

## WRITTEN STATEMENT OF A KEY DECISION CABINET

<b>ITEM:</b>	<b>CHILDREN'S BILL</b>
Members Present:	Councillors RJ Phillips (Chairman), GV Hyde, Mrs LO Barnett, PJ Edwards, Mrs JP French, JC Mayson, DW Rule, RV Stockton, DB Wilcox, RM Wilson
Date of Decision:	14th October 2004
This is a key decision because It is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards	
The item was included in the Forward Plan	
Purpose:	To address the Council's approach to the Children's Bill and specifically its approach to the appointment of a Cabinet Member with responsibility for Children's Services
<b>Decision:</b>	<p><b>THAT (i) Cabinet addresses the issue of the appointment of a Cabinet Member for Children's Services at its meeting on 21st October, 2004 when it has available the report of the Constitutional Review Working Group;</b></p> <p><b>(ii) Cabinet at that meeting gives consideration to the designation of an interim appointment pending the formal approval of the change to the Constitution by Council at the November Council meeting;</b></p> <p><b>(iii) Cabinet agrees to proceed to the appointment of an interim Director of Children's Services on the basis of a restricted advertisement to eligible internal candidates; and</b></p> <p><b>(iv) the Chief Executive and Head of Human Resources be authorised to take the necessary steps to advise the Director of Education, the Director of Social Care and Strategic Housing and the Acting Director of Social Care and Strategic Housing of the potential impact of those changes on their existing contracts with the Council.</b></p>
Reasons for the Decision:	To establish the Council's initial response to the Children's Bill so that the Council is in a position to respond promptly upon the Bill receiving Royal Assent
Options Considered:	There are numerous options but most are based on two possible themes.

1. A move to immediate permanent appointments - this would require the open advertisement of the new posts of Director of Children's Services and Director of Adult Services for one or other of those posts. There are issues that would have to be considered in relation to local succession. There are both advantages and disadvantages of proceeding in that way. The guidance and the appointed dates would be particularly important. It is anticipated that priority would be given to filling the position of Director of Children's Services but the Council would not be in a position to complete that exercise and to see the successful applicant take up the post until April/May next year at the earliest. That raises the question of whether that would provide sufficient time and stability to address the challenge of self-assessment and an early Joint Area Review/corporate assessment. There would also be further structural issues for the Council to address in considering an appointment to the Director of Adult Services.
  
2. The making of an interim appointment or appointments to cover the roles of Director of Children's Services and Director of Adult Services or both. It would be possible to go out to advertisement for an interim appointment on a national basis but that of course would negate some of the principal advantages of moving forward to an interim appointment. One of the main advantages of an interim appointment of Director of Children's Services is that it enables an immediate start to be made on the agenda with the successful appointee already understanding the local context. The length of the interim appointment is directly connected to the appointed date set by the Secretary of State but in going forward with an interim appointment, the Council would be able to review the position during the course of the appointment. There would be every advantage in seeking to use the maximum period afforded by the eventually appointed date. The initial indications were that that would be at some point during 2007 but there does now appear to be a prospect of that final date being extended to 2008. If the appointment of an interim is confined to existing eligible staff then that would involve consideration being given at the meeting to the position of particular employees and a summary of the position has been prepared which will be circulated as a separate confidential report.
  
3. The Chief Executive has asked that it be made clear that he believes that it will be necessary to consider with the individual appointed to any interim position the impact of any final recommendations in relation to Children's Services on the remaining senior management of the

	authority. That is likely to involve a wider review of the senior management structure. The timing of that would also have to be discussed
Declaration of Interest:	None.
Date the key decision is due to take effect:	22nd October 2004

<p><b>RJ PHILLIPS</b>..... Date:.....  <b>LEADER OF THE COUNCIL</b></p>
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<p><b>To be completed by officer:</b></p>	
<p>Date consent received from Chairman of Scrutiny Committee:</p>	
<p>Subject to Call-in:</p>	<p>No</p>
<p>If yes was the decision modified?</p>	<p>N/A</p>
<p>If yes Cabinet Member (.....) decision reference:</p>	<p>N/A</p>
<p>Date original decision took effect:</p>	<p>22nd October 2004</p>