CABINET

Meeting held on 12th April 2019
in Council Chamber, Newham Town Hall, East Ham, E6 2RP

Present: Rokhsana Fiaz OBE (Chair)

Cabinet Members: Councillors John Gray, Charlene McLean, Zulfiqar Ali, James Beckles, Susan Masters, Terry Paul and Sarah Ruiz

Cabinet Assistants: Councillors Carleene Lee-Phakoe and Shaban Mohammed

Other Members: None

The meeting commenced at 4.00 p.m. and closed at 5.26 p.m.

1. Management of Business

The Mayor advised the meeting that she would consider agenda item 6 - Section 75 - LBN CAMHS Report before agenda item 4 - Making Newham Work better for everyone, final proposals for a new operating model.

All other business would be considered as set out on the agenda.

2. Apologies for Absence

Apologies for absence were received from Councillors Julianne Marriott, Rachel Tripp and James Asser.

3. Declarations of Interest

There were no declarations of interest.

4. Making Newham Work better for everyone, final proposals for a new operating model

Cabinet received this report which set out proposals which complied with the duty of the Head of Paid Service (Interim Chief Executive) as defined in the Local Government & Housing Act 1989 [Part 4] that where it is appropriate to do so, to prepare a report to the authority setting out their proposals as to:

- the manner in which the discharge by the authority of their
different functions is co-ordinated;

- the number and grades of staff required by the authority for the discharge of their functions and;
- the organisation of the authority’s staff;

In enacting that duty, the new structure proposals were designed to ensure the resources of the council properly reflected and supported the Mayor and her administration’s policy and organisation priorities, most particularly “putting people at the heart of everything we do” which included residents of the borough as well as the Council’s staff.

The Mayor introduced the report and advised the meeting that her administration had an ambitious and transformative agenda. The Mayor stated that an organisation that was fit for purpose was required and it was evident that the way the Council was currently structured would not enable her administration to achieve the scale of changes required.

The Mayor said that the Interim Chief Executive’s focus was to undertake an internal reorganisation to provide a nimble service to ensure appropriate financial and system control.

The Mayor informed the meeting that following several months of important conversations a new corporate structure had emerged. The Mayor said that she was positive about the new structure which included changes in a raft of areas, particularly youth services. The new structure would have a Model of Children’s Commissioner to ensure young people were safe and that the authority would be protective of their health and wellbeing.

The Interim Chief Executive advised the meeting that the report and its appendices set out the current and proposed structure and design proposals for progressing the new structure. She added that the report was based on consultation which generated 200 responses from staff. The consultation was meaningful and took into consideration every response received.

The Interim Chief Executive advised the meeting that a number of changes to the proposed structure had been as a result of consultation with staff. The Council’s partners had been consulted and had felt assured by the new proposed structure.

The Interim Chief Executive said that the report set out the risks associated with the changes and risks for not changing. The new structure formed part of a change and would assist in delivering the changes alongside the Corporate Plan and the Budget. She added that the new structure would necessitate a lot of work to launch the proposals and in particular speediness of work to ensure that the members of staff who were at risk were kept appraised of their futures.
The Mayor stated that the new incoming Chief Executive had been fully apprised of the proposed new structure and the Mayor thanked everyone involved in putting the new structure together.

Members held a detailed discussion on the proposed new structure and raised a number of points, to which the Interim Chief Executive and the Mayor responded as follows:

- The title of Corporate Director of People, Policy and Performance would be retained as the people element referred to residents
- The service area of ‘web team’ was a working title and sat in the Assistant Director of Residents Services & Business Support as it was about the content of the web and engagement of residents to get effective messages to them
- The Director of Change would oversee all of the change proposals including the action plan for Ofsted
- The Ofsted Action Plan would also sit within the Corporate Director of Children and Young People
- The OneSource Directors were in line with the lexicon of descriptions for Directors posts
- To ensure compliance with the Ofsted recommendations, both the Corporate Director of Children and Young People (DCS) and the Assistant Director of Children’s Commissioning had in their job descriptions assurance mechanisms to allow the DCS to undertake their statutory duty

In response to further questions, the Interim Chief Executive said that structures could always be reviewed. She added that the new Chief Executive would be setting in place a number of interim posts to ensure a smooth process to the new structure. There would be specific handovers for those services which would be moving to different directorates.

Members welcomed the new structure and that Housing Services would be under one directorate. Members also welcomed the review process but wondered whether there was anything which would be set in stone. The Chief Executive stated that she believed that the Corporate Director levels should be kept as they were but the levels below should be constantly monitored to ensure they were working as intended.

The Mayor stated that she appreciated the challenges in the past of having housing services spread over a number of directorates. The restructure was an evolving project and was the beginning of the transformation change.

The Interim Chief Executive drew Member’s attention to some minor amendments to the new structure charts including:

- Adding the list of 12 Council Small Businesses under the Director of Strategic Investment
- Under Assistant Director of Residents Services & Business Support
‘web team’ would be amended to ‘New Media’ team

- Fostering and Adoption would be added under the Director of Operations & Safeguarding
- Deletion of duplications under the Director of Early Help and Children’s Health (School Nursing and Family Nurse Partnerships) and add ‘Headstart’

The Interim Chief Executive advised that there was a record of service provision for 16-19 year olds (under Corporate Director of Inclusive Economy & Housing), however in practice the provision was for 14 – 19 year olds. There would be a review of this to ascertain how this evolved as there had been no corporate agreement for this.

The Mayor asked that it be placed on record her thanks to Katherine Kerswell, Interim Chief Executive, Jan Douglas, Deputy Director for Human Resources, Amanda Thompson, Head of the Chief Executive’s Office and a whole raft of HR officers for their work on the restructure.

For the reasons set out in the report Cabinet RESOLVED to AGREE

i) The structure chart, with minor amendments advised by the Interim Chief Executive at the Cabinet meeting, grades and job roles for the new tier 1- tier 3 posts;

ii) A series of reviews to commence as set out in the report;

iii) That responses to the 7 staff who are formally at risk from these proposals are conveyed and formal processes under the Council’s Management of Change policy should now commence;

iv) That communications about the new structure be sent out to all staff, partners and residents;

v) That a new communications narrative be commissioned to define the message of the new Council, its new operating model and new posts for the recruitment campaign and other communications activity;

vi) The recruitment of dedicated HR support to implement this restructure and the resulting further reviews;

vii) Business support for tiers 1-3 is reviewed and appropriately distributed;

viii) That measures are developed to assess how the Council demonstrably puts “people at the heart of all its does”; and

ix) A review to assess the effectiveness of the structure in 18 - 24 months’ time.
**Alternatives considered**

1. The alternative proposals to these structure proposals is to either keep the structure as it currently is or to have different structure proposals.

2. A wide ranging consultation process has taken place and a number of changes to the draft proposals have resulted from that consultation which are now presented to Cabinet for final consideration and decision.

**5. Children's Social Care Ofsted Inspection Journey 2014-2019**

Cabinet received this report which outlined the outcome of the recent Ofsted Inspection of Children’s Social Care under the Inspection of Local Authorities Children’s Services (ILACS) framework. The overall outcome had been judged as ‘inadequate’. The report also highlighted the immediate actions that followed, the roles of Ofsted and the Department for Education and the development of the action plan to address the key findings from the inspection.

The previous Ofsted inspection of Children’s Social Care was undertaken in 2014 and the report provided information and key actions that the council had undertaken during the period between the two Ofsted Inspections and the priorities and focus of the council under the previous political leadership.

The report outlined the key issues relating to the approach to financial planning and the impact of savings applied to children’s social care since the inspection in 2014. Significant growth in funding for children’s social care was included in the 19/20 council budget approved by cabinet and full council in February 2019.

This was in recognition of years of insufficient funding awarded in previous years to meet the pressures in children’s social care and the Mayor’s commitment to improving services for children and young people.

The Mayor introduced the report advising that it had been a difficult few weeks in respect of the Ofsted inspection. Informal meetings had taken place with Ofsted and there needed to be a commitment to making Newham a child friendly borough.

The Interim Chief Executive advised the meeting that an Action Plan would focus on the findings and the plan will be aligned with the Ofsted Action Plan. She added that the authority had to ensure that essential services
were being carried out and had two years to ensure there was an improvement.

In response to questions from Members, the Mayor said that Ofsted would be coming to the borough frequently to monitor progress. The Interim Chief Executive advised that the authority’s proposals had been shared with Ofsted.

In response to further questions the Mayor stated that she was committed to keeping Overview and Scrutiny appraised of the journey and regular progress reports would be provided.

The Mayor expressed her profound disappointment with the outcome of the Ofsted Inspection and offered a public apology to all Newham’s children.

For the reasons set out in the report Cabinet RESOLVED to

i) Note the contents of the report;

ii) Receive a further report on activity since the Ofsted Inspection, the detailed costed action plan and governance arrangements; and

iii) Consider the role of the council in enacting its duties to become an effective corporate parent and commitment to developing an aspirational corporate parenting strategy.

6. Section 75 - LBN CAMHS Report

Cabinet received this report which advised that Newham CCG (NCCG) commissions a specialist Child and Adolescent Mental Health Service (CAMHS) from East London Foundation Trust as part of an East London consortium contract. The London Borough of Newham (LBN) via a Section 76 agreement has, since 2013, requested that NCCG as part of this contract also annually commission on its behalf a CAMHS Children’s and Families Consultation Service (CFCS) to work alongside and support Children’s Social Care services. The current annual investment (2018/19) by LBN into this service is over £1.5 million, although this will reduce slightly in 2019/20 as certain grants come to an end.

This report also detailed the recommendation and legal basis for moving the commissioning arrangements with NCCG to a Section 75 agreement. The report provided details of the process for reviewing and redesigning the service provision that would be specified in the new agreement to ensure alignment with current needs.

Councillor Ruiz introduced the report advising that Section 78 allowed the
NCCG and the Local Authority to pool resources. Commissioning arrangements with the NCCG had been moved to Section 75 to ensure an appropriate level of service.

In response to questions from Members, the Presenting Officer stated that the transfer to Section 75 was a technical detail and arose following advice received on a review of the service. The Presenting Officer said that Section 75 allowed more flexibility and provided the ability to direct powers more widely. He added that monitoring would be undertaken to ensure that the Service achieved better outcomes.

The Interim Chief Executive advised the meeting that the delegation set out in recommendation (ii) should be amended to the Statutory Director of Children’s Services

For the reasons set out in the report Cabinet RESOLVED to AGREE

i) To note the use of a section 75 agreement for the financial year 2019/2020 to deliver the continued commissioning of the service provision as set out within the body of the report; and

ii) To delegate authority to approve the final terms and conditions of the proposed section 75 to the Statutory Director of Children’s Services, in consultation with the Director of Legal and Governance and Director of Finance

Alternatives considered

1. Continued use of the section 76 model – although this would not be consistent with legal opinion as the most appropriate framework.

2. The provision of embedded CAMHS clinicians within children’s social care services is integral to the council’s continuing approach to developing high quality systemic social work practice in the borough. However, evaluating alternatives around how this is best configured going forward will be a key consideration within the review.

7. Vote of Thanks

The Mayor informed the meeting that today was the last Cabinet meeting for Katherine Kerswell, Interim Chief Executive and she wanted to thank her for all of her efforts and hard work during her time at Newham.