment Manager & HR Equalities Employment Officer	LGR People Workstream	<input type="checkbox"/>
Provision of E&D training for all decision-making panel members	Ongoing	HR Equalities Employment Officer	LGR People Workstream	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
<b>If negative impacts remain, please provide an explanation below.</b>				

<b>Completed by:</b>	
<b>Date</b>	
<b>Signed off by:</b>	
<b>Date</b>	
<b>Equality Lead/Manager sign off date:</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

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**TIER 2 APPOINTMENTS PROCESSES**  
**APPOINTMENTS PANEL BRIEFING**

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Version Final Draft 2 7<sup>th</sup> December 2022

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## 1. Introduction

This document proposes options for consideration by the Appointments Panel, regarding the processes to appoint to Tier 2 at Somerset Council. The paper presents legal, constitutional and process considerations, as well as salary comparisons for the roles. The document deals just with appointments. It excludes consideration of redundancy and dismissal processes which would apply, where relevant, post Vesting Day.

## 2. Legal Requirements

The merger of one or more organisations into another will result in the transfer of staff under relevant TUPE legislation. In the case of local government reorganisation, this is confirmed in Regulation 4 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

- There is a requirement to recruit a 'head of paid services' for the new single-tier authority through open competition. This process concluded in July 2022, with the appointment of Duncan Sharkey and approval by a meeting of Full Council.
- The regulations do not require that other chief officer posts are recruited to through open competition, although there is an 'expectation' that this be done. This point has been considered as part of the recommendations in section 12.
- The functions of advertising, recruiting and appointing chief officers shall be discharged by Somerset County Council as the continuing authority, as delegated.
- The Government has produced guidance on staffing issues arising from Local Government Restructuring - [Staffing\\_Issues\\_Guidance080605.pdf \(lgpsregs.org\)](#)
- There are of course employment law concerns that need to be considered, as part of this paper and subsequent processes. These include: Transfer of Undertakings (Protection of Employment) Regulations 2006, Employment Rights Act 1996, Trade Unions and Labour Relations (Consolidation) Act 1992 and the Equality Act 2010.

## 3. Constitutional Requirements

Appointment to Senior Leadership Team (SLT) posts must be conducted in accordance with relevant local government requirements, in order to be considered lawful and to avoid potential future challenge. This will need to follow the requirements set out in the constitution of the continuing authority, in the absence of alternative provisions for the new council. In this case, this will mean using Somerset County Council's current Constitution.

The requirements for appointing to Senior Leadership Team posts, at grades 1-3 in Somerset County Council, are as follows:

### 3.1. Appointments Panel

The consequence of this is that as part of the process, a proposal to appoint to a Senior Leadership Team post will need to be put before an appointments' panel. The panel will consist of the Leader, the Opposition Leader and the Deputy Leader of the Council (or their nominated representatives) plus any relevant Cabinet members as consultees.

The role of the panel is to review the job description and terms & conditions of employment relating to a post, make appropriate recommendations to the Chief



Executive, decide on the process and to appoint the Appointments Committee to undertake the appointments' process.

### 3.2. Appointments Committee

The Appointments' Panel agrees the process to appoint to the role and then proposes the membership of the Appointments' Committee. This typically includes the leader (or deputy), the relevant Cabinet member and the opposition lead for the area to be recruited to. The Constitution specifies a maximum of 5 members of the committee, with the remaining 2 places assigned based on the rules of political proportionality. The implications of this are that each committee will comprise 3 Liberal Democrats and 2 Conservatives.

The role of the Appointments' Committee is to 'run' the process. This will include agreeing the shortlist for the role, interviewing and then confirming the appointment, With the designation of the s151 and monitoring officer roles, being decided by full Council.

### 3.3. Proposals on how to broaden engagement and involvement

The Constitution is prescriptive on a number of parts of this process and we do need to be mindful as to the lawfulness of these appointments. However, it is also vital that we ensure that there is representation, involvement and engagement with all 5 local authorities (ahead of Vesting Day) and political parties. In terms of the chair arrangements and voting membership of an Appointments Panel and Appointments Committees then in line with the County Council's Constitution those can only be from the County Council elected members who are appointed to those bodies. The following is therefore proposed:

3.3.1. This document is presented and discussed with the Appointments' Panel in an informal session. Amendments are then agreed virtually. This ensures we maintain pace and momentum through the process (see proposed timeline in section 4, below).

3.3.2. The Appointments' Panel comprises the Leader, Opposition Leader and Deputy Leader of Somerset County Council. Leaders of the district councils (or their deputies) are included as consultees (as per the chief executive appointment process). This Appointments Panel oversees the processes for each of the four posts that we are appointing to at Tier 2 (see section 4).

It is proposed that the Panel appoints four Appointments Committees, to run the processes for each post. This will enable specific interests (e.g. executive and shadow portfolio holders, committee chairs) to be represented.

3.3.3. Subject to agreement by the Appointments Panel, each Appointments' Committee (with voting membership comprising 5 elected members of the County Council) will, where possible, include a Somerset County Council elected member who is also a Leader from one of the district councils, the relevant Executive Lead Member, the relevant Opposition Spokesperson and a further member each from the Liberal Democrats and Conservatives. The leader of Sedgemoor District Council will act as a consultee to the relevant panel.

3.3.4. The interviews for the post may include a range of interests, including all 5 authorities (to include staff as well) and partner organisations. However, the

Panel is asked to be mindful of timescales for these processes (see section 5)

3.3.5. The process will be administered by the People Workstream for the Unitary Programme. Other arrangements include:

- The appointment of a recruitment partner, to receive applications, advise on job descriptions and salary levels, help with interview questions, and to provide independence to the process given potential conflicts of interest at senior officer level.
- Assistance from South West Councils, to act as HR advisor to Appointments Committees (again, to avoid potential conflicts of interest).
- Assistance from County & District HR Advisory Services to administer the Appointments Panel meeting(s).
- Assistance from Democratic Services to administer the Appointments Committees' meetings.

## 4. Tiers 2 & 3 Structure for Somerset Council

### 4.1. Structure

The proposed structure for at tiers 2 & 3, for Somerset Council, can be seen in the embedded Powerpoint Presentation:



Somerset Structure  
Considerations - Copy

All staff in the 5 local authorities are currently being consulted with about the structure; this process concludes on 12<sup>th</sup> December. Separate pre-transfer consultations are also being conducted on redundancies that may come about through this structure and the transfer of staff under TUPE from district councils to Somerset Council.

### 4.2. Posts in scope

Appointment processes are proposed for the following posts:

- Executive Director of Communities Services
- Executive Director of Strategy, Performance & Localities
- Executive Director of Climate & Place
- Executive Director of Resources (Section 151 officer)

### 4.3. Posts out of scope

The following posts are excluded from these processes:

- Executive Director of Public Health
- Executive Director of Children's Services
- Executive Director of Adults' Services

The reasons for excluding these posts are as follows:

- They are broadly unchanged, based on the proposed structure, therefore the current incumbents will continue in post.

- There are no other suitable interested parties transferring into Somerset Council from the district councils, therefore there is no competition that would be appropriate under existing employment legislation.

## 5. Timeline

The timeline for appointing to these tier 2 posts is challenging, with Vesting Day on 1<sup>st</sup> April 2023 and an objective of having tiers 2 & 3 commence in role on that day.

The following shows a proposed timeline, to reflect an ambition to offer appointment to Tier 2 posts in January 2023 (thereby enabling us to appoint to Tier 3 posts in February). Please note that the timings are incredibly tight, in order to run interviews w/c 9<sup>th</sup> January, especially in weeks 2 & 3 of December:

Date	Event/Action
10.11.22	Consultation with staff commences, covering the proposed structure for Somerset Council and possible redundancies at tiers 1 – 3.
29.11.22	Informal briefing meeting for the Appointments Panel (also to decide on future meetings)
w/c 05.12.22	Microsite draft ready for Appointments Group to agree/sign off – to be used for applications
09.12.22	HR all-day meeting to produce indicative job descriptions and other information
12.12.22	T2 & T3 Consultation (30-days statutory pre-transfer collective redundancy consultation) ends
12.12.22	Consider responses to the consultation & JDs - finalised. Internal comms to all 5 authorities to go out around the application and matching processes; this will be confirmed at the end of the week, following consideration of responses to the consultation
12.12.22	Appointments Panel meets (virtually) to consider JDs and other information (e.g. salary levels). This information will be confirmed at the end of the week, following consideration of responses to the consultation.
14/12/22	Chief Executive decision to commence the Tier 2 appointments processes, JDs confirmed for those roles (confirm the structure with the Executive and inform full council at next meeting, 22 <sup>nd</sup> February)
14.12.22	Notice of Appointments Committees to consider matches
14.12.22	Write to staff with draft JDs and links to matching processes, with deadline of 19 <sup>th</sup> December
14/12/22	With reference to the consultation responses and management actions, Chief Executive decision report drafted and internal member and officer consultation completed
19.12.22	Formal response to consultation issued, including any slot-in or

	ringfencing processes.
20.12.22	Matching review panel meeting
22.12.22	Appointments Committees meet to consider matches (5 clear working days after the Notice and agendas have been issued)
22.12.22	Microsite to go live and T2 posts open for CVs with a supporting statement (bring forward if no matching requests)  Faerfield to categorise applications for shortlisting (a,b,c), as they are made
02.01.23	Notice of Appointments Committee meetings
03.01.23	Close application window (midnight 2 <sup>nd</sup> January)
03.01.23	Shortlist packs/report finalised and shared with Appointments Committees
04.01.23	Appointments Committees take place to ratify shortlist, with Duncan Sharkey as advisor to the committees and Faerfield in attendance. Draft interview questions discussed
05.01.23	Faerfield to send out invites to interviews.
w/c 09.01.23	Interviews take place 12 <sup>th</sup> – 17 <sup>th</sup> January.  One day per role.  Appointments Committee meet at end of day to confirm recommendation or next course of action if there are no appointable candidates.
w/c 23.01.23	CEO decision reports drafted with recommendations from each of the Appointments Committee.
22.02.23	CEO report to February Full Council to confirm Tier 2 statutory officer designations
1.4.23	Somerset Council Tier 2 appointments come into effect for the roles recruited to

## 6. Proposed Selection Process

An example process includes the following elements:

- Written application including supporting statement and CV;
- Shortlisting
- Appointment Committee/ Member interview panel inc. Duncan Sharkey and SW Council Rep
- Stakeholder panel – committee advise on who they want involved. (3-5 per panel)

- Staff panel (couple from each district and 8 from SCC plus 2 trade union representatives) – Q&A session
- Appointment Committee Decision meeting per role at end of each day.

## 7. Slot-Ins and Ring-Fenced Processes

The Organisational Change Principles (section 4.1.11) describe how an employee may be slotted into a post or be part of a ring-fenced process for a post(s) if their existing substantive job is a broad match (75%) to that role.

The initial advice to the Appointments Panel (and the view expressed through the consultation process) is that none of the Tier 2 posts represent the majority of an existing post and that these appointments should be made using competitive selection processes. However, there will be challenge to this and as such, we need to define a process that can assess whether an individual's role is indeed a match to a new post. This process will need to be consistent, fair and demonstrate that we have applied due regard and thinking to each challenge. This could look as follows:

### Candidate Matching Process

- 7.1. To apply for matching to a new role, candidates must provide a copy of their current job description and person specification and organisation structure and demonstrate, using the categories, below, how their current role is a 75% match or more to the new role (*this is particularly important if, for example, a job description is out-of-date*).
- 7.2. A review panel consisting of trade unions representatives, district & SCC HR Leads, a JE specialist and Faerfield, our recruitment partner, will review the pro forma and compare the current job description and person specification with those of the new role.
- 7.3. The review panel will then make recommendations to the Appointments Committee. The decision of the Appointments Committee will be final.
- 7.4. The individual will be provided with a copy of the review panel's recommendation before the Appointments Committee meets and is given the opportunity to make written representation to the Committee on it

### Pro Forma Categories for Job Matching

These are currently being discussed with JE experts and our Recruitment Partner (on 28/11/22), however may include

- Current areas of responsibility
- Budget (perhaps as a percentage of organisational budget)
- Staff Headcount (perhaps as a percentage of organisation)
- Professional Qualifications or relevant registration required
- Current Organisational Tier

## 8. Other Considerations

### 8.1. Organisational Change Principles

A set of principles governing organisational change has been agreed with trade unions and senior managers.

The principles describe how staff can be slotted-in or ring-fenced for a post, based on their current role being a broad match (75%) to the new post(s).

There may be a challenge to this from some staff, therefore the Appointments Committees will need to assess this in accordance with 7.3 above using advice from Faerfield.

The Change Principles can be seen in Appendix One.

## 8.2. Job Descriptions

'Skeleton' job descriptions have been produced and are being worked on through the consultation period, based on feedback from staff and input from our JE partner, Korn Ferry.

These are shown in Appendix 2, please note that these are an outline only and as referred to above, will be put into final draft form in the next few days following feedback from staff and the Appointments Panel, as well as work from job evaluation experts.

## 8.3. Salary

Salary comparisons for similar roles are shown in Appendices Three to Six. One of the roles of the Appointments Committee is to recommend a salary (range) for a post, the following ranges reflect the benchmarking work that has been done:

Executive Director of Climate & Place	£145k-£150k
Executive Director of Communities Services	£130k-£140k
Executive Director of Resources	£140k-£150k
Executive Director of Strategy, Performance & Localities	£120k-£130k

By way of comparison, examples of other Somerset chief exec and director roles are as follows (before application of the 2022-23 pay award, salary details of all those in tiers 1-3 are available):

Organisation	Role	Salary
SCC	Director of ECI & Lead Commissioner	£132,777
SCC	Director of Adults Services	£132,777
SCC	Director of Children's Services	£145,000
SCC	Director of Public Health	£122,100
Mendip	Chief Executive	£116,725
Mendip	Deputy Chief Executive	£86,488
Mendip	Head of Corporate Services	£67,954
Sedgemoor	Deputy Chief Executive	£110k
Sedgemoor	Director of Finance – 151	£95k
SW&T	Chief Executive	£120,526

SW&T	Director Place & Climate Change	£102,750
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The work on job evaluation has produced recommendations on how to structure tier 2 salaries. These options include:

- Two spot rates for all Tier 2 roles, based on 2 ‘bands’ of role
- Two ‘bands’ for roles, with incremental progression spread over a number of years

This work is presented in Appendix Seven, from which the recommendation to the Appointments’ Panel is that option 3 is selected (table 1):

Table 1 - Tier 2 Salaries

**Incremental Progression – maximum reached in 3 years**

Grade	Entry Salary	Increment After 1 year	increment after 2 years	Max Salary After 3 years	Maximum salary including recruitment/retention allowance (if applied)
ED1	£139,000	£142,000	£146,000	£150,000	£150,000
ED2	£129,000	£132,000	£136,000	£140,000	£140,000

Any salary over £100k will need to be approved at a meeting of full Council and it is proposed that this happens when the appointments are confirmed at the meeting on 22<sup>nd</sup> February. The proposals exclude the Directors of Adults Services, Children’s Services and Public Health, at this stage, however evaluation will need to be done quickly in order to set parity and avoid potential equal pay claims.

## 9. Risks

There are a number of risks inherent in the senior appointment processes. These are perhaps magnified when running a campaign to recruit to a new leadership team, whilst merging 5 organisations and running TUPE processes:

Risk	Mitigation
Inability to appoint due to either a) no applications or b) inappropriate applications	<ul style="list-style-type: none"> <li>• Assess whether there is suitable alternative employment to be applied to staff</li> <li>• Interims &amp; external advertising</li> </ul>
Employment Tribunal Claims (which could for example, include claims for unfair dismissal and unlawful discrimination) following unsuccessful applications	<ul style="list-style-type: none"> <li>• Use of robust selection processes involving independent advisors</li> <li>• Regular conversation with retained employment lawyer</li> </ul>
Appointments don’t work out	<ul style="list-style-type: none"> <li>• Performance management or protected conversation</li> </ul>

## 10. Other Options

The following alternative options have been considered:



- Advertise posts externally
  - The Regulations set an 'expectation' that this is done
  - Advertising externally will add 3-6 months to the appointments process. We will therefore not have tier 2 in place until late-Spring/Early-Summer 2023
  - It would present considerable employment-law risk, regarding unfair dismissal and breach-of-contract claims
- Look to slot as many people into post as we can
  - This would provide a quick process and some certainty to the structure
  - However, it would also present employment-law risks
  - Culturally, it would look wrong and remove 'legitimacy' to appointments processes

## 11. Guidance needed

The Appointments Panel is asked to consider and provide guidance for the following:

- The format and composition of Appointments' Committees to run the Tier 2 processes.
- Salary range for the roles (subject to final recommendation at end of consultation period)
- Appointments Panel input into Job Descriptions
- Recommendation on the format of interviews

Please note that this paper has not been presented for the purpose of agreeing a formal decision.

## 12. Recommendations

- The Panel endorses the processes to be run across the 5 councils initially, with any unfilled post going quickly to external search & advertising
  - Temporary arrangements, such as acting-up, reallocation of duties and interim appointments would be discussed at the time.
- Appointments Committees comprise 5 elected members of Somerset County Council: a member who is also a District Council Leader, Executive Lead Member, Opposition Spokesperson, one other from both the Liberal Democrats and Conservatives.
  - Further consideration will need to be applied to the committee with the leader from Sedgemoor District Council.
- The Panel agrees the format for the interviews (section 6).
- The Panel notes the draft job descriptions and awaits further detail on these over the coming days (section 8.2).
- The Panel notes the salary ranges represented and waits for further recommendation following job evaluation and proposed structure for Tier 2 salaries (section 8.3).
- The same procedure will apply for Tier 3 in due course.



**Chris Squire, Director of Customers, Digital & Workforce, Somerset County Council (Joint Lead for the LGR People Workstream)**

## Appendix One – Organisational Change Principles

The Organisational Change Principles that have been agreed to cover LGR reorganisation can be viewed in the following embedded document:



Organisational%20C  
hange%20Principles%

## **Appendix Two – Job Descriptions**

To be confirmed – skeleton JDs have been produced for JE purposes, the full versions are being written w/c 28/11.

Draft Corporate Responsibilities for the JDs have been produced, to be included in each of the Tier 2 JDs. These are as follows:

### **EXECUTIVE DIRECTOR- CORPORATE OBJECTIVES**

#### **SOMERSET COUNCIL**

Somerset's county and district councils have worked together with partners, City, town and parish councils and residents to create a new council which delivers for everyone.

With a population of 560,000 Somerset is a County of contrasts. Home to farming and engineering; manufacturer of cheese and cider but also the UK'S only helicopter maker; low skill jobs in the tourist industry vs high skilled jobs in the UK Hydrographic Office and Hinkley Point power station; picture postcard villages with limited public transport and bustling, thriving market towns with good road and rail links. The new council will harness the strengths of the previous district and county councils and enable us to put in place solutions that will help address the concerns and challenges that Somerset face now and in the future.

At the heart of this new council is a commitment to local communities to give local people real power and real influence over the decisions that affect the most. Local community networks that engage with local voluntary and community organisations and put parish and town councils front and centre in their own areas are being established and will provide focus for local engagement.

### **EXECUTIVE DIRECTOR - CORPORATE RESPONSIBILITIES**

- Provide strong leadership to drive performance management and to deliver the Council's priorities and meet financial targets, as a member of the Council's Executive Leadership Team.
- Collaborate with elected members to ensure the strategic direction of the services managed reflect statutory requirements and corporate aims and objectives; taking account of any impact those decisions may have on other council services.
- Advise Members in respect of all planning, operational and policy issues relation to this service area, engage in strategic and delivery partnerships and promote and communicate the Council's services.
- Act as an ambassador for the Council promoting, both internally and externally, the council vision and values always.
- Act as a role model for Somerset's vision and values and promote the culture of performance management and the achievement of targets.
- Develop potential and flexibility across the Council and its workforce including the motivation and development of those employees for which the post holder has responsibilities.

- Ensure that all services place a high value on customer responsiveness by demonstrating a commitment to meeting and involving the broadest range of direct and indirect service users, citizens, customers, communities and businesses, as well as defining performance measures linked to customer care.
- Lead the delivery of the councils' key objectives ensuring understanding and commitment from managers and staff from across the executive service in supporting this aim
- Ensure that the council can meet new challenges and initiatives by keeping abreast of challenges and opportunities facing public services, taking proactive steps to exert influence across the broad range of policy makers, public bodies and suppliers.
- Ensures flexibility in reacting to the needs of the council its customers and partners supporting a culture of continuous improvement.
- Ensures compliance with all relevant legislation organisational policy and professional codes of conduct in order to uphold standards of best practise.
- Member of the corporate on call roster at Strategic level to set strategy and co-ordinate at the tactical level activity when responding to internal and external emergencies/Major Incidents which may require response during unsocial hours.
- Undertake relevant training and exercising commensurate with Strategic officer responsibilities including but not limited to Multi-agency Gold Incident Commander (MAGIC)

## Appendix Three – Salary Benchmarking – Executive Director of Resources (151)

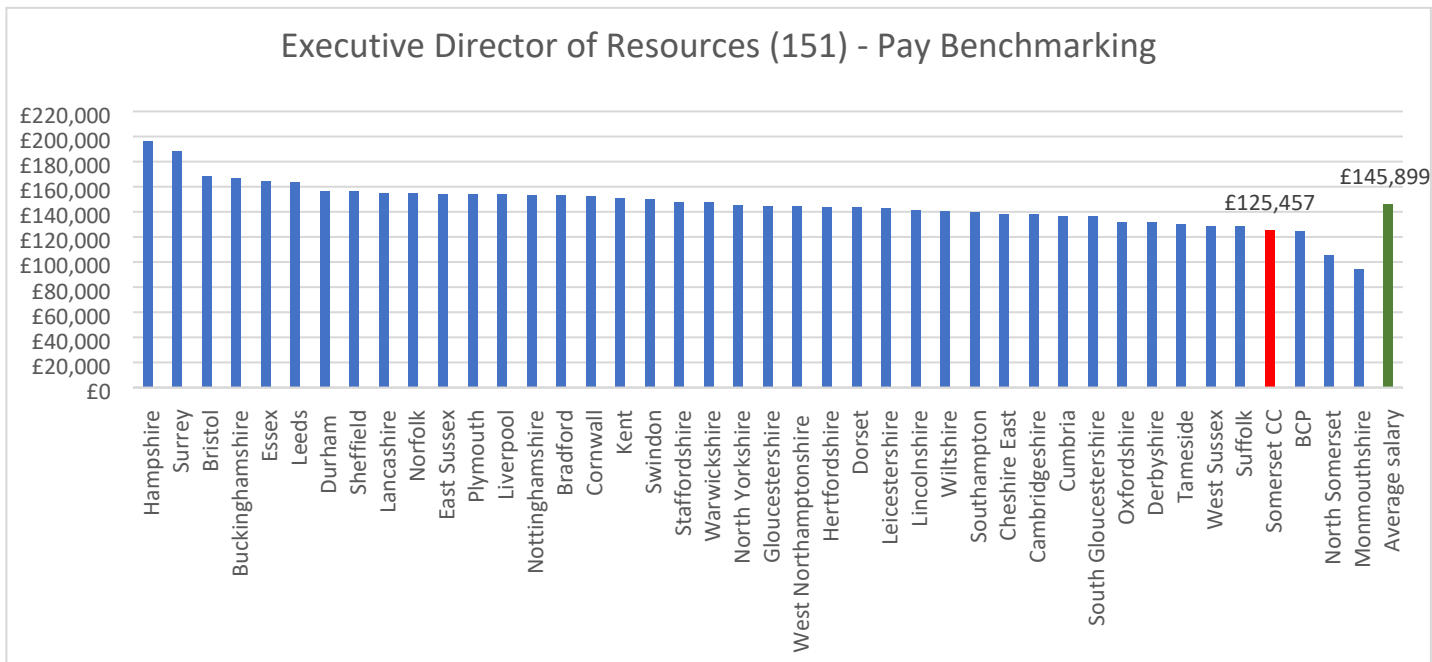


Table 2 - Exec Director of Resources, Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Hampshire	Director of Corporate Resources	£196,719	1,400,000	Town Hall Rich List 2022
Surrey	Executive Director of Resources	£188,700	1,203,100	Town Hall Rich List 2022
Bristol	Executive Director of Resources (and Head of Paid Services)	£168,403	472,400	Council Website
Buckinghamshire	Corporate Director Resources	£166,924	547,060	Council Website
Essex	Executive Director - Corporate Services	£164,546	1,498,181	Direct from Essex
Leeds	Director of Resources	£163,789	793,139	MJ advert Oct 22
Durham	Corporate Director - Resources	£156,884	533,149	Council Website
Sheffield	Executive Director – Resources	£156,257	575,400	Direct from Sheffield
Lancashire	Interim Executive Director of Resources (S151)	£155,000	1,171,300	MJ
Norfolk	Executive Director Finance and Commercial Services	£154,800	926,000	Council Website
East Sussex	Chief Operating Officer	£154,311	558,852	Council Website
Plymouth	Strategic Director for Customer and Corporate Services	£154,125	264,700	Council Website

Liverpool	Finance and Resources	£154,000	486,100	MJ
Nottinghamshire	Corporate Director Finance and Resources (S151)	£153,669	785,800	Council Website
Bradford	Strategic Director - Corporate Resources	£152,987	528,155	Draft 21-22 SOA
Cornwall	Chief Operating Officer and S151	£152,669	568,000	Council, Web site
Kent	Corporate Director Finance (S151)	£151,284	1,589,100	Direct from Kent
Swindon	Corporate Director of Finance and Assets (S151)	£150,489	233,400	Council Website
Staffordshire	Director of Corporate Services	£148,052	870,800	Draft 21-22 SOA
Warwickshire	Strategic Director for Resources (S151)	£147,718	583,786	Town Hall Rich List 2022
North Yorkshire	Corporate Director Strategic Resources	£145,064	620,610	Council Website
Gloucestershire	Executive Director of Corporate Resources	£144,812	640,650	Draft 21-22 SOA
West Northamptonshire	Executive Director of Corporate Services	£144,375	406,733	
Hertfordshire	Director Resources (S151)	£143,850	1,208,074	Town Hall Rich List 2022
Dorset	Executive Director Corporate Development - (S151)	£143,609	380,000	Council Website
Leicestershire	Director of Corporate Resources - (S151)	£142,925	713,085	Direct from Leics
Lincolnshire	Executive Director - Resources	£141,370	751,200	Direct from Lincs
Wiltshire	Corporate Director Resources and Deputy Chief Exec (S151)	£140,844	510,400	Council Website
Southampton	Corporate Director Finance and Commercialisation (S151)	£140,000	269,800	MJ
Cheshire East	Executive Director of Corporate Services	£138,358	398,800	Council Website
Cambridgeshire	Director of Resources and Chief Finance Officer	£138,178	664,600	Council Website
Cumbria	Executive Director, Corporate Customer and Community Services	£136,313	499,800	Town Hall Rich List 2022
South Gloucestershire	Director of Resources and Business Change	£136,302	282,600	Town Hall Rich List 2022
Oxfordshire	Corporate Director Customers and Organisational Development and Resources	£132,168	707,424	Town Hall Rich List 2022
Derbyshire	Executive Director Corporate Services and Transformation	£131,600	816,236	Council Website
Tameside	Director of Resources (S151)	£130,000	215,500	MJ
West Sussex	Director - Finance and Support Services	£128,438	874,991	Town Hall Rich List 2022

Suffolk	Deputy Chief Executive and Executive Director of Corporate Services	£128,282	761,038	Town Hall Rich List 2022
<b>Somerset CC</b>	<b>Finance, Legal and Governance</b>	<b>£125,457</b>	<b>560,000</b>	
BCP	Director of Resources	£124,465	400,000	Town Hall Rich List 2022
North Somerset	Director of Corporate Services	£105,826	216,700	SOA 21-22
Monmouthshire	Deputy Chief Executive (Head of Resources)	£94,213	93,000	Council Website
<b>Average salary</b>		<b>£145,899</b>		

## Appendix Four – Salary Benchmarking – Executive Director of Climate & Place

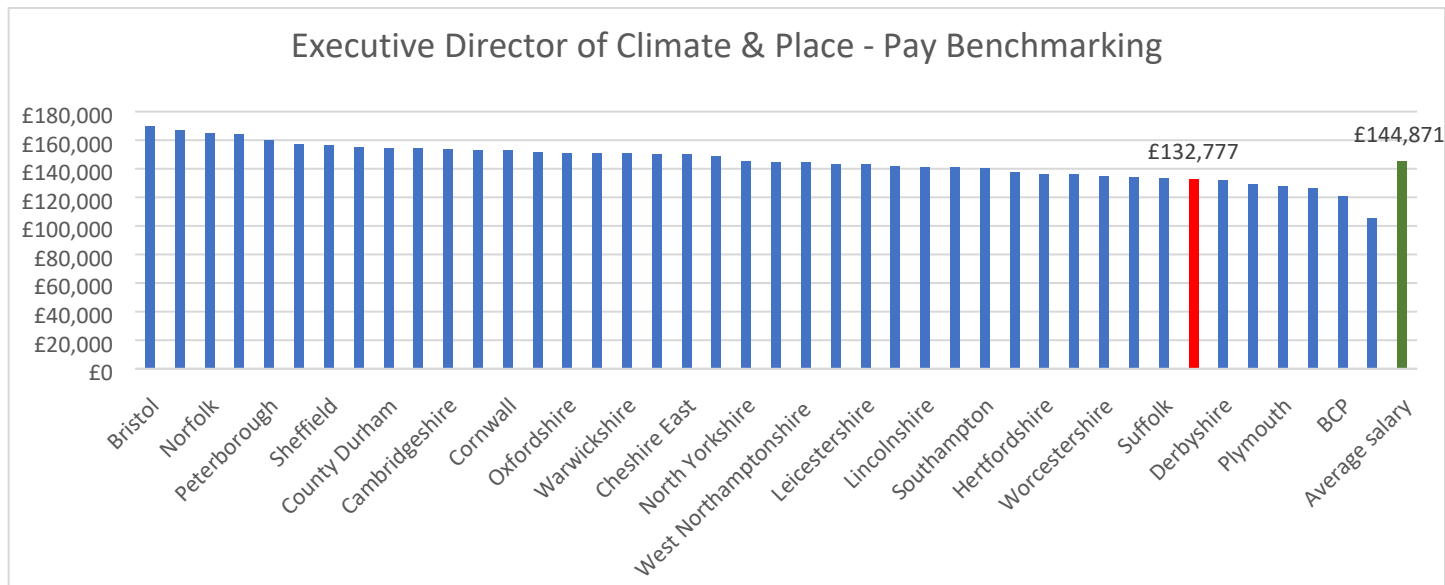


Table 3 - Exec Director of Climate & Place, Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Bristol	Chief Executive resp. for Growth and Regeneration	£170,000	472,400	Council Website
Buckinghamshire	Corporate Director Planning, Growth and Sustainability	£166,924	547,060	Council Website
Norfolk	Executive Director Community and Environmental Services	£164,800	926,000	Council Website
Leeds	Director of Communities and Environment	£163,789	793,139	Draft SOA 21-22
Peterborough	Executive Director: Place and Economy	£160,000	164,000	MJ
Durham	Corporate Director - Neighbourhood and Climate Change	£156,884	558,852	Draft SOA 21-22
Sheffield	Executive Director Operational Services	£156,257	575,400	Direct from Sheffield
Kent	Corporate Director Growth, Environment and Transport	£154,999	1,589,100	Council Website
County Durham	Corporate Director of Neighbourhoods and Climate Change	£154,599	533,149	Council Website
Brent	Corporate Director, Communities and Regeneration	£154,000	329,771	MJ
Cambridgeshire	Joint Exec Director: Place and Economy	£153,599	664,600	Council Website
Bradford	Strategic Director Place	£152,987	528,155	Pay Policy
Cornwall	Strategic Director, Sustainable Growth and Development	£152,669	568,000	Draft SOA 21-22
Bedford	Director of Environment	£151,662	173,237	Draft SOA 21-22
Oxfordshire	Corporate Director Commercial Development Assets and Investments	£151,159	707,424	Town Hall Rich List 2022



East Sussex	Director of Communities, Economy and Transport	£151,040	558,852	Draft SOA 21-22
Warwickshire	Strategic Director Communities (incl. Economy)	£150,492	583,786	Council Website
Staffordshire	Director of Economy, Infrastructure and Skills	£150,244	870,800	Draft SOA 21-22
Cheshire East	Executive Director of Place	£150,000	398,800	Council Website
Lancashire	Executive Director Growth, Environment and Transport	£148,810	1,171,300	Council Website
North Yorkshire	Corporate Director of Business and Environmental Services	£145,064	620,610	Council Website
Gloucestershire	Executive Director: Economy, Environment and Infrastructure	£144,812	640,650	Draft SOA 21-22
West Northamptonshire	Executive Director Place, Economy and Environment	£144,375	406,733	Council Website
Dorset	Director of Place	£143,000	380,000	Council Website
Leicestershire	Director of Adults and Communities	£142,925	713,085	Pay Policy Statement 22/23
Nottinghamshire	Corporate Director of Place	£141,404	785,800	Draft SOA 21-22
Lincolnshire	Executive Director - Place	£141,370	751,200	Direct from Lincs
Wiltshire	Corporate Director Place	£140,844	510,400	Council Website
Southampton	Corporate Director Place	£140,000	269,800	MJ
Surrey	Executive Director for Highways, Transport and Environment	£137,287	1,203,100	Council Website
Hertfordshire	Director of Environment	£136,347	1,208,074	Council Website
Cumbria	Executive Director Economy and Infrastructure	£136,313	499,800	Council Website
Worcestershire	Director of Economy and Infrastructure	£134,507	602,664	Town Hall Rich List 2022
Carmathenshire	Chief Executive resp. for Regeneration and Policy	£134,000	187,568	MJ
Suffolk	Executive Director of Growth, Highways and Infrastructure	£133,375	761,038	Council Website
Somerset	Lead Director for Economic and Community Infrastructure and Director of Commissioning	£132,777	560,000	
Derbyshire	Executive Director Place	£131,600	816,236	Council Website
Redcar and Cleveland	Corporate Director for Growth, Enterprise and Environment	£129,000	139,500	MJ
Plymouth	Strategic Director for Place	£128,000	264,700	Council Website
Wirral	Director of Regeneration and Place	£126,000	322,796	MJ
BCP	Chief Operations Officer	£121,000	400,000	Council Website
Devon	Director of Climate Change, Environment and Transport	£105,669	827,659	Council Website
<b>Average salary</b>		<b>£144,871</b>		

## Appendix Five – Salary Benchmarking – Executive Director of Communities Services

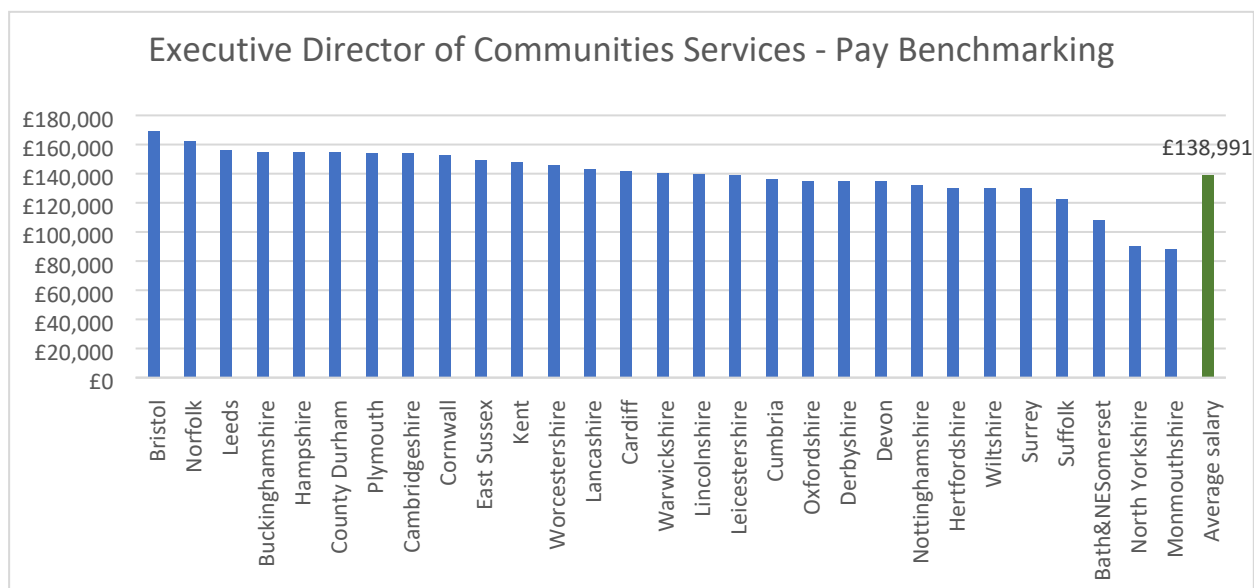


Table 4 - Exec Director of Communities Services, Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Bristol	Executive Director Growth and Regeneration	£169,538	472,400	Council Website
Norfolk	Executive Director of Community and Environmental Services	£162,000	926,000	Town Hall Rich List 2022
Leeds	Director of Communities and Environment	£156,000	793,139	Town Hall Rich List 2022
Buckinghamshire	Executive Director Communities	£155,000	547,060	Somerset identification
Hampshire	Director of Community, Culture and Business Services	£154,774	1,400,000	Town Hall Rich List 2022
County Durham	Corporate Director of Neighbourhoods and Climate Change	£154,599	533,149	Somerset identification
Plymouth	Strategic Director for Place	£154,125	264,700	Council Website
Cambridgeshire	Executive Director People and Communities	£153,898	664,600	Council Website
Cornwall	Strategic Director Neighbourhoods	£152,669	568,000	Council Website
East Sussex	Director of Communities, Economy and Transport	£149,000	558,852	Town Hall Rich List 2022
Kent	Corporate Director Growth, Environment and Transport	£147,888	1,589,100	Council Website
Worcestershire	Strategic Director for People	£145,758	602,664	Council Website
Lancashire	Executive Director Growth, Environment and Transport	£143,360	1,171,300	Council Website
Cardiff	Corporate Director of People and Communities	£141,764	485,000	Somerset identification
Warwickshire	Strategic Director for Communities	£140,282	583,786	Town Hall Rich List 2022

Lincolnshire	Executive Director of Adult Care and Community Wellbeing	£139,445	751,200	Council Website
Leicestershire	Director of Adults and Communities	£139,000	713,085	Town Hall Rich List 2022
Cumbria	Corporate, Customer and Community Services	£136,000	499,800	Somerset identification
Oxfordshire	Corporate Director Adults and Housing Services	£134,963	707,424	Town Hall Rich List 2022
Derbyshire	Executive Director, Commissioning, Communities and Policy	£134,800	816,236	Town Hall Rich List 2022
Devon	Chief Officer for Communities, Public Health, Environment & Prosperity	£134,600	800,000	Town Hall Rich List 2022
Nottinghamshire	Corporate Director Adult Social Care and Health	£132,356	785,800	Council Website
Hertfordshire	Executive Director Sustainable Growth	£130,240	1,208,074	Council Website
Wiltshire	Corporate Director Place	£130,044	510,400	Council Website
Surrey	Executive Director of Customer and Communities	£129,734	1,203,100	Town Hall Rich List 2022
Suffolk	Director of Adults and Community Services	£122,258	761,038	Council Website
Bath&NESomerset	Director of Sustainable Communities	£108,192	193,400	Council Website
North Yorkshire	Corporate Director Business and Environmental	£90,382	620,610	Council Website
Monmouthshire	Chief Officer – Communities and Place	£88,095	93,000	Council Website
<b>Average salary</b>		<b>£138,991</b>		

## Appendix Six – Salary Benchmarking – Executive Director of Strategy, Performance & Localities



*n.b. This has been a hard role to benchmark, with few equivalents*

Table 5 - Exec Director of Strategy, Performance & Localities - Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Surrey	Executive Director Partnerships, Prosperity and Growth	£178,500	1,203,100	Town Hall Rich List 2022
Buckinghamshire	Deputy Chief Executive	£174,999	547,060	Council Website
Norfolk	Executive Director of Strategy and Transformation	£162,500	926,000	Council Website
Plymouth	Strategic Director for Customer and Corporate Services	£154,125	264,700	Council Website
Oxfordshire	Corporate Director Customers and Organisational Development and Resources	£151,159	707,424	Town Hall Rich List 2022
Merton	Executive Director of Innovation and Change	£150,000	206,263	Somerset identification
Cumbria	Executive Director – Corporate, Customer and Community Services	£136,313	499,800	Town Hall Rich List 2022
Devon	Executive Director, Commissioning, Communities and Policy	£134,880	827,659	Town Hall Rich List 2022
Worcestershire	Director of Commercial and Change	£127,230	602,664	Town Hall Rich List 2022
Waltham Forest	Corporate Director of Customer Strategy and Digital Channels: Interim	£127,000	278,400	Council Website
Durham	Head of Legal and Democratic Services (Monitoring Officer)	£119,994	533,149	Town Hall Rich List 2022
Wiltshire	Director Legal and Governance	£115,090	510,400	Town Hall Rich List 2022
Dorset	Corporate Director (Legal and Democratic Services Monitoring Officer)	£111,696	380,000	Council Website

BathNES	Director of People and Policy	£108,192	193,400	Council Website
BCP	Director of Law and Governance	£107,100	400,000	Council Website
Bristol	Executive Lead for Strategy Governance and Law	£105,667	472,400	Town Hall Rich List 2022
Cambridgeshire	Executive Director of Strategy and Partnerships	£102,212	664,600	Council Website
Torfaen	Chief Officer – Customer Services, Digital and Communities	£92,600	92,300	Faerfield Placement
Monmouthshire	Chief Officer – People and Governance	£88,095	93,000	Council Website
<b>Average salary</b>		<b>£128,808</b>		

## Appendix Seven - Executive Pay – example grading models

### 1. Spot Salary

Grade	Spot Salary	Spot Salary including recruitment/retention allowance (if applied) <sup>1</sup>		
ED1	£145,000	£150,000		
ED2	£130,000	£140,000		

### 2. Incremental Progression –

maximum reached in 2 years

Grade	Entry Salary	Increment	Final Salary	Max Salary including recruitment/retention allowance (if applied) <sup>1</sup>
ED1	£139,000	£142,000	£145,000	£150,000
ED2	£129,000	£132,000	£135,000	£140,000

### 3. Incremental Progression – maximum reached in 3 years

Grade	Entry Salary	Increment After 1 year	increment after 2 years	Max Salary After 3 years	Maximum salary including recruitment/retention allowance (if applied) <sup>1</sup>
ED1	£139,000	£142,000	£146,000	£150,000	£150,000
ED2	£129,000	£132,000	£136,000	£140,000	£140,000

### 4. Delayed Incremental Progression

Grade	Entry Salary	Incremental increase After 2 years	Incremental increase after 4 years	Maximum salary after 6 years	Max Salary including recruitment/retention allowance (if applied) <sup>1</sup>
ED1	£139,000	£142,000	£145,000	£150,000	£150,000
ED2	£129,000	£132,000	£135,000	£140,000	£140,000

<sup>1</sup>assumes normal application of recruitment and retention allowance policy

### Notes/Options

#### NOTES

- Based on the recent evaluations ED1 posts would be – Exec Director Climate & Place. ED2 posts would be Exec Directors- Resources (S151), Community Services & Strategy & Performance & Localities. The evaluation for the remaining three posts requires clarification., but Exec Directors- Adults & Children would likely to be ED1 and Public Health ED2.
- All salaries and figures quoted do not include NI, Pension, or any other cost
- Salaries are based on the figures presented to the Appointments Committee
- The benchmark table below shows the average salary comparison for the new posts in the structure.
- At this stage there has not been the opportunity for anyone else to see, challenge or put forward alternatives to the information provided.

- The tables do not take into account normal Cost of Living increases.
- The options below are highlights, and there may be other considerations not noted here.
- This assumes the new grade salaries would also apply to the three Executive Director post not part of the consultation exercise.
- The current Pay Policy statement will need to be reviewed, updated, and approved.

## Option 1

- All the increased salary costs would need to be met in the first year of the new council
- Based on current SCC employees being appointed to any of the roles, this could result in salary increases of between £10,000 and £20,000 per annum. (Further work is needed to consider the impact to district appointees.)
- Based on the previous incumbent’s salary, the permanent recruitment for the DCS may require a market supplement.
- At both levels of Executive Director, the payment of market supplement will introduce differences between what they are each paid. It will therefore be essential that normal policy is applied when deciding recruitment & retention allowances in order to justify such payments.

## Option 2

- The lower entry level salary would mean that the full costs would not be met until year 2
- The level of increase, based on SCC employees being appointed will be between £4000 and £29000 per annum, although potentially one employee would only receive £1500
- As option 1 this could mean that at each level of Executive Directors there might be a salary differential and therefore the payment of a recruitment/retention allowance would need to justify, as per the policy.

## Option 3

- As option 2 but spreads costs over three years
- Although there could be a period when there is a salary differential between ED’S at each level applying a maximum salary would see this come to an end when all reach the maximum salary range.

## Option 4

- As option 2 & 3 but spreads cost even further

## BENCHMARK DATA

<b>Executive Director</b>	<b>Average salary</b>
<b>Resources (S151)</b>	<b>£128,808</b>
<b>Climate &amp; Place</b>	<b>£144,871</b>
<b>Community Services</b>	<b>£138,991</b>
<b>Strategy, Performance and Localities</b>	<b>£128,808</b>
<b>Resources</b>	<b>£145,899</b>





**TIER 2 APPOINTMENTS PROCESSES  
APPOINTMENTS PANEL BRIEFING**

Version Final Draft 2 7<sup>th</sup> December 2022

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## 1. Introduction

This document proposes options for consideration by the Appointments Panel, regarding the processes to appoint to Tier 2 at Somerset Council. The paper presents legal, constitutional and process considerations, as well as salary comparisons for the roles. The document deals just with appointments. It excludes consideration of redundancy and dismissal processes which would apply, where relevant, post Vesting Day.

## 2. Legal Requirements

The merger of one or more organisations into another will result in the transfer of staff under relevant TUPE legislation. In the case of local government reorganisation, this is confirmed in Regulation 4 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

- There is a requirement to recruit a 'head of paid services' for the new single-tier authority through open competition. This process concluded in July 2022, with the appointment of Duncan Sharkey and approval by a meeting of Full Council.
- The regulations do not require that other chief officer posts are recruited to through open competition, although there is an 'expectation' that this be done. This point has been considered as part of the recommendations in section 12.
- The functions of advertising, recruiting and appointing chief officers shall be discharged by Somerset County Council as the continuing authority, as delegated.
- The Government has produced guidance on staffing issues arising from Local Government Restructuring - [Staffing\\_Issues\\_Guidance080605.pdf \(lgpsregs.org\)](#)
- There are of course employment law concerns that need to be considered, as part of this paper and subsequent processes. These include: Transfer of Undertakings (Protection of Employment) Regulations 2006, Employment Rights Act 1996, Trade Unions and Labour Relations (Consolidation) Act 1992 and the Equality Act 2010.

## 3. Constitutional Requirements

Appointment to Senior Leadership Team (SLT) posts must be conducted in accordance with relevant local government requirements, in order to be considered lawful and to avoid potential future challenge. This will need to follow the requirements set out in the constitution of the continuing authority, in the absence of alternative provisions for the new council. In this case, this will mean using Somerset County Council's current Constitution.

The requirements for appointing to Senior Leadership Team posts, at grades 1-3 in Somerset County Council, are as follows:

### 3.1. Appointments Panel

The consequence of this is that as part of the process, a proposal to appoint to a Senior Leadership Team post will need to be put before an appointments' panel. The panel will consist of the Leader, the Opposition Leader and the Deputy Leader of the Council (or their nominated representatives) plus any relevant Cabinet members as consultees.

The role of the panel is to review the job description and terms & conditions of employment relating to a post, make appropriate recommendations to the Chief

Executive, decide on the process and to appoint the Appointments Committee to undertake the appointments' process.

### 3.2. Appointments Committee

The Appointments' Panel agrees the process to appoint to the role and then proposes the membership of the Appointments' Committee. This typically includes the leader (or deputy), the relevant Cabinet member and the opposition lead for the area to be recruited to. The Constitution specifies a maximum of 5 members of the committee, with the remaining 2 places assigned based on the rules of political proportionality. The implications of this are that each committee will comprise 3 Liberal Democrats and 2 Conservatives.

The role of the Appointments' Committee is to 'run' the process. This will include agreeing the shortlist for the role, interviewing and then confirming the appointment, With the designation of the s151 and monitoring officer roles, being decided by full Council.

### 3.3. Proposals on how to broaden engagement and involvement

The Constitution is prescriptive on a number of parts of this process and we do need to be mindful as to the lawfulness of these appointments. However, it is also vital that we ensure that there is representation, involvement and engagement with all 5 local authorities (ahead of Vesting Day) and political parties. In terms of the chair arrangements and voting membership of an Appointments Panel and Appointments Committees then in line with the County Council's Constitution those can only be from the County Council elected members who are appointed to those bodies. The following is therefore proposed:

3.3.1. This document is presented and discussed with the Appointments' Panel in an informal session. Amendments are then agreed virtually. This ensures we maintain pace and momentum through the process (see proposed timeline in section 4, below).

3.3.2. The Appointments' Panel comprises the Leader, Opposition Leader and Deputy Leader of Somerset County Council. Leaders of the district councils (or their deputies) are included as consultees (as per the chief executive appointment process). This Appointments Panel oversees the processes for each of the four posts that we are appointing to at Tier 2 (see section 4).

It is proposed that the Panel appoints four Appointments Committees, to run the processes for each post. This will enable specific interests (e.g. executive and shadow portfolio holders, committee chairs) to be represented.

3.3.3. Subject to agreement by the Appointments Panel, each Appointments' Committee (with voting membership comprising 5 elected members of the County Council) will, where possible, include a Somerset County Council elected member who is also a Leader from one of the district councils, the relevant Executive Lead Member, the relevant Opposition Spokesperson and a further member each from the Liberal Democrats and Conservatives. The leader of Sedgemoor District Council will act as a consultee to the relevant panel.

3.3.4. The interviews for the post may include a range of interests, including all 5 authorities (to include staff as well) and partner organisations. However, the

Panel is asked to be mindful of timescales for these processes (see section 5)

3.3.5. The process will be administered by the People Workstream for the Unitary Programme. Other arrangements include:

- The appointment of a recruitment partner, to receive applications, advise on job descriptions and salary levels, help with interview questions, and to provide independence to the process given potential conflicts of interest at senior officer level.
- Assistance from South West Councils, to act as HR advisor to Appointments Committees (again, to avoid potential conflicts of interest).
- Assistance from County & District HR Advisory Services to administer the Appointments Panel meeting(s).
- Assistance from Democratic Services to administer the Appointments Committees' meetings.

## 4. Tiers 2 & 3 Structure for Somerset Council

### 4.1. Structure

The proposed structure for at tiers 2 & 3, for Somerset Council, can be seen in the embedded Powerpoint Presentation:



Somerset Structure  
Considerations - Copy

All staff in the 5 local authorities are currently being consulted with about the structure; this process concludes on 12<sup>th</sup> December. Separate pre-transfer consultations are also being conducted on redundancies that may come about through this structure and the transfer of staff under TUPE from district councils to Somerset Council.

### 4.2. Posts in scope

Appointment processes are proposed for the following posts:

- Executive Director of Communities Services
- Executive Director of Strategy, Performance & Localities
- Executive Director of Climate & Place
- Executive Director of Resources (Section 151 officer)

### 4.3. Posts out of scope

The following posts are excluded from these processes:

- Executive Director of Public Health
- Executive Director of Children's Services
- Executive Director of Adults' Services

The reasons for excluding these posts are as follows:

- They are broadly unchanged, based on the proposed structure, therefore the current incumbents will continue in post.

- There are no other suitable interested parties transferring into Somerset Council from the district councils, therefore there is no competition that would be appropriate under existing employment legislation.

## 5. Timeline

The timeline for appointing to these tier 2 posts is challenging, with Vesting Day on 1<sup>st</sup> April 2023 and an objective of having tiers 2 & 3 commence in role on that day.

The following shows a proposed timeline, to reflect an ambition to offer appointment to Tier 2 posts in January 2023 (thereby enabling us to appoint to Tier 3 posts in February). Please note that the timings are incredibly tight, in order to run interviews w/c 9<sup>th</sup> January, especially in weeks 2 & 3 of December:

Date	Event/Action
10.11.22	Consultation with staff commences, covering the proposed structure for Somerset Council and possible redundancies at tiers 1 – 3.
29.11.22	Informal briefing meeting for the Appointments Panel (also to decide on future meetings)
w/c 05.12.22	Microsite draft ready for Appointments Group to agree/sign off – to be used for applications
09.12.22	HR all-day meeting to produce indicative job descriptions and other information
12.12.22	T2 & T3 Consultation (30-days statutory pre-transfer collective redundancy consultation) ends
12.12.22	Consider responses to the consultation & JDs - finalised. Internal comms to all 5 authorities to go out around the application and matching processes; this will be confirmed at the end of the week, following consideration of responses to the consultation
12.12.22	Appointments Panel meets (virtually) to consider JDs and other information (e.g. salary levels). This information will be confirmed at the end of the week, following consideration of responses to the consultation.
14/12/22	Chief Executive decision to commence the Tier 2 appointments processes, JDs confirmed for those roles (confirm the structure with the Executive and inform full council at next meeting, 22 <sup>nd</sup> February)
14.12.22	Notice of Appointments Committees to consider matches
14.12.22	Write to staff with draft JDs and links to matching processes, with deadline of 19 <sup>th</sup> December
14/12/22	With reference to the consultation responses and management actions, Chief Executive decision report drafted and internal member and officer consultation completed
19.12.22	Formal response to consultation issued, including any slot-in or

	ringfencing processes.
20.12.22	Matching review panel meeting
22.12.22	Appointments Committees meet to consider matches (5 clear working days after the Notice and agendas have been issued)
22.12.22	Microsite to go live and T2 posts open for CVs with a supporting statement (bring forward if no matching requests)  Faerfield to categorise applications for shortlisting (a,b,c), as they are made
02.01.23	Notice of Appointments Committee meetings
03.01.23	Close application window (midnight 2 <sup>nd</sup> January)
03.01.23	Shortlist packs/report finalised and shared with Appointments Committees
04.01.23	Appointments Committees take place to ratify shortlist, with Duncan Sharkey as advisor to the committees and Faerfield in attendance. Draft interview questions discussed
05.01.23	Faerfield to send out invites to interviews.
w/c 09.01.23	Interviews take place 12 <sup>th</sup> – 17 <sup>th</sup> January.  One day per role.  Appointments Committee meet at end of day to confirm recommendation or next course of action if there are no appointable candidates.
w/c 23.01.23	CEO decision reports drafted with recommendations from each of the Appointments Committee.
22.02.23	CEO report to February Full Council to confirm Tier 2 statutory officer designations
1.4.23	Somerset Council Tier 2 appointments come into effect for the roles recruited to

## 6. Proposed Selection Process

An example process includes the following elements:

- Written application including supporting statement and CV;
- Shortlisting
- Appointment Committee/ Member interview panel inc. Duncan Sharkey and SW Council Rep
- Stakeholder panel – committee advise on who they want involved. (3-5 per panel)

- Staff panel (couple from each district and 8 from SCC plus 2 trade union representatives) – Q&A session
- Appointment Committee Decision meeting per role at end of each day.

## 7. Slot-Ins and Ring-Fenced Processes

The Organisational Change Principles (section 4.1.11) describe how an employee may be slotted into a post or be part of a ring-fenced process for a post(s) if their existing substantive job is a broad match (75%) to that role.

The initial advice to the Appointments Panel (and the view expressed through the consultation process) is that none of the Tier 2 posts represent the majority of an existing post and that these appointments should be made using competitive selection processes. However, there will be challenge to this and as such, we need to define a process that can assess whether an individual's role is indeed a match to a new post. This process will need to be consistent, fair and demonstrate that we have applied due regard and thinking to each challenge. This could look as follows:

### Candidate Matching Process

- 7.1. To apply for matching to a new role, candidates must provide a copy of their current job description and person specification and organisation structure and demonstrate, using the categories, below, how their current role is a 75% match or more to the new role (*this is particularly important if, for example, a job description is out-of-date*).
- 7.2. A review panel consisting of trade unions representatives, district & SCC HR Leads, a JE specialist and Faerfield, our recruitment partner, will review the pro forma and compare the current job description and person specification with those of the new role.
- 7.3. The review panel will then make recommendations to the Appointments Committee. The decision of the Appointments Committee will be final.
- 7.4. The individual will be provided with a copy of the review panel's recommendation before the Appointments Committee meets and is given the opportunity to make written representation to the Committee on it

### Pro Forma Categories for Job Matching

These are currently being discussed with JE experts and our Recruitment Partner (on 28/11/22), however may include

- Current areas of responsibility
- Budget (perhaps as a percentage of organisational budget)
- Staff Headcount (perhaps as a percentage of organisation)
- Professional Qualifications or relevant registration required
- Current Organisational Tier

## 8. Other Considerations

### 8.1. Organisational Change Principles

A set of principles governing organisational change has been agreed with trade unions and senior managers.



The principles describe how staff can be slotted-in or ring-fenced for a post, based on their current role being a broad match (75%) to the new post(s).

There may be a challenge to this from some staff, therefore the Appointments Committees will need to assess this in accordance with 7.3 above using advice from Faerfield.

The Change Principles can be seen in Appendix One.

## 8.2. Job Descriptions

'Skeleton' job descriptions have been produced and are being worked on through the consultation period, based on feedback from staff and input from our JE partner, Korn Ferry.

These are shown in Appendix 2, please note that these are an outline only and as referred to above, will be put into final draft form in the next few days following feedback from staff and the Appointments Panel, as well as work from job evaluation experts.

## 8.3. Salary

Salary comparisons for similar roles are shown in Appendices Three to Six. One of the roles of the Appointments Committee is to recommend a salary (range) for a post, the following ranges reflect the benchmarking work that has been done:

Executive Director of Climate & Place	£145k-£150k
Executive Director of Communities Services	£130k-£140k
Executive Director of Resources	£140k-£150k
Executive Director of Strategy, Performance & Localities	£120k-£130k

By way of comparison, examples of other Somerset chief exec and director roles are as follows (before application of the 2022-23 pay award, salary details of all those in tiers 1-3 are available):

Organisation	Role	Salary
SCC	Director of ECI & Lead Commissioner	£132,777
SCC	Director of Adults Services	£132,777
SCC	Director of Children's Services	£145,000
SCC	Director of Public Health	£122,100
Mendip	Chief Executive	£116,725
Mendip	Deputy Chief Executive	£86,488
Mendip	Head of Corporate Services	£67,954
Sedgemoor	Deputy Chief Executive	£110k
Sedgemoor	Director of Finance – 151	£95k
SW&T	Chief Executive	£120,526



SW&T	Director Place & Climate Change	£102,750
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The work on job evaluation has produced recommendations on how to structure tier 2 salaries. These options include:

- Two spot rates for all Tier 2 roles, based on 2 ‘bands’ of role
- Two ‘bands’ for roles, with incremental progression spread over a number of years

This work is presented in Appendix Seven, from which the recommendation to the Appointments’ Panel is that option 3 is selected (table 1):

Table 1 - Tier 2 Salaries

**Incremental Progression – maximum reached in 3 years**

Grade	Entry Salary	Increment After 1 year	increment after 2 years	Max Salary After 3 years	Maximum salary including recruitment/retention allowance (if applied)
ED1	£139,000	£142,000	£146,000	£150,000	£150,000
ED2	£129,000	£132,000	£136,000	£140,000	£140,000

Any salary over £100k will need to be approved at a meeting of full Council and it is proposed that this happens when the appointments are confirmed at the meeting on 22<sup>nd</sup> February. The proposals exclude the Directors of Adults Services, Children’s Services and Public Health, at this stage, however evaluation will need to be done quickly in order to set parity and avoid potential equal pay claims.

## 9. Risks

There are a number of risks inherent in the senior appointment processes. These are perhaps magnified when running a campaign to recruit to a new leadership team, whilst merging 5 organisations and running TUPE processes:

Risk	Mitigation
Inability to appoint due to either a) no applications or b) inappropriate applications	<ul style="list-style-type: none"> <li>• Assess whether there is suitable alternative employment to be applied to staff</li> <li>• Interims &amp; external advertising</li> </ul>
Employment Tribunal Claims (which could for example, include claims for unfair dismissal and unlawful discrimination) following unsuccessful applications	<ul style="list-style-type: none"> <li>• Use of robust selection processes involving independent advisors</li> <li>• Regular conversation with retained employment lawyer</li> </ul>
Appointments don’t work out	<ul style="list-style-type: none"> <li>• Performance management or protected conversation</li> </ul>

## 10. Other Options

The following alternative options have been considered:

- Advertise posts externally
  - The Regulations set an 'expectation' that this is done
  - Advertising externally will add 3-6 months to the appointments process. We will therefore not have tier 2 in place until late-Spring/Early-Summer 2023
  - It would present considerable employment-law risk, regarding unfair dismissal and breach-of-contract claims
- Look to slot as many people into post as we can
  - This would provide a quick process and some certainty to the structure
  - However, it would also present employment-law risks
  - Culturally, it would look wrong and remove 'legitimacy' to appointments processes

## 11. Guidance needed

The Appointments Panel is asked to consider and provide guidance for the following:

- The format and composition of Appointments' Committees to run the Tier 2 processes.
- Salary range for the roles (subject to final recommendation at end of consultation period)
- Appointments Panel input into Job Descriptions
- Recommendation on the format of interviews

Please note that this paper has not been presented for the purpose of agreeing a formal decision.

## 12. Recommendations

- The Panel endorses the processes to be run across the 5 councils initially, with any unfilled post going quickly to external search & advertising
  - Temporary arrangements, such as acting-up, reallocation of duties and interim appointments would be discussed at the time.
- Appointments Committees comprise 5 elected members of Somerset County Council: a member who is also a District Council Leader, Executive Lead Member, Opposition Spokesperson, one other from both the Liberal Democrats and Conservatives.
  - Further consideration will need to be applied to the committee with the leader from Sedgemoor District Council.
- The Panel agrees the format for the interviews (section 6).
- The Panel notes the draft job descriptions and awaits further detail on these over the coming days (section 8.2).
- The Panel notes the salary ranges represented and waits for further recommendation following job evaluation and proposed structure for Tier 2 salaries (section 8.3).
- The same procedure will apply for Tier 3 in due course.

**Chris Squire, Director of Customers, Digital & Workforce, Somerset County Council (Joint Lead for the LGR People Workstream)**

## Appendix One – Organisational Change Principles

The Organisational Change Principles that have been agreed to cover LGR reorganisation can be viewed in the following embedded document:



Organisational%20C  
hange%20Principles%

## **Appendix Two – Job Descriptions**

To be confirmed – skeleton JDs have been produced for JE purposes, the full versions are being written w/c 28/11.

Draft Corporate Responsibilities for the JDs have been produced, to be included in each of the Tier 2 JDs. These are as follows:

### **EXECUTIVE DIRECTOR- CORPORATE OBJECTIVES**

#### **SOMERSET COUNCIL**

Somerset's county and district councils have worked together with partners, City, town and parish councils and residents to create a new council which delivers for everyone.

With a population of 560,000 Somerset is a County of contrasts. Home to farming and engineering; manufacturer of cheese and cider but also the UK'S only helicopter maker; low skill jobs in the tourist industry vs high skilled jobs in the UK Hydrographic Office and Hinkley Point power station; picture postcard villages with limited public transport and bustling, thriving market towns with good road and rail links. The new council will harness the strengths of the previous district and county councils and enable us to put in place solutions that will help address the concerns and challenges that Somerset face now and in the future.

At the heart of this new council is a commitment to local communities to give local people real power and real influence over the decisions that affect the most. Local community networks that engage with local voluntary and community organisations and put parish and town councils front and centre in their own areas are being established and will provide focus for local engagement.

### **EXECUTIVE DIRECTOR - CORPORATE RESPONSIBILITIES**

- Provide strong leadership to drive performance management and to deliver the Council's priorities and meet financial targets, as a member of the Council's Executive Leadership Team.
- Collaborate with elected members to ensure the strategic direction of the services managed reflect statutory requirements and corporate aims and objectives; taking account of any impact those decisions may have on other council services.
- Advise Members in respect of all planning, operational and policy issues relation to this service area, engage in strategic and delivery partnerships and promote and communicate the Council's services.
- Act as an ambassador for the Council promoting, both internally and externally, the council vision and values always.
- Act as a role model for Somerset's vision and values and promote the culture of performance management and the achievement of targets.
- Develop potential and flexibility across the Council and its workforce including the motivation and development of those employees for which the post holder has responsibilities.

- Ensure that all services place a high value on customer responsiveness by demonstrating a commitment to meeting and involving the broadest range of direct and indirect service users, citizens, customers, communities and businesses, as well as defining performance measures linked to customer care.
- Lead the delivery of the councils' key objectives ensuring understanding and commitment from managers and staff from across the executive service in supporting this aim
- Ensure that the council can meet new challenges and initiatives by keeping abreast of challenges and opportunities facing public services, taking proactive steps to exert influence across the broad range of policy makers, public bodies and suppliers.
- Ensures flexibility in reacting to the needs of the council its customers and partners supporting a culture of continuous improvement.
- Ensures compliance with all relevant legislation organisational policy and professional codes of conduct in order to uphold standards of best practise.
- Member of the corporate on call roster at Strategic level to set strategy and co-ordinate at the tactical level activity when responding to internal and external emergencies/Major Incidents which may require response during unsocial hours.
- Undertake relevant training and exercising commensurate with Strategic officer responsibilities including but not limited to Multi-agency Gold Incident Commander (MAGIC)

## Appendix Three – Salary Benchmarking – Executive Director of Resources (151)

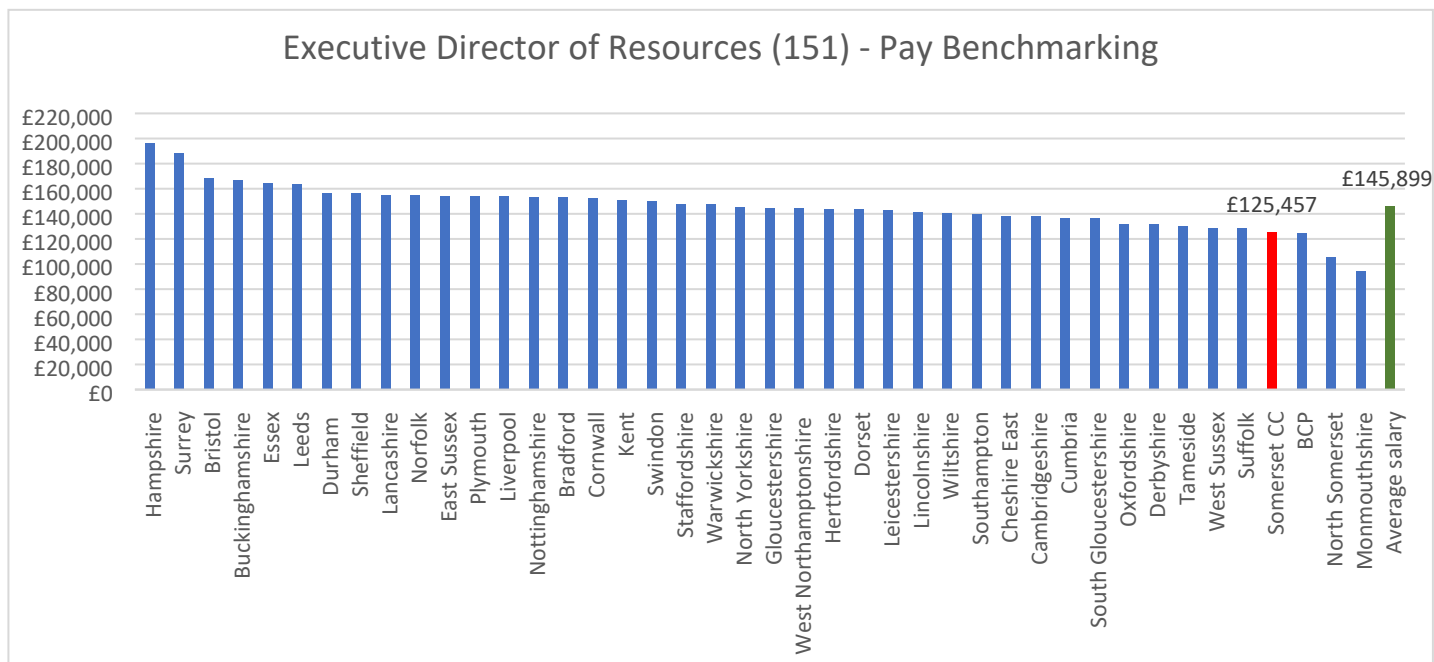


Table 2 - Exec Director of Resources, Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Hampshire	Director of Corporate Resources	£196,719	1,400,000	Town Hall Rich List 2022
Surrey	Executive Director of Resources	£188,700	1,203,100	Town Hall Rich List 2022
Bristol	Executive Director of Resources (and Head of Paid Services)	£168,403	472,400	Council Website
Buckinghamshire	Corporate Director Resources	£166,924	547,060	Council Website
Essex	Executive Director - Corporate Services	£164,546	1,498,181	Direct from Essex
Leeds	Director of Resources	£163,789	793,139	MJ advert Oct 22
Durham	Corporate Director - Resources	£156,884	533,149	Council Website
Sheffield	Executive Director – Resources	£156,257	575,400	Direct from Sheffield
Lancashire	Interim Executive Director of Resources (S151)	£155,000	1,171,300	MJ
Norfolk	Executive Director Finance and Commercial Services	£154,800	926,000	Council Website
East Sussex	Chief Operating Officer	£154,311	558,852	Council Website
Plymouth	Strategic Director for Customer and Corporate Services	£154,125	264,700	Council Website

Liverpool	Finance and Resources	£154,000	486,100	MJ
Nottinghamshire	Corporate Director Finance and Resources (S151)	£153,669	785,800	Council Website
Bradford	Strategic Director - Corporate Resources	£152,987	528,155	Draft 21-22 SOA
Cornwall	Chief Operating Officer and S151	£152,669	568,000	Council, Web site
Kent	Corporate Director Finance (S151)	£151,284	1,589,100	Direct from Kent
Swindon	Corporate Director of Finance and Assets (S151)	£150,489	233,400	Council Website
Staffordshire	Director of Corporate Services	£148,052	870,800	Draft 21-22 SOA
Warwickshire	Strategic Director for Resources (S151)	£147,718	583,786	Town Hall Rich List 2022
North Yorkshire	Corporate Director Strategic Resources	£145,064	620,610	Council Website
Gloucestershire	Executive Director of Corporate Resources	£144,812	640,650	Draft 21-22 SOA
West Northamptonshire	Executive Director of Corporate Services	£144,375	406,733	
Hertfordshire	Director Resources (S151)	£143,850	1,208,074	Town Hall Rich List 2022
Dorset	Executive Director Corporate Development - (S151)	£143,609	380,000	Council Website
Leicestershire	Director of Corporate Resources - (S151)	£142,925	713,085	Direct from Leics
Lincolnshire	Executive Director - Resources	£141,370	751,200	Direct from Lincs
Wiltshire	Corporate Director Resources and Deputy Chief Exec (S151)	£140,844	510,400	Council Website
Southampton	Corporate Director Finance and Commercialisation (S151)	£140,000	269,800	MJ
Cheshire East	Executive Director of Corporate Services	£138,358	398,800	Council Website
Cambridgeshire	Director of Resources and Chief Finance Officer	£138,178	664,600	Council Website
Cumbria	Executive Director, Corporate Customer and Community Services	£136,313	499,800	Town Hall Rich List 2022
South Gloucestershire	Director of Resources and Business Change	£136,302	282,600	Town Hall Rich List 2022
Oxfordshire	Corporate Director Customers and Organisational Development and Resources	£132,168	707,424	Town Hall Rich List 2022
Derbyshire	Executive Director Corporate Services and Transformation	£131,600	816,236	Council Website
Tameside	Director of Resources (S151)	£130,000	215,500	MJ
West Sussex	Director - Finance and Support Services	£128,438	874,991	Town Hall Rich List 2022



Suffolk	Deputy Chief Executive and Executive Director of Corporate Services	£128,282	761,038	Town Hall Rich List 2022
Somerset CC	Finance, Legal and Governance	£125,457	560,000	
BCP	Director of Resources	£124,465	400,000	Town Hall Rich List 2022
North Somerset	Director of Corporate Services	£105,826	216,700	SOA 21-22
Monmouthshire	Deputy Chief Executive (Head of Resources)	£94,213	93,000	Council Website
<b>Average salary</b>		<b>£145,899</b>		

## Appendix Four – Salary Benchmarking – Executive Director of Climate & Place

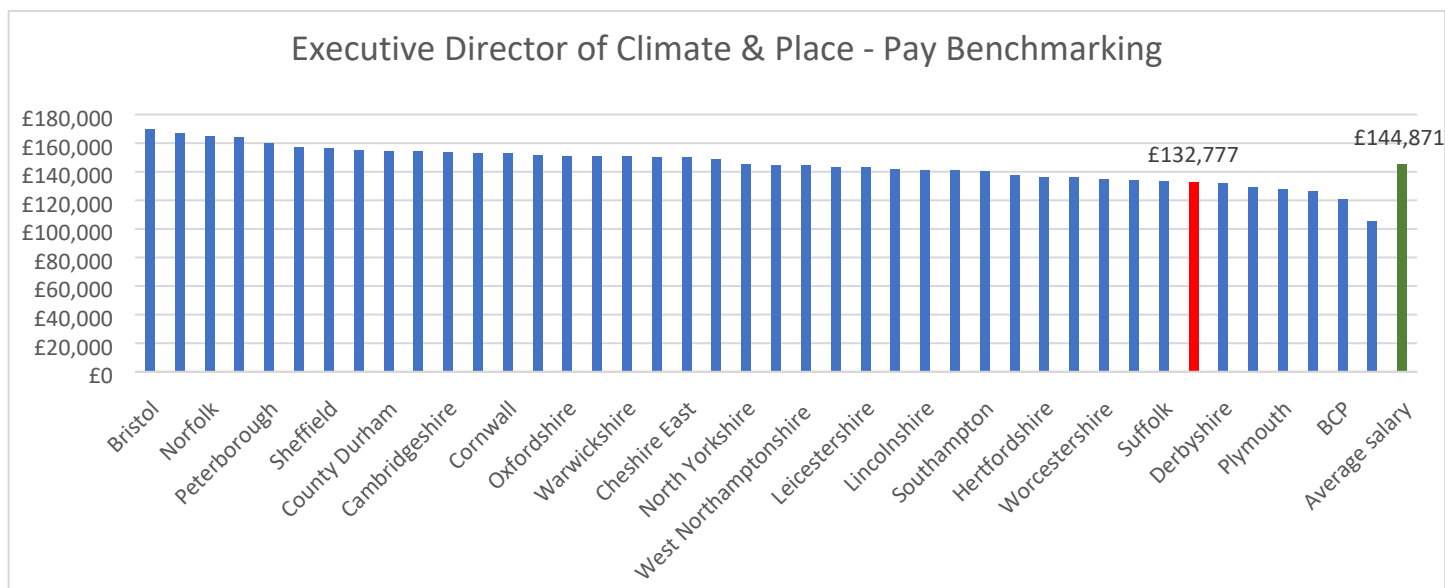


Table 3 - Exec Director of Climate & Place, Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Bristol	Chief Executive resp. for Growth and Regeneration	£170,000	472,400	Council Website
Buckinghamshire	Corporate Director Planning, Growth and Sustainability	£166,924	547,060	Council Website
Norfolk	Executive Director Community and Environmental Services	£164,800	926,000	Council Website
Leeds	Director of Communities and Environment	£163,789	793,139	Draft SOA 21-22
Peterborough	Executive Director: Place and Economy	£160,000	164,000	MJ
Durham	Corporate Director - Neighbourhood and Climate Change	£156,884	558,852	Draft SOA 21-22
Sheffield	Executive Director Operational Services	£156,257	575,400	Direct from Sheffield
Kent	Corporate Director Growth, Environment and Transport	£154,999	1,589,100	Council Website
County Durham	Corporate Director of Neighbourhoods and Climate Change	£154,599	533,149	Council Website
Brent	Corporate Director, Communities and Regeneration	£154,000	329,771	MJ
Cambridgeshire	Joint Exec Director: Place and Economy	£153,599	664,600	Council Website
Bradford	Strategic Director Place	£152,987	528,155	Pay Policy
Cornwall	Strategic Director, Sustainable Growth and Development	£152,669	568,000	Draft SOA 21-22
Bedford	Director of Environment	£151,662	173,237	Draft SOA 21-22
Oxfordshire	Corporate Director Commercial Development Assets and Investments	£151,159	707,424	Town Hall Rich List 2022

East Sussex	Director of Communities, Economy and Transport	£151,040	558,852	Draft SOA 21-22
Warwickshire	Strategic Director Communities (incl. Economy)	£150,492	583,786	Council Website
Staffordshire	Director of Economy, Infrastructure and Skills	£150,244	870,800	Draft SOA 21-22
Cheshire East	Executive Director of Place	£150,000	398,800	Council Website
Lancashire	Executive Director Growth, Environment and Transport	£148,810	1,171,300	Council Website
North Yorkshire	Corporate Director of Business and Environmental Services	£145,064	620,610	Council Website
Gloucestershire	Executive Director: Economy, Environment and Infrastructure	£144,812	640,650	Draft SOA 21-22
West Northamptonshire	Executive Director Place, Economy and Environment	£144,375	406,733	Council Website
Dorset	Director of Place	£143,000	380,000	Council Website
Leicestershire	Director of Adults and Communities	£142,925	713,085	Pay Policy Statement 22/23
Nottinghamshire	Corporate Director of Place	£141,404	785,800	Draft SOA 21-22
Lincolnshire	Executive Director - Place	£141,370	751,200	Direct from Lincs
Wiltshire	Corporate Director Place	£140,844	510,400	Council Website
Southampton	Corporate Director Place	£140,000	269,800	MJ
Surrey	Executive Director for Highways, Transport and Environment	£137,287	1,203,100	Council Website
Hertfordshire	Director of Environment	£136,347	1,208,074	Council Website
Cumbria	Executive Director Economy and Infrastructure	£136,313	499,800	Council Website
Worcestershire	Director of Economy and Infrastructure	£134,507	602,664	Town Hall Rich List 2022
Carmathenshire	Chief Executive resp. for Regeneration and Policy	£134,000	187,568	MJ
Suffolk	Executive Director of Growth, Highways and Infrastructure	£133,375	761,038	Council Website
Somerset	Lead Director for Economic and Community Infrastructure and Director of Commissioning	£132,777	560,000	
Derbyshire	Executive Director Place	£131,600	816,236	Council Website
Redcar and Cleveland	Corporate Director for Growth, Enterprise and Environment	£129,000	139,500	MJ
Plymouth	Strategic Director for Place	£128,000	264,700	Council Website
Wirral	Director of Regeneration and Place	£126,000	322,796	MJ
BCP	Chief Operations Officer	£121,000	400,000	Council Website
Devon	Director of Climate Change, Environment and Transport	£105,669	827,659	Council Website
<b>Average salary</b>		<b>£144,871</b>		

## Appendix Five – Salary Benchmarking – Executive Director of Communities Services

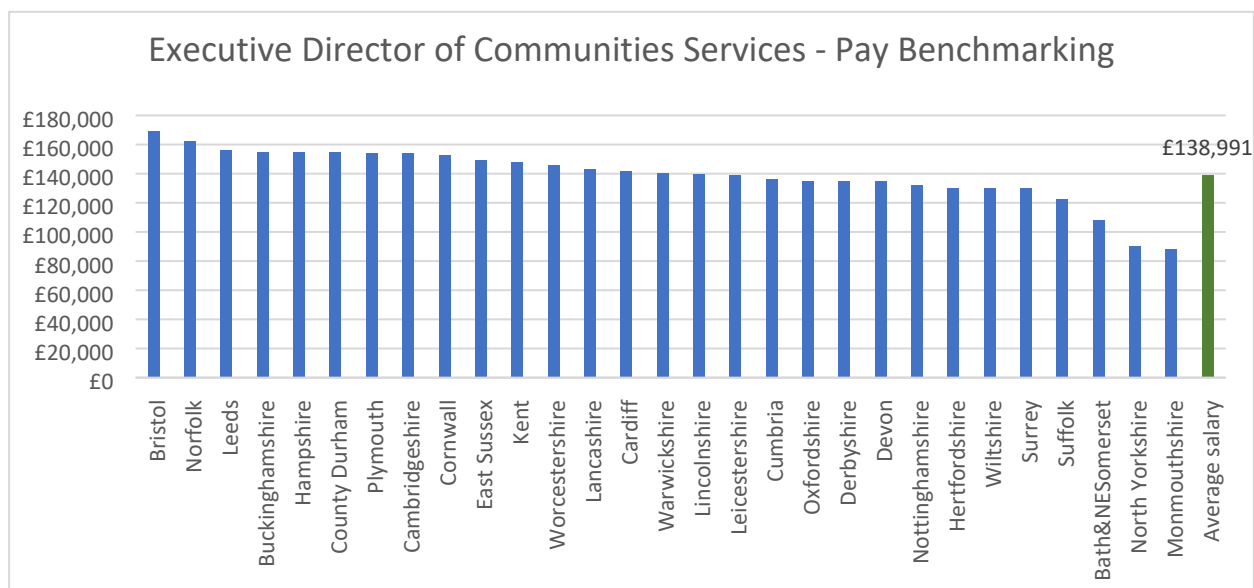


Table 4 - Exec Director of Communities Services, Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Bristol	Executive Director Growth and Regeneration	£169,538	472,400	Council Website
Norfolk	Executive Director of Community and Environmental Services	£162,000	926,000	Town Hall Rich List 2022
Leeds	Director of Communities and Environment	£156,000	793,139	Town Hall Rich List 2022
Buckinghamshire	Executive Director Communities	£155,000	547,060	Somerset identification
Hampshire	Director of Community, Culture and Business Services	£154,774	1,400,000	Town Hall Rich List 2022
County Durham	Corporate Director of Neighbourhoods and Climate Change	£154,599	533,149	Somerset identification
Plymouth	Strategic Director for Place	£154,125	264,700	Council Website
Cambridgeshire	Executive Director People and Communities	£153,898	664,600	Council Website
Cornwall	Strategic Director Neighbourhoods	£152,669	568,000	Council Website
East Sussex	Director of Communities, Economy and Transport	£149,000	558,852	Town Hall Rich List 2022
Kent	Corporate Director Growth, Environment and Transport	£147,888	1,589,100	Council Website
Worcestershire	Strategic Director for People	£145,758	602,664	Council Website
Lancashire	Executive Director Growth, Environment and Transport	£143,360	1,171,300	Council Website
Cardiff	Corporate Director of People and Communities	£141,764	485,000	Somerset identification
Warwickshire	Strategic Director for Communities	£140,282	583,786	Town Hall Rich List 2022

Lincolnshire	Executive Director of Adult Care and Community Wellbeing	£139,445	751,200	Council Website
Leicestershire	Director of Adults and Communities	£139,000	713,085	Town Hall Rich List 2022
Cumbria	Corporate, Customer and Community Services	£136,000	499,800	Somerset identification
Oxfordshire	Corporate Director Adults and Housing Services	£134,963	707,424	Town Hall Rich List 2022
Derbyshire	Executive Director, Commissioning, Communities and Policy	£134,800	816,236	Town Hall Rich List 2022
Devon	Chief Officer for Communities, Public Health, Environment & Prosperity	£134,600	800,000	Town Hall Rich List 2022
Nottinghamshire	Corporate Director Adult Social Care and Health	£132,356	785,800	Council Website
Hertfordshire	Executive Director Sustainable Growth	£130,240	1,208,074	Council Website
Wiltshire	Corporate Director Place	£130,044	510,400	Council Website
Surrey	Executive Director of Customer and Communities	£129,734	1,203,100	Town Hall Rich List 2022
Suffolk	Director of Adults and Community Services	£122,258	761,038	Council Website
Bath&NESomerset	Director of Sustainable Communities	£108,192	193,400	Council Website
North Yorkshire	Corporate Director Business and Environmental	£90,382	620,610	Council Website
Monmouthshire	Chief Officer – Communities and Place	£88,095	93,000	Council Website
<b>Average salary</b>		<b>£138,991</b>		

## Appendix Six – Salary Benchmarking – Executive Director of Strategy, Performance & Localities



*n.b. This has been a hard role to benchmark, with few equivalents*

Table 5 - Exec Director of Strategy, Performance & Localities - Salary Benchmarking

Organisation Name	Title	Max Salary	Population	Source
Surrey	Executive Director Partnerships, Prosperity and Growth	£178,500	1,203,100	Town Hall Rich List 2022
Buckinghamshire	Deputy Chief Executive	£174,999	547,060	Council Website
Norfolk	Executive Director of Strategy and Transformation	£162,500	926,000	Council Website
Plymouth	Strategic Director for Customer and Corporate Services	£154,125	264,700	Council Website
Oxfordshire	Corporate Director Customers and Organisational Development and Resources	£151,159	707,424	Town Hall Rich List 2022
Merton	Executive Director of Innovation and Change	£150,000	206,263	Somerset identification
Cumbria	Executive Director – Corporate, Customer and Community Services	£136,313	499,800	Town Hall Rich List 2022
Devon	Executive Director, Commissioning, Communities and Policy	£134,880	827,659	Town Hall Rich List 2022
Worcestershire	Director of Commercial and Change	£127,230	602,664	Town Hall Rich List 2022
Waltham Forest	Corporate Director of Customer Strategy and Digital Channels: Interim	£127,000	278,400	Council Website
Durham	Head of Legal and Democratic Services (Monitoring Officer)	£119,994	533,149	Town Hall Rich List 2022
Wiltshire	Director Legal and Governance	£115,090	510,400	Town Hall Rich List 2022
Dorset	Corporate Director (Legal and Democratic Services Monitoring Officer)	£111,696	380,000	Council Website

BathNES	Director of People and Policy	£108,192	193,400	Council Website
BCP	Director of Law and Governance	£107,100	400,000	Council Website
Bristol	Executive Lead for Strategy Governance and Law	£105,667	472,400	Town Hall Rich List 2022
Cambridgeshire	Executive Director of Strategy and Partnerships	£102,212	664,600	Council Website
Torfaen	Chief Officer – Customer Services, Digital and Communities	£92,600	92,300	Faerfield Placement
Monmouthshire	Chief Officer – People and Governance	£88,095	93,000	Council Website
<b>Average salary</b>		<b>£128,808</b>		

**Appendix Seven - Executive Pay – example grading models**

**1. Spot Salary**

Grade	Spot Salary	Spot Salary including recruitment/retention allowance (if applied) <sup>1</sup>		
ED1	£145,000	£150,000		
ED2	£130,000	£140,000		

**2. Incremental Progression –**

**maximum reached in 2 years**

Grade	Entry Salary	Increment	Final Salary	Max Salary including recruitment/retention allowance (if applied) <sup>1</sup>
ED1	£139,000	£142,000	£145,000	£150,000
ED2	£129,000	£132,000	£135,000	£140,000

**3. Incremental Progression – maximum reached in 3 years**

Grade	Entry Salary	Increment After 1 year	increment after 2 years	Max Salary After 3 years	Maximum salary including recruitment/retention allowance (if applied) <sup>1</sup>
ED1	£139,000	£142,000	£146,000	£150,000	£150,000
ED2	£129,000	£132,000	£136,000	£140,000	£140,000

**4. Delayed Incremental Progression**

Grade	Entry Salary	Incremental increase After 2 years	Incremental increase after 4 years	Maximum salary after 6 years	Max Salary including recruitment/retention allowance (if applied) <sup>1</sup>
ED1	£139,000	£142,000	£145,000	£150,000	£150,000
ED2	£129,000	£132,000	£135,000	£140,000	£140,000

<sup>1</sup>assumes normal application of recruitment and retention allowance policy

**Notes/Options**

**NOTES**

- Based on the recent evaluations ED1 posts would be – Exec Director Climate & Place. ED2 posts would be Exec Directors- Resources (S151), Community Services & Strategy & Performance & Localities. The evaluation for the remaining three posts requires clarification., but Exec Directors- Adults & Children would likely to be ED1 and Public Health ED2.
- All salaries and figures quoted do not include NI, Pension, or any other cost
- Salaries are based on the figures presented to the Appointments Committee
- The benchmark table below shows the average salary comparison for the new posts in the structure.
- At this stage there has not been the opportunity for anyone else to see, challenge or put forward alternatives to the information provided.



- The tables do not take into account normal Cost of Living increases.
- The options below are highlights, and there may be other considerations not noted here.
- This assumes the new grade salaries would also apply to the three Executive Director post not part of the consultation exercise.
- The current Pay Policy statement will need to be reviewed, updated, and approved.

## Option 1

- All the increased salary costs would need to be met in the first year of the new council
- Based on current SCC employees being appointed to any of the roles, this could result in salary increases of between £10,000 and £20,000 per annum. (Further work is needed to consider the impact to district appointees.)
- Based on the previous incumbent’s salary, the permanent recruitment for the DCS may require a market supplement.
- At both levels of Executive Director, the payment of market supplement will introduce differences between what they are each paid. It will therefore be essential that normal policy is applied when deciding recruitment & retention allowances in order to justify such payments.

## Option 2

- The lower entry level salary would mean that the full costs would not be met until year 2
- The level of increase, based on SCC employees being appointed will be between £4000 and £29000 per annum, although potentially one employee would only receive £1500
- As option 1 this could mean that at each level of Executive Directors there might be a salary differential and therefore the payment of a recruitment/retention allowance would need to justify, as per the policy.

## Option 3

- As option 2 but spreads costs over three years
- Although there could be a period when there is a salary differential between ED’S at each level applying a maximum salary would see this come to an end when all reach the maximum salary range.

## Option 4

- As option 2 & 3 but spreads cost even further

## BENCHMARK DATA

<b>Executive Director</b>	<b>Average salary</b>
<b>Resources (S151)</b>	<b>£128,808</b>
<b>Climate &amp; Place</b>	<b>£144,871</b>
<b>Community Services</b>	<b>£138,991</b>
<b>Strategy, Performance and Localities</b>	<b>£128,808</b>
<b>Resources</b>	<b>£145,899</b>



**Somerset Council**

**Tiers 2 & 3 Restructure Proposal and Pre-Transfer Redundancy Consultation**

Version Final

Status: Final

Owner: Duncan Sharkey

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## 1. Context

Somerset Council will be created on 1<sup>st</sup> April 2023, with the four District Councils merging with the County Council. The programme to achieve this merger has the following objectives:

- Create a new unitary Council for Somerset that delivers the approved business case on 1 April 2023.
- Enable performance capability – to deliver the approved business case vision on 1 April 2023.
- Develop the new council to optimise benefits and opportunities from 1 April 2023 to 31 March 2025.

The process to appoint a chief executive for the new council was completed in July 2022, with the appointment of Duncan Sharkey to Somerset County Council (as the continuing authority to Somerset Council). The programme is now preparing to appoint the leadership team ('tiers two & three') to the new Council and this document presents consultation on the proposed draft structure for posts at tiers 2 and 3, draft job descriptions, indicative salaries and details of the appointments processes for these roles.

On 18 March 2022 the Secretary of State made the Somerset (Structural Changes) Order 2022 (SCO). The SCO formalises the decision to implement local government reorganisation in Somerset and sets out the legal framework for implementation. The merger of one or more organisations into another will result in the transfer of staff under relevant TUPE legislation; in the case of local government reorganisation, this is confirmed in Regulation 3 of the Local Government (Structural and Boundary Changes) (Staffing) Regulations 2008.

This document forms the basis of consultation in the following areas:

- The proposed structure for the top 3 tiers of Somerset Council and the process to recruit to the posts at tiers 2 and 3.
- Proposed redundancies that will be made post Vesting Day by Somerset Council, as a result of Tiers 2 & 3 restructuring.

## 2. Purpose of the Restructure

The opportunities presented by local government reorganisation are huge, as are the challenges that the new organisation will face. Bringing together 5 organisations will help the new Council to realise positive change, including:

- Putting the people of Somerset at the heart of the new Authority.
- Creating new local opportunities for residents to have a real say about their own communities.
- Cutting red-tape.
- Freeing up money that can be spent on real local issues and challenges, including:
  - Caring for our most vulnerable residents
  - Delivering life-chances for our children and young people

- Reducing rural isolation and loneliness
- Delivering the housing each community needs
- Investing in climate change
- Boosting economic growth, jobs and apprenticeships.

It is anticipated that the restructuring of senior teams will result in approx. £2 million of savings.

Many of the challenges that Somerset Council will face are national problems and issues, such as housing, children’s & adults’ social care, education, and the economy. We also face significant funding gaps in the years ahead, in common with most upper-tier and unitary authorities.

The existing structures within each of the 5 Councils vary significantly both in terms of roles and levels. It is not sustainable or manageable for the existing senior leadership structures to remain with the creation of a single Council. It is vital to the delivery of the new Council that an effective and sustainable leadership team is in place, in time for Vesting Day on 1<sup>st</sup> April 2023, to help realise the opportunities that local government reorganisation presents, and to deliver financial stability to the organisation.

### **3. Restructure Proposals**

These proposals will impact on existing senior leadership teams in all five local authorities in Somerset. It is suggested, however, that Adult Social Care, Children’s Services and Public Health are out of scope for this restructure. The proposed structure includes these functions in the leadership team for Somerset Council, however it is suggested that the roles that currently exist at tiers 2 and 3 in these functions will continue broadly unchanged.

As a result of the proposed structure for tiers 2 and 3, a number of roles in Somerset County Council, Mendip District Council, Sedgemoor District Council, Somerset West & Taunton District Council and South Somerset District Council have been identified as being at risk of redundancy. These posts are detailed in Appendix 1.

Defining precisely which roles are impacted by the proposals for Tiers 2 & 3 restructuring is problematic due to the significant differences in the current structures of each Council.

The key question used to identify the posts in Appendix 1 is whether the post will continue as a result of the proposed structure for tiers 2 and 3 in the new Council. These posts have been checked with the respective organisations; however further clarification may develop during the consultation period. This document will therefore be made available to all staff at the start of the consultation period, due to a) the potential impact of these proposals and possible changes to line management reporting and b) to ensure that no one who may be directly affected by Tiers 2 & 3 restructuring is inadvertently missed from the consultation itself.

### **4. Costs**

The restructuring of Tiers 2 & 3 will result in significant overall cost savings from the combined leadership teams and other posts. Current costs (for posts specified in Appendix 1) are as follows:

Mendip	£970,000
Sedgemoor	£875,000
Somerset County Council ( <i>nb excludes Adults, Children's &amp; Public Health</i> )	£1,313,000
Somerset West & Taunton	£1,195,000
South Somerset	£569,000
<b>TOTAL</b>	<b>£4,922,000</b>

The proposed costs for the Senior Leadership Team for Somerset Council (excluding Adults, Children's and Public Health) at Tiers 1-3 are £2,869,000. These proposals will therefore produce a saving of c.£2m per year (before application of the 2022-2023 pay award)

A list of posts that have been identified as being at-risk of redundancy can be seen in Appendix 1.

#### **5. Posts at Tiers 4 and below**

The structure below tier 3 will be determined by the Head of Paid Service on the recommendation of the Executive and Service Directors (therefore those at tiers 2 & 3), following appointments to those posts. If an appointment isn't made to a tier 2 or 3 post, an interim structure may be proposed for a particular service area and/or team.

It is anticipated that work on determining service structures will commence as soon as possible or in March 2023, with the possibility that recruitment to some specific posts starts earlier.

#### **6. TUPE**

The transfer of staff to Somerset Council will be governed by the Transfer of Undertakings (Protection of Employment) Regulations ('TUPE') and as such, all staff will transfer into Somerset Council with their current terms & conditions of employment protected.

Any changes to working arrangements and other actions (known as 'measures') will be notified to staff representatives and staff. This may include, for example, the new structure for Somerset Council.

#### **7. Appointments Processes**

The proposed structure for Tiers 1 – 3 of Somerset Council can be seen in Appendix 2. The processes to appoint to the Leadership Team for Somerset Council will be supported by a set of Organisational Change Principles (Appendix 3), that have been agreed with Leadership Teams, trade union representatives and the HR Committee at Somerset County Council. Principles supporting appointments to Tiers 2 & 3 are presented in section 4.2 of the Organisational Change Principles.

These processes will be divided into two parts, to cover Tier 2 and Tier 3. It is proposed that the following roles are appointed to (subject to the outcome of this consultation):

## 7.1. Tier 2

Roles proposed as part of Tier 2 that will need appointing to are:

- Executive Director of Community Services
- Executive Director of Climate and Place
- Executive Director of Strategy, Performance & Localities
- Executive Director of Resources (s151)

It is proposed that the Executive Directors of Public Health, Children's Services and Adult Social Care continue in their current posts, which will be broadly unchanged post-1st April 2023 and therefore unaffected by this restructure.

## 7.2. Tier 3

Roles proposed as part of Tier 3, that will need appointing to, are as follows (by service area)

### **Climate & Place**

- Service Director – Climate & Sustainability
- Service Director – Infrastructure & Transport
- Service Director – Economy, Employment & Planning

### **Community Services**

- Service Director – Housing
- Service Director – Culture
- Service Director – Customers
- Service Director – Regulatory & Operational

### **Resources & Corporate Services (s151)**

- Service Director - Finance & Procurement
- Service Director - Strategic Asset Management
- Service Director - Information Communication & Technology

### **Strategy, Performance & Localities**

- Service Director – Partnerships & Localities
- Service Director – Strategy & Performance
- Service Director – Governance, Democratic & Legal Services
- Service Director – Human Resources

It is proposed that the current Director, Deputy and Assistant Director roles in Public Health, Adult Social Care and Children's Services will remain broadly unaffected by this restructure. These can be seen in the proposed structure of Somerset Council (Appendix 2).

## 8. Timeline

A timeline for the Tier 2 appointments process and pre-transfer redundancy consultation has been prepared, with a summary presented in Table 1. It is anticipated that the process will start in the second week of November.

*Table 1 - Tier 2 Indicative Timeline*

<b>Week Number</b>	<b>Activity</b>
1.	Commence consultation on proposed structure for tiers 2 and 3, proposed processes and pre-transfer redundancy consultation (minimum of 30 days) starts
2.	Structure and pre-transfer redundancy consultation
3.	Structure and pre-transfer redundancy consultation
4.	Structure and pre-transfer redundancy consultation
5.	Consider responses and publish final proposals (structure, process, etc)
6.	Advise those staff who are slotted to existing role. Advise staff who are in ring fences where this may apply Seek Expressions of Interest (EOIs) & CVs
7.	Deadline for EOIs & CVs
8.	Shortlist & invite candidates to selection processes
9.	Commencement of Appointment Committees
10.	Appointment Committees
11.	Notify candidates of outcomes

Tier 3 appointments processes will commence following the conclusion of Tier 2 processes; it is anticipated that this will be late January 2023.

Restructuring of other tiers will happen on a 'service-by-service' basis, which will enable Executive and Service Directors to design services and teams, in partnership with Elected Members, staff and trade union representatives.

## 9. Governance

Postholders at Tiers 2 & 3 are Chief Officers within the Senior Leadership Team at Somerset Council (with Somerset County Council as the continuing authority):

- Appointments to posts that fall within this category will follow procedures as specified in Somerset County Council's Constitution and therefore must involve Elected Members and an Appointments Panel & Appointments Committee.
- The process used for appointments will be decided by the Appointments Panel, which will appoint Committees to undertake the appointments processes.



## 10. 'Slot-Ins' and 'Ringfencing'

The Organisational Change Principles that have been agreed (Appendix 3) present criteria for staff who might 'slot-into' a post or be part of a ringfenced group. Ringfencing and slotting-in will be determined as follows:

- The ring-fenced population for posts will be decided in consultation with the trade unions and in accordance with agreed organisational change principles. Establishing the population for ring fencing will include the essential criteria of the role, the individual's skill set match, current role, span of control and position in the existing hierarchy. There may be examples of similar roles sitting in different tiers, in respective organisations, and this process will take account of those.
- Slotting-In and Ringfencing processes will apply where there has been no significant change in the duties and responsibilities of a post following restructuring and where the number of posts available is equal to or more than the number of existing post holders in the workplace unit. No significant change is defined as 75% the same job content before and after restructuring. For slotting-in, it needs to be clear that there are no other employees impacted by the restructure that could have a comparable claim on the post, including those who have been displaced from other roles where the post might be deemed to be suitable alternative employment.

It is proposed that the scope and span of roles at Tiers 2 & 3 will mean that the '75%' rule is unlikely to apply, and roles will therefore be 'open' for application (for 'internal' applicants, in the first instance) and subject to selection processes including shortlisting as per the person specification, an individual's experience, and assessment including interviews. This proposal is of course subject to the outcome of the consultation period.

## 11. Posts within the Scope of this Consultation

An analysis of the total number of posts currently in tiers 1-3 within the five councils has been completed. This shows that it is very difficult to compare roles and tiers across organisations with a sense of consistency, with some authorities having functions at different levels ('tiers') and others combining functions within one role. Therefore, a role that is being done in tier three in one organisation might be tier four in another; this happens most noticeably when comparing roles in District Councils with some roles in the County Council.

With this in mind, 48 posts have been assessed as potentially being immediately impacted on by tiers 2 & 3 restructuring.

Principles governing organisational change have been agreed. These will ensure that there is consistency and fairness throughout these processes:

- Where one person will be doing the same role or broadly similar role in the new council as they were in their current (or previous, depending on when the change happens) organisation, they will continue in post (or 'slotted-in').
- Where more than one person is doing the same or broadly similar role, but there are fewer roles in the new council, then they will be 'ringfenced' to apply for that post(s)
- In all other cases, roles will be advertised across the five councils for application.

'Broadly similar' in the context of this consultation and subsequent application processes has been set at 75% match between the role someone is currently doing and the post in the new council. Whilst this is open to interpretation, it will act as a guide when assessing whether someone is slotted into a post, part of a ringfenced process or able to apply openly for posts that cannot be matched to.

The Organisational Change Principles can be accessed from Appendix 3.

There are 29 posts in the proposed structure for Tiers 1 – 3 in Somerset Council, one being the Chief Executive and eleven of which are in Adult Social Care, Children's Services and Public Health.

## **12. Applications**

At the end of the consultation period, and following confirmation of the structure for tiers 2 and 3 employees will be invited to formally express an interest in Tier 2 posts, through the submission of a personal statement and CV. This process will be repeated for Tier 3 posts, once the appointments processes for Tier 2 posts has concluded.

## **13. Job Descriptions**

Draft job descriptions for posts at Tiers 2 & 3 have been prepared and can be accessed on respective organisations' intranets (links below). These folders will also include the Organisational Change Principles and the People Attributes that will support the appointments processes.

Final versions of job descriptions will be published at the end of the consultation period and will be assessed using the County Council's job evaluation process.

Links to Job Descriptions are as follows:

[Mendip](#)

[South Somerset](#)

[Sedgemoor](#)

[Somerset West & Taunton](#)

[Somerset County Council](#)

## 14. Salaries

Salaries for Tier 2 & 3 roles have been compared with similar roles in equivalent organisations, through a benchmarking exercise. This considers the responsibilities, size and scope of these posts, in what will be the second largest unitary council in the country. The salary for each role will be presented at the end of the consultation period and will be subject to approval by the Appointments Panel. The benchmarking exercise shows that the following ranges may apply to posts at Tiers 2 & 3:

Tier 2 roles - £130k - £150k

Tier 3 roles - £100k - £120k

The recommended salary for each post will also reflect the weighting of job evaluation points and market comparisons. Advice will be taken from external partners, including Korn Ferry (for job evaluation, using the 'Hay' methodology) and Faerfield (see below, Support for Appointments Processes) for market comparisons (in addition to benchmarking work already completed).

## 15. Terms & Conditions

- Appointments to these posts will be on Somerset Council's Terms & Conditions of employment (see below for 'Slot-Ins' and ringfenced processes).
- Where an appointment is made prior to any new terms and conditions for Somerset Council coming into force, Somerset County Council terms will be used.
- 'Slot-ins' and those considered for a role through a ringfenced process will receive their current terms and conditions, although salaries may be reviewed by the chief executive/manager in accordance with existing processes.

If the salary for the role is increased following this review (outside of annual cost of living increases), then the postholder will have the option to move to Somerset Council terms and conditions in return for accepting the new salary.

## 16. Start Dates

Appointments for tiers 2 and 3 will take effect from 1<sup>st</sup> April 2023 unless agreed between the Chief Executive, the 'designate' appointment and the current employing organisation.

## 17. Support for Appointments Processes

A recruitment provider has been commissioned to assist with the Appointments Processes. The company ('Faerfield') will help with the following:

- Maintaining independence through the appointments processes.
- Receiving applications
- Providing advice to the Appointments Panel and Committees on salaries, job descriptions and shortlisting.

Faerfield partnered with the LGR programme for the Chief Executive appointment process, following a competitive bid process which contained an option to extend the contract to other areas.

## 18. Redundancies

This consultation proposes a number of redundancies, as a result of Tiers 2 & 3 restructuring. The majority of posts that are currently in the leadership teams for Somerset County Council, Mendip District Council, Sedgemoor District Council, Somerset West & Taunton District Council and South Somerset District Council will not exist in the structure of Somerset Council and a list of the posts that are at-risk of redundancy is included in Appendix 1.

- There are 48 posts that have been identified as being at risk of redundancy as a direct result of the proposed structure for tiers 2 and 3 and these are presented in Appendix 1.
- Employees who are in one of the posts identified as at risk of redundancy will be supported through 'outplacement' services and an employee assistance programme. All staff, irrespective of what is happening to their role, will transfer into Somerset Council on 1<sup>st</sup> April 2023 unless agreed otherwise through a voluntary process.
- Redundancy payment terms will be as per an employee's existing policy and entitlement at the point of transfer to Somerset Council unless otherwise agreed through a voluntary earlier exit.
- Redundancy processes will follow procedures specified in Somerset Council's Constitution and Redundancy Policy. Typically, this will apply to senior leadership roles and/or redundancy costs that exceed £100k. Redundancy payments will be in line with transferring terms and conditions of employment.
- Notices of redundancy will not be issued prior to Vesting Day unless agreed otherwise through a voluntary process. Employees who are issued with notice of redundancy will have the right to appeal against the decision to make them compulsorily redundant.
- Appointments processes to tiers 2 & 3 will be supported by a voluntary redundancy programme, in line with an individual's current redundancy terms.

### 18.1. Criteria

In assessing the posts that may be at risk of redundancy, an assessment has been undertaken looking at the new roles and comparing these to posts in the existing structures of all 5 Councils. The following principles have been applied.

- Is there a post or posts in the existing structures that wholly or mainly undertakes or is responsible for the strategic direction of the service areas listed under one of the proposed new posts?
- Is there a post or posts in the existing structures with the strategic responsibility for multiple services where these services are wholly or mainly split in multiple directions and across more than one of the proposed new posts?
- Is there a post or posts in the existing structures that holds a statutory role that it is proposed is attached to one of the proposed new posts.

If any of the above apply, then the existing post or posts have been included in the list of posts that may be at risk of redundancy.

## **19. Avoiding Redundancies**

Where redundancies are proposed, compulsory redundancy will always represent a last resort in the process of organisational change.

All options for avoiding compulsory redundancy will be explored, including:

- Limiting the refilling of posts on a permanent basis when employees leave the organisation.
- Restrictions on recruitment.
- Opportunities for secondments across the organisation.
- Seeking volunteers for job-share or part-time work.
- Retraining existing employees to cover any skills gaps.
- Agency resource to cover fluctuations in requirements and to ensure redeployment opportunities are available for permanent staff.
- Redeployment of employees, within their contract of employment, to suitable alternative employment.
- If appropriate, seeking volunteers for voluntary redundancy or early retirement. This would not be appropriate for example where it is likely others would not be able to be redeployed.
- Other cost saving measures that preclude the need for redundancy.

The appointments processes to Tiers 2 & 3 posts will be supported by a voluntary redundancy programme. Expressions of interest for this option will be sought at the end of the consultation period. If this is something that is possibly of interest, then employees should contact their HR team for further details, and they are encouraged to do so as soon as possible.

## **20. Agency Workers**

A list of roles covered by agency workers that are currently engaged by the five Somerset local authorities is shown in Appendix 4. It is a requirement of the Trade Union and Labour Relations (Consolidation) Act 1992 that this information is shared, to show the total numbers of agency workers, the parts of the employer's undertaking in which those agency workers are working and the type of work those agency workers are carrying out.

## **21. Equalities**

A draft Equalities Impact Assessment has been prepared to support the consultation and this is presented in Appendix 5. An updated and finalised version will be available following the conclusion of the consultation period and will take into account any changes to the proposals.

## **22. Responses to the Consultation**

Responses to and questions about this consultation can be directed as follows:

- General feedback - [lgrconsultationfeedback@somerset.gov.uk](mailto:lgrconsultationfeedback@somerset.gov.uk)
- Duncan Sharkey – Chief Executive, Somerset County Council – [Duncan.sharkey@somerset.gov.uk](mailto:Duncan.sharkey@somerset.gov.uk)

- Director leads for the People Workstream:
  - Chris Squire, Director of Customers, Digital & Workforce, Somerset County Council – [chris.squire@somerset.gov.uk](mailto:chris.squire@somerset.gov.uk)
  - Alison North, Internal Operations Director, Somerset West & Taunton – [a.north@somersetwestandtaunton.gov.uk](mailto:a.north@somersetwestandtaunton.gov.uk)
- Heads of HR at individual organisations (details available on respective intranet sites and below).
- Trade union representatives (details available on respective intranet sites).

### **23. Support for Staff**

There is comprehensive support for staff who are in posts that may be at risk of redundancy. This is as follows:

**Employee Assistance Programmes** – these provide independent information, advice and counselling to staff, to help them manage problems or difficulties arising from work or home life. They can also provide support to line managers. This service is confidential. Each authority has a service provided by Care First and details of how to access this can be found on respective Intranet sites or from HR teams.

**Line Manager** - Line managers are asked to check on staff who are directly or indirectly affected by these proposals.

**HR Advice** - Staff can contact their HR advisor for questions relating to this consultation and guidance as to what support might be available:

- Mendip – Fiona Wills – [fiona.wills@mendip.gov.uk](mailto:fiona.wills@mendip.gov.uk)
- Sedgemoor – Helen Thomas – [helen.thomas@sedgemoor.gov.uk](mailto:helen.thomas@sedgemoor.gov.uk)
- Somerset West & Taunton – Tony Bryant – [t.bryant@somersetwestandtaunton.gov.uk](mailto:t.bryant@somersetwestandtaunton.gov.uk)
- South Somerset – Amanda Kotvics – [amanda.kotvics@southsomerset.gov.uk](mailto:amanda.kotvics@southsomerset.gov.uk)
- Somerset County Council – Sari Brice – [sari.brice@somerset.gov.uk](mailto:sari.brice@somerset.gov.uk)

**Trade Unions** - Trade unions should be contacted using details on organisational intranets or direct to your local branch.

**Application Advice** - The retained recruitment provider, Faerfield, can answer specific questions about applying for roles and can be contacted as follows:

Martin Tucker – [mtucker@faerfield.co.uk](mailto:mtucker@faerfield.co.uk)

Dawn Faulkner – [dfaulkner@faerfield.co.uk](mailto:dfaulkner@faerfield.co.uk)

**Career Coaching & Advice** – The 5 local authorities are arranging assistance for staff who are considering applications for tiers 2 & 3 appointments or other options. Details of this support will be circulated shortly within individual organisations.

## Appendix One – Roles at Risk of Redundancy

The following roles have been identified within the five Somerset Local Authorities as being at risk of redundancy due to the proposals for tiers 2 and 3 in the new Council.

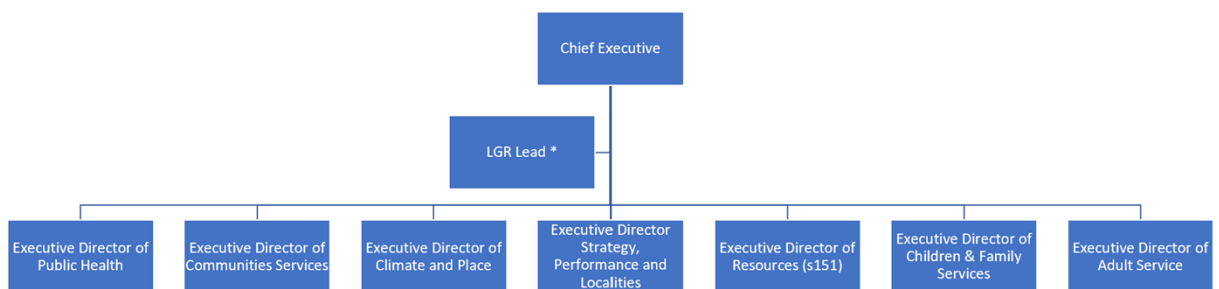
	<b>POST</b>	<b>EMPLOYER</b>
1	Lead Director for Economic, Community & Infrastructure & Director of Commissioning & Deputy Chief Executive	County Council
2	Director of Finance & Governance (S151)	County Council
3	Economic & Community Infrastructure Commissioning Director	County Council
4	Managing Director Somerset Waste Partnership	County Council
5	Director of Customers, Digital & Workforce	County Council
6	Economic & Community Infrastructure Operations Director	County Council
7	Head of Legal Services (County Solicitor)	County Council
8	Strategic Manager, Governance & Democratic Services (Monitoring Officer)	County Council
9	Strategic Manager, Customer & Communities	County Council
10	Head of ICT	County Council
11	Head of Property	County Council
12	Chief Executive	Mendip
13	Deputy Chief Executive	Mendip
14	Head of Service Community Health	Mendip
15	Head of Service Corporate Services	Mendip
16	Head of Service Housing	Mendip
17	Head of Service Law & Governance & Monitoring Officer	Mendip
18	Head of Service Neighbourhoods	Mendip
19	Head of Service Planning & Growth	Mendip
20	Head of Service Strategic & Specials Programme	Mendip
21	S151	Mendip
22	Chief Executive	Sedgemoor
23	Deputy Chief Executive	Sedgemoor
24	Strategic Director & S151 Officer	Sedgemoor
25	Assistant Director Finance & Property	Sedgemoor
26	Assistant Director Legal & Governance & Monitoring Officer	Sedgemoor
27	Assistant Director Inward Investment & Growth	Sedgemoor
28	Assistant Director Housing, Health & Wellbeing	Sedgemoor
29	Assistant Director Customer Access	Sedgemoor
30	Assistant Director Environment & Regulation	Sedgemoor
31	Chief Information Officer	Sedgemoor
32	Chief Executive	Somerset West
33	Deputy Chief Executive & Director Place & Development	Somerset West
34	Deputy Chief Executive & Director of Housing & Communities	Somerset West
35	Deputy Chief Executive & Director of Internal Operations	Somerset West
36	Deputy Chief Executive & Director of External Operations & Climate Change	Somerset West
37	Assistant Director Climate Change & Assets	Somerset West
38	Assistant Director Commercial Services	Somerset West
39	Assistant Director Corporate	Somerset West
40	Assistant Director Customer	Somerset West
41	Assistant Director Finance & S151 Officer	Somerset West
42	Governance Manager	Somerset West
43	Chief Executive	South Somerset
44	Chief Finance Officer (S151)	South Somerset
45	District Solicitor & Monitoring Officer	South Somerset
46	Director - Support, Strategy & Environmental Services	South Somerset
47	Director - Place, Recovery & Arts & Entertainment	South Somerset
48	Director - Service Delivery	South Somerset

## Appendix Two – Draft Structure for Somerset Council

### Draft Structure for Somerset Council

The proposal for Tiers 1 & 2 posts is shown in Figure 1:

Figure 1 - Tiers 1 & 2 Structure



\* Fixed term post to continue delivery of LGR post Vesting Day, if required

Draft Job Descriptions for the following roles can be accessed using the links below.

- Executive Director of Communities Services
- Executive Director of Climate & Place
- Executive Director of Strategy, Performance and Localities
- Executive Director of Resources (s151)

[Mendip](#)

[South Somerset](#)

[Sedgemoor](#)

[Somerset West & Taunton](#)

[Somerset County Council](#)

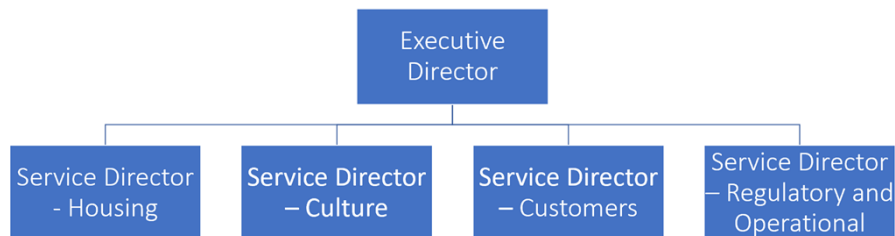
The draft responsibilities structure for each of the above roles is shown in the following sections.



## Executive Director of Community Services

The proposed Tiers 2 & 3 structure for the Community Services service-area is shown in Figure 2:

Figure 2 - Community Services



The teams sitting beneath the service director (tier 3) posts are proposed as follows:

### Housing

- Strategy and HRA
- Homelessness (Rough Sleepers pathway, street support)
- Housing Options & Allocations
- Housing Management
- Housing Maintenance - Responsive and Planned (capital programme)
- Housing Development & Regeneration
- Tenant Services –Worklessness & Tenancy Management (new tenancies, anti-social behaviour, debt and benefit support, tenancy compliance)
- Sheltered and Extra Care
- Rent collection and arrears recovery
- Direct Labour Organisation
- Affordable Housing Enabling,
- Partnerships and ALMO
- Gypsy and Traveller Support and Services
- People Displacement Schemes and Services

### Cultural Services

- Libraries and Local Offer
- Museums
- Theatres
- Leisure Centres
- Sports Development

- Heritage
- Arts Development
- Culture Development
- Tourism Development
- Fairs and Market

### **Customer Services**

- Customer Service Strategy and Standards
- Corporate Customer Services
- Contact Centre
- Compliments & Complaints
- Local Service Centres
- Digital Services (inc. GIS, online content)
- Customer Engagement and Access

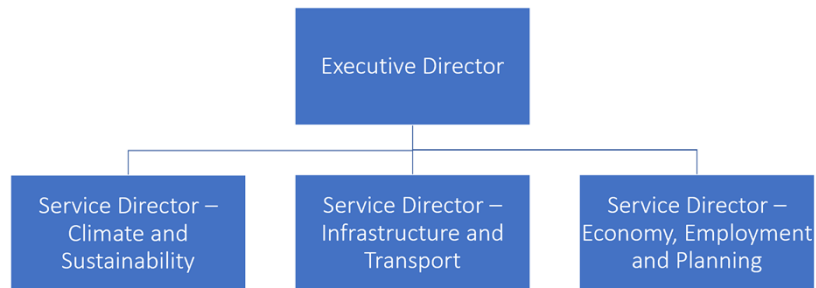
### **Regulatory and Operational Services**

- Environmental Health
- Registrars
- Coroners
- Environmental Protection
- Building Control
- Port Authority
- Licensing
- Community Safety (Partnership, CCTV, anti-social behaviour, other)
- Safety Advisory Group
- Private Sector Housing
- Street Cleansing
- Grounds Maintenance
- Country Parks
- Parks and Play Areas
- Public Toilets
- Dog Wardens
- Service to Partners
- Bereavement Services
- Scientific Services

## Executive Director of Climate & Place

The proposed Tiers 2 & 3 structure for the Climate and Place service-area is shown in Figure 3:

Figure 3 - Climate & Place



The teams sitting beneath the service director roles are proposed as follows:

### Climate and Sustainability

- Carbon Neutrality
- Climate Resilience
- EV infrastructure
- Renewable Energy
- Green Links
- Biodiversity
- Sustainability
- Waste Service
- Emergency Planning and Business Continuity
- Water Management
- LLFA
- Flooding Response
- Coastal Protection Authority
- Somerset Rivers Authority

## **Infrastructure & Transport**

- Highways Authority
- Countryside and Rights of Way
- Parking
- Traffic Management
- Transport
- Public Transport
- Fleet Management
- Contracted Transport
- Strategic Transport Planning
- Highways Major Projects

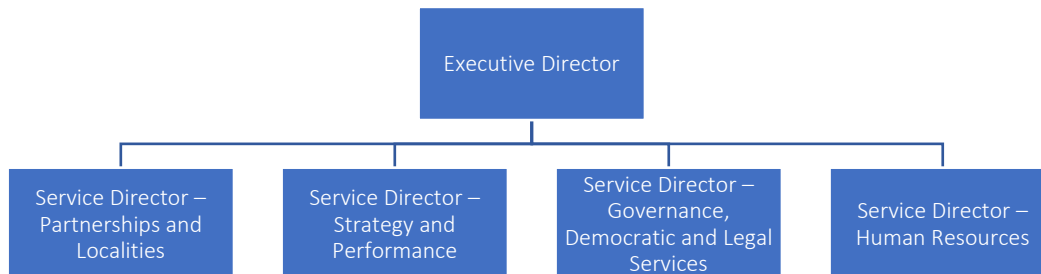
## **Economy, Employment & Planning**

- Economic Development
- Planning (conservation, enforcement, DM, local plan, waste and minerals, s106 allocations/CIL, Phosphates)
- City/Town Centre Management
- Trading Standards (Devon partnership)
- Skills
- Innovation Centres
- Regeneration (non-housing)
- Major Projects
- Nuclear Power

## Executive Director of Strategy, Performance & Localities

The proposed Tiers 2 & 3 structure for the Strategy, Performance & Localities service-area is shown in figure 4:

Figure 4 - Strategy, Performance & Localities



The teams reporting into the service director roles are proposed as follows:

### Partnership, Localities and Communications

- LCNs (management and support)
- Strategic Partnerships
- Communications
- City, Town and Parish Council Liaison
- Local devolution - Community Asset Transfers
- Community and Voluntary Sector Strategy and Engagement
- Marketing
- Volunteering Services
- Consultation and Engagement
- Locality partnership/projects & Community Development
- Armed Forces Covenant
- Special Projects
- Grants & Lotteries

### Strategy and Performance

- Strategy and Policy
- Transformation
- Equality
- Performance and Benchmarking
- Programme Management
- Project Management
- Business Analysis
- Legislation and Horizon Scanning

- Statutory Returns
- Data Visualisation & Complex Analytics
- Data Management (warehousing)
- Digital Development
- Commissioning Framework and Development
- Ombudsman and Housing Ombudsman complaints

#### **Governance, Democratic & Legal Services (Monitoring Officer)**

- Member Services
- Lieutenancy
- Democratic Services
- Legal
- Elections
- Land Charges
- Street naming and numbering
- GDPR, FOI, RIPA

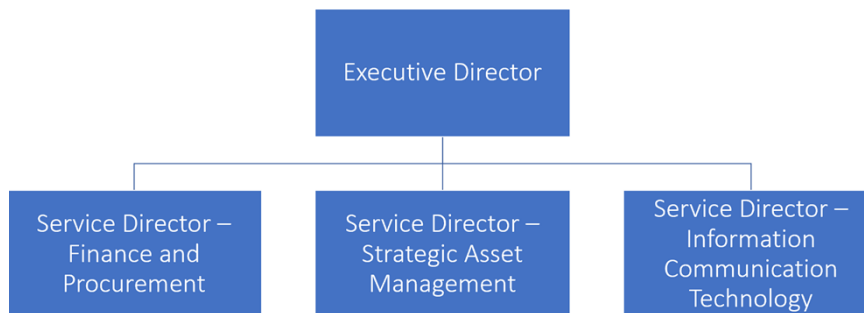
#### **Human Resources**

- HR Strategy and Workforce Planning
- Organisational Health and Wellbeing
- HR Operations
- HR Business Partnering
- Payroll & Pensions
- Organisation Learning and Development
- Health and Safety
- Staff Benefits
- Policy & Reward
- Organisational Equality, Diversity and Inclusion
- Change Management
- Recruitment

## Executive Director of Resources & Corporate Services (s151)

The proposed Tiers 2 & 3 structure for the Resources & Corporate Services service-area is shown in Figure 5:

Figure 5 - Resources



The teams reporting into the service director roles are proposed as follows:

### Finance & Procurement

- Finance Services (inc. Business Partners)
- Pension Fund
- Capital Management
- Treasury & Corporate Debt Management
- Internal Audit
- Procurement
- External Audit
- Financial Systems
- Risk & Insurance Management
- Revenues and Benefits
- Direct Payments
- Financial Assessment and Deputyship

### Strategic Asset Management

- Property and Assets
- Compliance
- Development & Capital Programmes
- Schools Programme
- Facilities Management
- Commercial Investment Portfolio
- Commercial Property
- Closed Graveyards
- Site protection and management

### Information Communication Technology

- Strategy and Architecture
- Operations & Security
- Support
- Infrastructure
- Telephony

## Executive Director of Public Health

The proposed Tiers 2 & 3 structure for the Public Health Service Area is shown in figure 6:

*Figure 6 - Public Health*



The teams that report into the Executive & Service Director roles are proposed as follows:

### **Public Health (Deputy Director Public Health)**

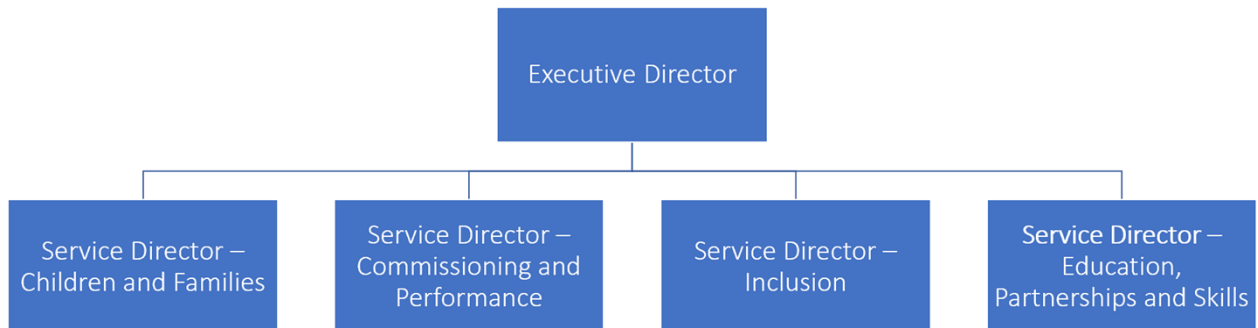
- Provision of Specialist Public Health advice to the system
- Influencing policy, practice and commissioning to improve health & wellbeing
- Inequality, Inclusion and Diversity (Strategy and Engagement)
- Somerset Health and Wellbeing Board (HWBB & ICP)
- Protection of the Public's Health
- Health Improvement
- Tackling Health Inequalities
- Healthcare Public Health
- Specialist public health advice and support to PCN/LCNS
- Public Health Commissioning
- Public Health Nursing
- Healthy Lifestyle Services
- Provision of public health training/lecturing
- Centre for Specialist Registrar Training
- Behavioural Insights
- Public Health Research and Evaluation & links with academia
- Health and Care Knowledge, Intelligence & Clinical audit (preferably joint for ICS)
- Population Health



## Children’s Services

The proposed Tiers 2 & 3 structure for Children’s Services is shown in Figure 7:

Figure 7 - Children's Services



The teams that report into the service director roles are proposed as follows:

### Children and Families

- Children Looked After and Care Leavers
- Children with Disabilities
- Preventative Services
- Quality Assurance
- Principal Social Worker

### Commissioning and Performance

- Commissioning
- Business Support
- Partners and Market Development
- Safeguarding Partnership

### Inclusion

- Special Educational Needs and Disability
- Access & Additional Learning Needs
- Virtual School & Learning Support Service
- Special Educational Needs Advisory Services & Educational Psychologist
- Education, Partnerships and Skills

### Support Services for Education

- Early Years
- School Improvement
- Sufficiency
- Somerset Association of Primary Headteachers

## Adult Services

The proposed Tiers 2 & 3 structure for Adults Services is shown in Figure 8:



The teams that report into the service director roles are proposed as follows:

### Service Director Operations

- Acutes
- Safeguarding
- Partnership
- Neighbourhoods/Communities
- Integration
- Carers

### Service Director Transformation

- Adults' transformation programme
- Delivery of legislative change
- Adults' strategy and alignment with ICS strategy
- Service governance and forward planning
- Communications

### Service Director Commissioning

- Market development
- Joint commissioning
- Community and Innovation linked to Neighbourhoods
- Assurance/inspection
- Brokerage
- Quality & Performance

## Appendix Three – Organisational Change Principles

The principles governing organisational change can be viewed using the following links:

[Mendip](#)

[South Somerset](#)

[Sedgemoor](#)

[Somerset West & Taunton](#)

[Somerset County Council](#)

## Appendix Four – Agency Workers

Details of agency workers engaged by the five Somerset local authorities are as follows. The table shows the organisation, business area and numbers of agency workers by role.

Organisation, Business Area and Role	Number of Workers
<b>County Council</b>	<b>139</b>
<b>Admissions, School Transport</b>	<b>1</b>
Administrative Assistant	1
<b>Adults &amp; Health</b>	<b>40</b>
Advanced Practitioner - Adult's Safeguarding (Locality Lead)	2
AMPH Specialist Social Worker	1
Assistant Director - Commissioning	1
Deputy Locality Manager	2
Locality Lead	6
Locality Lead - Occupational Therapist	1
Locality Manager	1
Occupational Therapist	5
Social Worker	14
Specialist (Advanced Consultant) Social Worker	6
Strategic Manager	1
<b>Business Function</b>	<b>1</b>
Service Manager	1
<b>Children's Services</b>	<b>32</b>
Assistant Team Manager	2
Gardener	1
Leaving Care Worker	1
Social Worker	6
Specialist (Advanced Consultant) Social Worker	19
Team Manager	3
<b>Customers, Digital &amp; Workforce</b>	<b>5</b>
ICT Infrastructure Subject Matter Expert	1
ICT Infrastructure Technician	1
IT Subject Matter Expert	1
Professional Officer	2
<b>Economy, Community &amp; Infrastructure</b>	<b>37</b>
Administrative Assistant	3
Business Champion	1
Business Research Co-ordinator	1
Clerk of Works	1
Customer Services Assistant	1
Development Infrastructure Technician	4
Ecologist	1
Engagement Officer	1
Estate Roads Engineer	1
Highways Development Control/Planning	1
Highways Inspector	2
Highways Supervision Engineer	2
Highways/Traffic Engineer	3

Organisation, Business Area and Role	Number of Workers
NEC Supervisor	1
Programming Implementation Officer	1
Project & Change Assistant	1
Project Manager	2
Project Officer	1
Senior Engineer	2
Somerset Rivers Authority Technical Advisor	1
Street Works Technician	1
Technical Officer - Fabric	2
Traffic Control Technical Support	1
Traffic Engineering Technical Support	1
Transport Officer	1
<b>Finance</b>	<b>4</b>
Finance Officer	1
Finance Support Assistant	1
Project Accountant	1
Service Manager - Finance Business Partner	1
<b>Legal Services</b>	<b>9</b>
Senior Lawyer - Childcare	1
Solicitor	1
Solicitor - Adult Social Care	1
Solicitor - Childcare	4
Solicitor - Corporate & Commercial	2
<b>Procurement</b>	<b>1</b>
Senior Procurement Officer	1
<b>Programme Management Office</b>	<b>3</b>
Programme Manager	1
Project & Change Assistant	1
Project Officer	1
<b>Property</b>	<b>3</b>
Building Surveyor	2
Facilities Assistant	1
<b>Public Health</b>	<b>3</b>
Admin & Clerical Support	1
Administrative Assistant	1
Business Support Officer	1
<b>Mendip</b>	<b>30</b>
<b>Community Health Services</b>	<b>5</b>
Contaminated Land Officer	1
Environmental Protection Officer	1
Retrofit Project Officer	1
Retrofit Project Researcher	1
Technical Officer	1
<b>Corporate Services</b>	<b>8</b>
Accounts Payable Senior	1
Community Grants Officer	1
Development Programme Manager	1

Organisation, Business Area and Role	Number of Workers
Finance Assistant	1
HR Officer	1
IT Analyst	1
Property Officer	1
Web Assistant	1
<b>Housing Services</b>	<b>1</b>
Rough Sleeping Initiative Co-ordinator	1
<b>Legal &amp; Governance</b>	<b>9</b>
Corporate Lawyer	1
Democratic Services Manager	1
Head of Elections	1
Lawyer	4
Senior Planning Lawyer	1
Senior Property Lawyer	1
<b>Neighbourhood Services</b>	<b>1</b>
Land Drainage Engineer	1
<b>Planning &amp; Growth Services</b>	<b>4</b>
Enforcement Officer	1
Planning Officer	2
Sustainable Travel & Tourism Officer	1
<b>SLT</b>	<b>2</b>
Executive & Monitoring Officer Support	1
S151 Officer	1
<b>Sedgemoor</b>	<b>39</b>
<b>Customer Access</b>	<b>9</b>
Customer Services & Project Manager	2
Information Systems - Systems Developer	6
Lifeline Operator	1
<b>Environment &amp; Regulations</b>	<b>17</b>
Cleaner	7
Cleansing Operative	8
Grounds Operative	2
<b>Finance &amp; Property</b>	<b>1</b>
Finance Manager	1
<b>Housing Communities &amp; Wellbeing</b>	<b>6</b>
Housing Solutions Officer	3
SIP Technical Officer	3
<b>Inward Investment &amp; Growth</b>	<b>3</b>
Planning Officer	2
Principal Planning Officer	1
<b>Legal &amp; Governance</b>	<b>3</b>
HR Admin	1
PA to Assistant Director	1
Procurement Officer	1
<b>South Somerset</b>	<b>38</b>
<b>Service Delivery - Building Control</b>	<b>4</b>
Specialist - Building Control	4

Organisation, Business Area and Role	Number of Workers
<b>Service Delivery - Environmental Health</b>	<b>2</b>
Specialist - Environmental Health	2
<b>Service Delivery - Housing</b>	<b>1</b>
Case Officer - Housing	1
<b>Service Delivery - Planning</b>	<b>17</b>
Case Officer - Planning	2
Complaints Officer	1
Customer Connect Officer	1
Enforcement Specialist	1
Highways Officer	1
Planning Specialist	3
Specialist - Development Management	1
Specialist - Planning	7
<b>Support, Strategy &amp; Environmental Services</b>	<b>7</b>
Case Services Officer	1
Driver	1
Landscape Operative	1
Street Cleaner	4
<b>Support, Strategy &amp; Environmental Services - Crematorium</b>	<b>1</b>
Cemetery Grounds Worker	1
<b>Support, Strategy &amp; Environmental Services - Finance</b>	<b>2</b>
Specialist Finance	1
Specialist Finance	1
<b>Support, Strategy &amp; Environmental Services - Legal</b>	<b>3</b>
Deputy Monitoring Officer	1
Senior Planning Solicitor	1
Specialist - Legal	1
<b>Support, Strategy &amp; Environmental Services - Strategy &amp; Support Services</b>	<b>1</b>
Case Officer - Strategy & Support Services	1
<b>SW&amp;T</b>	<b>63</b>
<b>Development &amp; Place</b>	<b>13</b>
Case Manager - Admin	1
Dev Management Service Manager	1
Dev Management Team Leader	1
Director - Firepool	1
Nutrient Neutrality Officer	1
Nutrient Planning Officer	1
Planning Officer	2
Planning Specialist Phosphates	1
Project Manager	1
Project Specialist	1
Senior Planning Officer	2
<b>External Operations</b>	<b>5</b>
Case Manager - Private Sector Housing	2
Locality Champion, Open Spaces	2
Surveyor	1
<b>Housing</b>	<b>25</b>

Organisation, Business Area and Role	Number of Workers
Capital Programme Manager	1
Case Manager - Business Intelligence	1
Case Manager - Homelessness	8
Case Manager - Rent Recovery	1
Case Manager - Supported Housing	1
Case Manager - Tenant Services	2
Engagement Lead, Community Resilience	1
Lead Specialist People - Homelessness	1
Locality Champion - Repairs & Maintenance Ops	2
Locality Champion, Electricity	1
Maintenance Manager - Repairs & Maintenance	1
Senior Case Manager - Homelessness	1
Specialist - Homelessness	1
Surveyor - Housing Asset	3
<b>Internal Operations</b>	<b>20</b>
Business Analyst - Internal Change	1
Case Manager - Health & Safety	1
Case Manager, Business Intelligence	1
Customer Champion	3
Finance Business Partner	1
Finance Operations Manager	1
Health & Safety Partner	1
HR Business Partner	1
Lead Business Analyst	1
Project Management Officer - Business Intelligence	1
Project Manager	2
Project Manager - Internal Change	1
Records/Programme Manager	1
Specialist - Governance	2
Strategic HR Lead	1
Strategic Procurement Specialist	1
<b>Grand Total</b>	<b>309</b>



**Appendix Five – Equalities Impact Assessment**

## Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Organisation prepared for	Somerset County Council, as the continuing authority to Somerset Council
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Version	V2 - draft	Date Completed	08/11/2022
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### Description of what is being impact assessed

Somerset Council will become the new Unitary authority as of 1<sup>st</sup> April 2023. As part of the creation of the single organisation under the SCO (Structural Changes Order) there will be a restructure and recruitment exercise of tiers 2 & 3 of the Senior Leadership Team, this is an internal process.

This EIA considers the equality impacts of this change.

### Evidence

**What data/information have you used to assess how this policy/service might impact on protected groups?** Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset’s Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Workforce data for tiers 2-3 across all 5 Councils has been considered.

The specific data for each Council is not being published as for some Councils the numbers are small and may identify individuals. Instead,

whilst all the equality data has been considered, the below collective data is being published:

Total number of posts affected: 48

Total number of employees affected: 44

**Sex**

Male: 48%

Female: 52%

**Disability**

Not known: 36%

The data does highlight that more than one employee has declared a disability

**Race & Ethnicity**

The data does highlight that one or more employees have declared their ethnicity as being from an ethnic minority group.

**Age**

54yrs & under 48 %

55yrs & over: 52%

<b>Who have you consulted with to assess possible impact on protected groups?</b> If you have not consulted other people, please explain why?				
LGR People's Equality, Diversity and Inclusion representatives from 5 Councils. Unions through informal JNF, HR Committee & affected staff will be consulted with				
<b>Analysis of impact on protected groups</b>				
The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.				
Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
<b>Age</b>	<ul style="list-style-type: none"> <li>Some employees who are older and may have been in their current posts for some time, may have less recent experience of undertaking a recruitment process and therefore may have increased anxiety in relation to this.</li> </ul>	☒	☐	☐
<b>Disability</b>	<ul style="list-style-type: none"> <li>Some employees with disabilities may find recruitment exercises more challenging. For example, employees who identify as neurodiverse may find the format of interviews and /or assessments challenges and require reasonable adjustments.</li> </ul>	☒	☐	☐

	<ul style="list-style-type: none"> <li>Some employees with disabilities may experience greater levels of anxiety associated with significant change.</li> </ul>			
<b>Gender reassignment</b>	<ul style="list-style-type: none"> <li>The protected characteristic of gender reassignment has been considered and no specific impact identified.</li> </ul>	☐	☐	☐
<b>Marriage and civil partnership</b>	<ul style="list-style-type: none"> <li>The protected characteristic of marriage and civil partnership has been considered and no specific impact identified.</li> </ul>	☐	☐	☐
<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>The protected characteristic of pregnancy and maternity has been considered and no specific impact identified.</li> </ul>	☐	☐	☐
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>The protected characteristic of race and ethnicity has been considered and no specific impact identified.</li> </ul>	☐	☐	☐
<b>Religion or belief</b>	<ul style="list-style-type: none"> <li>The protected characteristic of religion or belief has been considered and no specific impact identified.</li> </ul>	☐	☐	☐

<b>Sex</b>	<ul style="list-style-type: none"> <li>There are more women than men that will be affected by this process.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Sexual orientation</b>	<ul style="list-style-type: none"> <li>The protected characteristic of sexual orientation has been considered and no specific impact identified.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.</b>	<ul style="list-style-type: none"> <li>No specific impact identified.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Negative outcomes action plan</b>				
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.				
<b>Action taken/to be taken</b>	<b>Date</b>	<b>Person responsible</b>	<b>How will it be monitored?</b>	<b>Action complete</b>
Provide guidance and signposting to all candidates in relation to recruitment support	Ongoing	LGR People Workstream	LGR People Workstream	<input type="checkbox"/>
Post-recruitment support & feedback	Ongoing	CEOs & HR Leads	LGR People Workstream	<input type="checkbox"/>
Ensure all candidates are able to request reasonable adjustments for any recruitment process	Ongoing	HR Recruitment Manager & HR Equalities	LGR People Workstream	<input type="checkbox"/>

		Employment Officer		
Provision of E&D training for all decision-making panel members	Ongoing	HR Equalities Employment Officer	LGR People Workstream	<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
<b>If negative impacts remain, please provide an explanation below.</b>				
<b>Completed by:</b>				
<b>Date</b>				
<b>Signed off by:</b>				

<b>Date</b>	
<b>Equality Lead/Manager sign off date:</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

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# Somerset Council

## Key Principles of Organisational Change

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# Organisational Change Principles and Approach

## 1. Introduction

- The principles described in this document have been developed to underpin change and consultation processes, as we merge five councils into one. They follow extensive consultation and conversations with trade unions, chief executives, HR staff, politicians and leadership teams and will apply to all posts impacted by the creation of Somerset Council.
- These principles are presented in recognition that organisational change is essential to the delivery of a successful Somerset Council and will be key to improving services and reducing costs. It is recognised that they need to be both legally compliant and handled appropriately to avoid damage to morale and motivation among employees, with the resulting negative consequences for service standards.
- Therefore, these principles aim to ensure that organisational change is conducted through fair, non-discriminatory and consistent procedures that put communication with employees, listening to employees concerns and addressing those concerns at the heart of the process.
- The principles will be established in consultation with our recognised Trade Unions and other key stakeholders.
- Underpinning the principles set out below, the resulting processes will be implemented with a commitment to transparency, appropriate and timely sharing of information and good employee relations / partnership working.
- There is a desire to avoid the need for compulsory redundancies wherever possible. Voluntary redundancies may be sought or requested prior to Vesting Day and consideration will be given to requests for other arrangements, such as early retirement.
- The initial organisation design that will be consulted on will be tier 2 (direct reports of the CEO) and tier 3 (direct reports to typically tier 2 posts) before we move to the other staff groups.
- Information regarding staffing numbers will be as accurate as can be achieved across the five organisations, however will provide for flexibility during the implementation period. This will allow us to adapt to reflect our learning during the different implementation phases. Recognised Trade Unions will be consulted at each phase of organisational design development.
- All new roles will be evaluated using the County Council's existing job evaluation process. Existing roles that continue unchanged after Vesting Day will not routinely be re-evaluated as part of this organisational change.

## 2. Types of Change

- 2.1. The broad types of change that the Organisational Change Procedure will cover are:
- Creation of a single organisation under the SCO (Structural Changes Order)
  - Recruitment to Tiers 2 & 3 of the Senior Leadership Team
  - Internal restructuring and realignment of services post 1<sup>st</sup> April 2023

- 2.2. The key features of organisational change, under these headings, are those that may alter some or all of the following dimensions:
- Organisational structure
  - Reporting lines
  - Pay or other terms and conditions of service
  - Contractual entitlements
  - Work patterns
  - Work location
  - Numbers of posts
  - Nature of roles and main responsibilities / duties

### **3. Equality Considerations**

- 3.1. The move from 5 Somerset Councils to one organisation in April 2023 will have a significant impact, now and beyond, as the Councils transition and transform into one Council. At the present time and based on the principles set out in this document, specific equality impacts are hard to discern. It is nevertheless recognised that during any period of significant change there will likely be equality impacts upon a number of protected characteristics. We recognise that workplace change can cause anxiety and that anxiety levels may be greater amongst some employees who fall with protected characteristic groups.
- 3.2. As set in 2.2 and the general principles, there are a number of specific factors that will support the transformation to one Council. Individual Equality Impact Assessments will be undertaken against the majority of these and using data and consultation, more in depth analysis of the impacts on the protected characteristics will be undertaken.

### **4. Restructuring**

#### **4.1. General principles**

- 4.1.1. An initial briefing will be held with trade union representatives. The aim will be to brief trade unions a minimum of 3 days prior to speaking with affected staff.
- 4.1.2. Where individuals may be at risk of redundancy (i.e., where it is proposed to remove their existing role) individual briefings will be held with each individual ahead of any meeting with all affected employees and trade union representatives
- 4.1.3. A meeting with all affected employees and their trade union representatives will be held at an early stage to enable all to input to the proposals.
- 4.1.4. The following information will be provided to affected employees and trade union representatives:
- Rationale for change including a business case and Equality Impact Assessment.
  - Current and proposed people structure.

- Essential skills and competencies required for the new structure and any likely training requirements.
  - People/person specifications and job descriptions for roles in the new structure.
  - Proposed method by which employees will be selected for posts.
  - The anticipated timeframe for consultation.
  - Feedback methods through the consultation process.
  - Process to be followed once the consultation period concludes.
- 4.1.5. The consultation period will allow employees and their representatives sufficient time to consider the proposals fully.
- 4.1.6. Meetings will be held with employees and their representatives to provide feedback on concerns throughout the change process and facilitate dialogue on solutions to areas of concern. Employees will be given an opportunity to meet with their representatives prior and/or after the meetings.
- 4.1.7. Formal meetings with individual employees over the proposals will allow for the right to be accompanied by a colleague or Trade Union representative throughout the process.
- 4.1.8. For any area subject to restructuring a set of job descriptions for new posts will be available.
- 4.1.9. Posts shall be filled utilising slotting in and ring-fencing (where appropriate) during a first round of selection
- 4.1.10. Eligibility for slotting in and ring-fencing will be based on an individual's substantive post.
- 4.1.11. Slotting-in without the need to go through an application or selection process will apply where there has been no significant change in the duties and responsibilities of a post following restructuring and where the number of posts available is equal to or more than the number of existing post holders in the workplace unit. No significant change is defined as 75% the same job content before and after restructuring. For slotting-in, it needs to be clear that there are no other employees impacted by the restructure that could have a comparable claim on the post, including those who have been displaced from other roles where the post might be deemed to be suitable alternative employment.
- 4.1.12. Ring-fencing of applications for posts in a new structure will apply where the former unit/units contained posts that carried substantially the same duties and responsibilities, but the number of employees exceeds the number of posts available in the new unit. Also, consideration needs to be given as to whether there are other employees impacted by the restructure that could have a claim on the posts.
- The criteria utilised to decide on the application of slotting and ring-fencing procedures for each role will be the subject of consultation with the relevant Trade Unions. The purpose will be to establish fair, objective, consistently applied job related criteria, backed by evidence. The criteria will be non-discriminatory against all characteristics protected under the Equalities Act 2010 and supported by an Equality Impact Assessment.
  - Where ring-fencing is used to fill a post, candidates may need to produce a CV as part of the process.

- 4.1.13. It is possible that a post cannot be filled via a Slotting or Ring-Fencing process, perhaps because there is doubt as to whether any relevant population for ring fencing can be identified fairly. In such cases, the role will be advertised internally across the five councils (the new council from 1st April 2023). Potential candidates will be asked to provide a CV plus a statement setting out how they fit the selection criteria outlined in the person specification.
- 4.1.14. Posts that cannot be filled through internal application will be advertised externally as soon as possible. This may happen whilst a post is being advertised, priority will always be given to staff who are at-risk of redundancy.

## **4.2. Senior Leadership Team Officers tiers 2 and 3 in the hierarchy**

For appointments to Senior Leadership Team Officers, the following approach will be adopted.

- 4.2.1. Appointments to posts that fall within this category will follow the process as specified in Somerset County Council's Constitution and therefore must involve Elected Members and an Appointments Panel & Appointments Committee.
- 4.2.2. The process used for appointments will be decided by the Appointments Panel, which will appoint the Appointments Committee to undertake the appointments process.
- 4.2.3. The ring-fenced population for posts will be decided in consultation with the trade unions and in accordance with these key principles. Establishing the population for ring fencing will include the essential criteria of the role, the individual's skill set match, current role, span of control and position in the existing hierarchy. There may be examples of similar roles sitting in different tiers, in respective organisations, and this process will take account of those.
- 4.2.4. Where an appointment is made prior to any new terms and conditions for Somerset Council coming into force, Somerset County Council terms will be used.
- 4.2.5. 'Slot-ins' will receive their current terms & conditions, although salaries may be reviewed by the chief executive/manager in accordance with existing processes. If the salary for the role is increased following this review (outside of annual cost of living increases), then the postholder will have the option to move to Somerset Council terms & conditions in return for accepting the new salary.
- 4.2.6. Appointments for tiers 2 and 3 will take effect from 1st April 2023 unless agreed between the Chief Executive, designate appointment and the current employing organisation.
- 4.2.7. Those employees who are unsuccessful at their current hierarchical level, will be given the opportunity to apply for vacancies that come available at the next tier below, subject to arrangements reflecting slot-ins or ring-fencing.
- 4.2.8. Chief executives in Somerset local authorities may apply for posts tiers 2 & 3 in the new structure, subject to arrangements reflecting slot-ins or ring-fencing.
- 4.2.9. Should these employees remain unsuccessful at Vesting Day, they will be subject to a redundancy process which will follow processes specified in Somerset Council's Constitution. Typically, this will apply to senior leadership roles and/or redundancy costs that exceed £100k. Redundancy payments will

be in line with their transferring terms & conditions of employment, subject to any agreed changes.

4.2.10. Employees who are issued with notice of redundancy will have the right to appeal against the decision to make them compulsorily redundant.

4.2.11. Appointments processes to tiers 2 & 3 will be supported by a voluntary redundancy programme (the precise details, including the timing and entitlement rules, of which are to be determined), in line with contractual redundancy multipliers.

#### **4.3. All other posts**

For all other posts, the selection process and criteria will be the subject of consultation with the recognised Trade Unions. Skill set, essential role criteria, current salary position, current role scope and hierarchical level will be factors in determining the ring-fenced population.

4.3.1. Those employees who are unsuccessful at their current hierarchical level, will be given the opportunity to apply for any vacancies that are available at other tiers, subject to the requirements of processes for slotting-in and ring-fencing and relevant HR policies.

4.3.2. For posts that remain unfilled, priority will be given to applications from employees who are either “at risk” of redundancy or been issued notice of redundancy and who meet the essential criteria of the role or would be able to do so within a reasonable timeframe with suitable training

4.3.3. If a post remains vacant, the post will be advertised internally across the Council. If the post remains vacant after an internal advert, it is possible at this stage to go to external advertisement.

4.3.4. Employees who have been issued with notice of redundancy will have the right to appeal against the decision to make them compulsorily redundant.

#### **5. Redeployment**

5.1.1. “At risk” employees will be entitled to consideration for redeployment to suitable alternative employment where they meet all the essential criteria for the post or would be able to do so within a reasonable timeframe with suitable training. If there is more than one “at risk” employee for such a post, then a decision will be made as to who is most suitable as against the criteria for the role.

5.1.2. “At risk” employees will be kept aware of posts which could be considered as suitable alternative employment for an initial period of four weeks, following which progress should be reviewed with the employee and the designated manager.

5.1.3. Where an application is successful, the redeployee will be entitled to a trial period of four weeks following which the redeployment will either be identified as successful, or the redeployee will return to the redundancy process.

5.1.4. During the 4 weeks of the trial period, the redeployee will continue to have their salary and other benefits paid by the “outgoing” service area.

5.1.5. Where redeployment is mutually deemed successful by both parties, this will be confirmed in writing to the redeployee. The employee will then adopt the terms & conditions of their new post, which will include any applicable arrangements for pay protection.

5.1.6. In accordance with the statutory duty, employees on maternity, adoption or shared parental leave will be offered suitable alternative employment, if it is available, without competition. They will be given relevant support where required e.g., training.

## **6. Avoiding Redundancies**

Where redundancies are proposed, compulsory redundancy will always represent a last resort in the process of organisational change.

All options for avoiding compulsory redundancy will be explored, including:

- 6.1.1. Limiting the refilling of posts on a permanent basis when employees leave the organisation.
- 6.1.2. Restrictions on recruitment.
- 6.1.3. Opportunities for secondments across the organisation.
- 6.1.4. Seeking volunteers for job-share or part-time work.
- 6.1.5. Retraining existing employees to cover any skills gaps.
- 6.1.6. Agency resource to cover fluctuations in requirements and to ensure redeployment opportunities are available for permanent staff.
- 6.1.7. Redeployment of employees, within their contract of employment, to suitable alternative employment.
- 6.1.8. If appropriate, seeking volunteers for voluntary redundancy or early retirement. This would not be appropriate for example where it is likely others would not be able to be redeployed.
- 6.1.9. Other cost saving measures that preclude the need for redundancy.
- 6.1.10. However, where it first becomes apparent that the proposal for restructuring potentially entails compulsory redundancies, consultation shall take place with employees and their representatives that allows genuine and meaningful consideration of ways to avoid redundancy.
- 6.1.11. By law, where the number of proposed redundancies exceeds 99 employees over a period of 90 days or less, formal consultation will begin at least 45 days before the first dismissal takes effect. Where less than 100 but more than 20 redundancies are proposed, formal consultation will begin at least 30 days before the first dismissal takes effect.
- 6.1.12. If the number of proposed redundancies meets the thresholds set out in 5.1.11 above, employee representatives will be provided with the following written information in the form of a business case and Equality Impact Assessment at the earliest opportunity:
  - The reasons for the proposed dismissals.
  - The numbers and descriptions of employees whom it is proposed to dismiss as redundant.
  - The total number of employees of any such description employed by the employer at the location/s in question.
  - The proposed method of selecting employees who may be dismissed.

- The proposed method of carrying out the dismissals, with due regard to any agreed procedure, including the period over which the dismissals are to take effect.
- The proposed method of calculating the amount of any redundancy payments to be made (to employees who may be dismissed).
- The number of agency workers working temporarily for and under the supervision and direction of the employer.
- The parts of the employer's organisation in which agency workers are working.
- The type of work agency workers carry-out.

6.1.13. Consultation will take place with trade unions, as required, over the criteria by which employees will be selected for redundancy.

6.1.14. The criteria will be fair, objective, consistently applied job related criteria, backed by evidence where possible. They will be non-discriminatory on the grounds of sex, sexual orientation, race, disability, religion or belief, gender reassignment, marriage and civil partnership, maternity and pregnancy or age. They will also not discriminate on the grounds of trade union membership, or part-time status or fixed-term contract status.

## **7. Redundancy payments**

7.1.1. Employees with at least two years continuous service will as a minimum be entitled to a statutory redundancy payment in line with Government guidelines.

7.1.2. Depending on the circumstances, the organisation may waive its right to insist on employees working their notice and instead give a payment in lieu of notice.

7.1.3. A contractual redundancy payment will be as per the policy of the individual's employer pre-April 2023, unless at the time of the redundancy an individual has accepted a post and moved to Somerset Council's terms & conditions.