
**Manchester City Council
Report for Resolution**

Report to: Personnel Committee - 4 August 2016

Subject: City Solicitor Division Senior Management Arrangements

Report of: Chief Executive and City Solicitor

Summary

This report sets out proposals for new senior management arrangements for the City Solicitor's division to ensure that the City Solicitor and Chief Executive have the leadership and professional capacity to drive and deliver the increasing work programme and reform agenda at both a Greater Manchester and Manchester level and provide increased flexibility across the division.

Recommendations

1. To agree that the current post of Head of Legal Services at a salary of £87,567 be re-designated to the Deputy City Solicitor at a salary of £97,870. The Deputy City Solicitor will report directly to the City Solicitor.
2. To agree the establishment of 3 x new senior management posts in Legal Services at a salary of £80,800k each:
 - Head of People, Place and Regulation
 - Head of Development & Investment
 - Head of Governance Group
3. To agree that the post of Head of Childcare at a salary of £50,442 be re-designated to the Head of Children and Families and the salary re-graded to £80,800 to reflect the significant change in scope and responsibility.
4. To note the establishment of a new post of Business Support and Development Manager at Grade 12. The post will report to the Head of Governance and be a member of the Legal Management Team.
5. To note that management of Member Services will transfer from the Head of Executive Office to the Business Support and Development Manager under the leadership of the Deputy City Solicitor.
6. To agree the re-designation of the Strategic Lead (Commercial Law) at a salary of £72,264k plus £10k market supplement to the Head of Commercial and Strategic Development Projects at a salary of £80,800k
7. To grant delegated authority to the Chief Executive to agree a market supplement of up to £17,500k for the Head of Commercial and Strategic Development Projects as set out in the Council's Pay Policy Statement should this be deemed necessary.

8. To agree the establishment of the post of Head of Executive Office on a permanent basis at a salary of £67,766k reporting to the City Solicitor. The post holder will provide support to the Strategic Management Team and the Chief Executive on strategic issues.
 9. To agree the re-grade of the Head of Strategic Communications from £55k to £65k in recognition of the increased responsibility and scope of the role.
 10. To note that recruitment to all new posts will be undertaken in accordance with **m people** principles and policies.
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Wards Affected: All Wards

Implications for:

- Equal Opportunities – Changes will take place within the existing framework and HR policies which have been subject to Equality Impact Assessments. There are no equality implications in terms of service delivery.
- Legal Considerations - Proposals have been developed in line with the Council's legal obligations as an employer and the Council's corporate workforce policies.

Financial Consequences – Revenue and Capital

The revised management arrangements will result in an overall increase of £79k per annum. It is proposed that the increased costs will be met from within existing approved staffing budgets and increased income from external clients for agreed additional work.

Contact Officers:

Name: Sir Howard Bernstein
Position: Chief Executive
Telephone: 0161 234 3006
E-mail: h.bernstein@manchester.gov.uk

Name: Liz Treacy
Position: City Solicitor
Telephone: 0161 234 3086
Email: l.treacy@manchester.gov.uk

Name: Carol Culley
Position: City Treasurer
Telephone: 0161 234 3406
Email: c.culley@manchester.gov.uk

Name: Geoff Little
Position: Deputy Chief Executive
Telephone: 0161 234 3280
Email: g.little@manchester.gov.uk

1 Introduction

- 1.1 The structure and management arrangements across City Solicitor's were last reviewed in 2007 when the post of Head of Legal Services was originally established. Since this time, the role of the division has changed significantly from a primarily internal core professional service to one which provides legal services to both Manchester and Salford City Councils, the Combined Authority and other external clients. The proposals set out within the report have been developed in the context of the increasing responsibility of the City Solicitor at a Greater Manchester level and increased volume and complexity of work within the division. There is also a recognition that this area of work will increase over the next 18 months, as the transition arrangements for the Greater Manchester Combined Authority develop and following the election of the Greater Manchester Mayor in May 2017.
- 1.2 The report brings forward new senior management arrangements for City Solicitor's to ensure that the Council has the required leadership capacity in place to continue to deliver high quality professional services. The proposals in this report will introduce the appropriate and necessary level of senior capacity to support the City Solicitor and Chief Executive to deliver the *Our Manchester Strategy*. The structure has also been designed to support the Council's priorities for growth, supporting the Children's Improvement Journey, Health and Social Care Integration and legal support for the implementation of current and future devolution agreements.
- 1.3 All of the proposals are consistent with principles for professional core support for Financial Management Senior Arrangements considered by this Committee in December 2015 and will ensure continuous successful delivery of a broad portfolio of legal activity and support for the Chief Executive and City Solicitor. The salary proposals within the report have been considered in line with the arrangements within Financial Management and the Council's approach to senior grading.

2 Strategic Context

- 2.1 The legal framework in which the Council operates has become increasing complex over the last five years as a result of changes in legislation, public service reform and the devolution of powers. It is anticipated that the scale and complexity of legal work will increase as more powers are devolved to local government, the scale and pace of Health and Social Care integration increases and the Greater Manchester Combined Authority transitions into new arrangements from April 2017.
- 2.2 The City Solicitor is the Monitoring Officer for the Council and Greater Manchester Combined Authority and provides legal advice to facilitate the delivery of the strategic objectives of both bodies. The City Solicitor is a member of the Health and Social Care Devolution Management Team and the chair of the governance group. Delivering this fundamental change to the operation of Health and Social Care will need to be resourced appropriately across the organisation and particularly within legal services, to support the

Council's Strategic Management Team and Health partners to bring together complex services for the benefit of Manchester residents.

- 2.3 The City Solicitor is responsible for a single Legal service across Manchester and Salford Council, an arrangement that has been in operation since 2012 and is managed via a commissioning contract. The approach has enabled a significant amount of legal work to be undertaken 'in house' at a lower cost and increased quality, as well as providing both value for money and improved outcomes for both Councils. The success of the approach has enabled greater collaboration across local authorities, health and voluntary sector organisations across Greater Manchester. These collaboration arrangements are delivered via service level agreements and generate external income which contributed to the services £6.7 million annual income which is in addition to the £2.3 million revenue budget. This is an area of work which is growing at pace an example of which is a developing partnership with Rochdale Council which would see the Manchester legal team absorb all children and adults legal work.
- 2.4 In addition to the increasing external client requirements, the volume and complexity of work to support Council services has continued to increase and diversify. Legal Services provides complex advice to directorates in connection with proposals to deliver challenging budget reductions and the development of new delivery models which are integral to realising corporate objectives. There is a solid partnership approach across all areas of legal services and client Directorates, enabling the delivery of savings and improved outcomes for Manchester residents.
- 2.5 The service carries out an annual client survey. The survey has shown year on year improvement in client satisfaction levels, in 2015 the overall satisfaction rate of good or excellent increased from 86% in 2013/14 to 89.2%. The 2015 survey showed that an increase was recorded in Clients accessing the service on a weekly/twice weekly basis from 42% to 51.8%. It should also be noted that the service has held the independently audited Law Society quality mark (Lexcel) since 2007 and the service is audited on an annual basis.

3. The City Solicitor - Priorities and Current Management Arrangements

- 3.1 The City Solicitor's current responsibilities include:
- Statutory role of Monitoring Officer for Manchester City Council and the Greater Manchester Combined Authority.
 - Direct support to the Chief Executive and complex caseload related to devolution, Health and Social Care Integration and large scale commercial projects to enable the City to achieve its ambitions around growth.
 - The Council's Senior Information Risk Officer (SIRO), a statutory role responsible for Information Compliance, accountable to the Information

Commissioner. Within this role the City Solicitor ensures relevant governance arrangements are in place to effectively manage information.

- Legal Services, leadership accountability for the full range of legal services for Manchester and Salford City Councils and GMCA, including but not exclusive to Commercial, Children and Family, Employment, Litigation, Property, Planning and Regulatory Law.
- Coroners Service, supporting the Coroner and Area Coroners to deliver an effective and efficient Coronal service within and across Manchester.
- Registrars, a predominantly income generating service providing statutory services including the registration of births, deaths and marriages.
- Democratic Services, ensuring the Council operates within the democratic framework to comply with the Council's statutory and democratic decision making processes including Committee meetings and School Appeals
- Electoral Services, which is responsible for supporting the Electoral Registration Officer and Returning Officer to discharge statutory functions around local and national elections and referenda and electoral registration. The Service also hosts the Greater Manchester Elections Support and Coordination Team.
- Lord Mayor's Office, Executive Office and Members Services, which provides direct support to the City's Executive and Civic and Ceremonial Leadership

3.2 The City Solicitor currently has five direct reports as set out below:

Head of Legal Services, at a salary of £87,567. This post provides overall leadership of the joint legal service and provides direct support to the City Solicitor, the Strategic Management Team and Members in Manchester and Salford across the full range of legal matters.

Strategic Lead (Commercial Legal), at a salary of £72,264, with a market supplement of £10,000. This post provides commercial legal advice and support at the most senior level and leads on the most complex commercial development issues focusing on the delivery of key transformational projects such as transport, sport, and housing, including alternative business structures and investment options, examples of which include the:

- Green Investment Bank (i.e. Heat network, street lighting),
- Manchester Airport Group (property, town centre regeneration)
- City Deal (new freedom and powers to support growth / jobs)
- HS2 (high speed rail network)

Assistant City Solicitor at a salary of £39,328 [£65,547 pro rata]. The post holder is also the Deputy Monitoring Officer and is predominantly engaged on devolution and governance work for Greater Manchester Combined Authority

and Transport for the North. The post holder is currently on flexible retirement until at least May 2017 working three days a week.

Head of Executive Office is currently a temporary role with a salary of £60k. The post holder is currently responsible for Electoral Services, Lord Mayors Office, Members Services and Strategic Communications. In addition to which the post holder provides direct support to the Chief Executive and the Strategic Management Team.

- 3.3 The City Solicitor also has leadership accountability for the Coroner; however it should be noted that this is a statutory judicial appointment. The City Solicitor also currently line manages the Head of Registration Service at Grade 10 and Head of Governance and Scrutiny Support at Grade 10.

4. Head of Legal Services – Current Management Arrangements

- 4.1 The Head of Legal Services currently has 4 direct reports, as set out below:

Head of Legal Delivery and Service Development at a salary of £70,518. The post has leadership responsibility for a broad portfolio encompassing the legal support to place based services and the Corporate Core. The post assists the Head of Legal in managing the day to day arrangements in relation to the provision of the Shared Legal Service and has responsibility for developing the legal services offer with external contracts across public sector bodies which the joint Manchester and Salford service provides. The group consists of the following team's civil recovery and highways, employment, housing, regulatory and enforcement, community and democratic services legal team. There are currently circa 80 staff in this group

The Practice Manager & Business Support Unit within Legal Services also reports through to the Head of Legal Services.

Head of Regeneration, at a salary of £70,518. The post is currently vacant and carries responsibility for leading a team of legal professionals across the property and physical infrastructure groups including planning and highways. As the role is currently vacant the Head of Property and Head of Physical Infrastructure Group are currently reporting directly to the Head of Legal Services

Head of Childcare, Grade 12 (£50,442), provides support to Manchester and Salford Children's services in all aspects of Children's legal work. The post is also responsible for in house advocacy teams that provide services to other Greater Manchester Authorities. There are circa 65 staff in this group. At the time of the appointment to this post the then Head of Legal Services was the senior Childcare Lawyer for the Council however this is no longer the case.

5 Proposed Revised Management Arrangements – City Solicitors

- 5.1 The role and responsibilities of the City Solicitor's division, in particular legal services, has changed and grown in scope and influence across Greater

Manchester, the Council and partners. This change is extremely broad and wide reaching across all areas of law; examples include the increased complexity of Commercial Law and developments such as the Factory Project. The creation of a new vehicle outside of the Council to deliver a Health and Social Care function for Salford City Council is a further example.

- 5.2 This changing position, level of influence and input required at a senior level across City Solicitor's has a direct impact on the existing roles. Given these significant changes and inevitability of further challenges it is becoming increasingly important that the roles and capacity in City Solicitor's are revised to ensure that the right leadership arrangements are in place for the future to ensure continued delivery. There is also a requirement to develop recognised career paths, succession plans and to ensure salaries are reflective of the responsibilities.
- 5.3 A review of the senior management arrangements has been undertaken to consider capacity and skills requirements to support Manchester and Salford City Councils and the Greater Manchester Combined Authority to meet the legal, statutory, democratic and executive support requirements to be delivered by the division over the next three to five years. The review has considered the technical legal skills and knowledge required to oversee such a wide portfolio of clients and the strategic leadership, influence and management capacity required to deliver legal and executive services effectively.
- 5.4 The review has concluded the requirement to draw the leadership team closer together to enable a greater degree of flexibility and integration and highlighted the growing need to increase the leadership capacity across the division. On this basis, Personnel Committee is asked to agree the below changes to the senior leadership team as set out below.
- Deputy City Solicitor, at a salary of £97,800, a re-designation and re-grade of the existing Head of Legal Services post.
 - The new post of Head of People, Place and Regulatory at a salary of £80,800k
 - Head of Children and Family Law at a salary of £80,800k, a re-designation and re-grade of the existing Head of Children's post.
 - The new post of Head of Development and Investment at a salary of £80,800k
 - The new post of Head of Governance at a salary of £80,800k
 - Head Commercial and Special Projects at a salary of £80,800k, a re-designation and re-grade of the Strategic Lead (Commercial Law)
 - Head of Executive Office at a salary of £67,766k – formalising existing temporary arrangements by permanently establishing this post.
- 5.5 It is proposed that the current post of Head of Legal Services is re-graded and re-designated to the post of Deputy City Solicitor, reporting directly to the City Solicitor. As set out above the role of Deputy City Solicitor will support the depth and breadth of the work of the City Solicitor and the division and to ensure that there is a structure in place that enables succession planning.

The current Head of Legal Services has successfully managed Legal Services for the past two years, increasing client satisfaction, increasing income to the service and ensuring that the service operates within its reducing budget and has the skills and knowledge to carry out the additional functions of the role.

5.6 In addition to incorporating the existing responsibilities of the Head of Legal Services post the Deputy City Solicitor will also be responsible for the following additional responsibilities:

- Providing direct support to the City Solicitor in all aspects of work related to the City Council and, with the Assistant City Solicitor, all Greater Manchester Combined Authority work. It is anticipated that work to support the GMCA will increase in the foreseeable future.
- The role of Deputy Monitoring Officer for Manchester City Council will transfer to the Deputy City Solicitor (which was previously undertaken by the Assistant City Solicitor). The Assistant City Solicitor will retain the role of Deputy Monitoring Officer for GMCA and deputise for the City Solicitor within the GMCA.
- Support to the Monitoring Officer of the Police and Crime Commissioner
- Deputising for the City Solicitor within the Council, and with Strategic Partners.
- Leading work to streamline and improve legal business processes within and beyond the Council to improve the customer experience and continue to deliver value for money.

5.7 The new post of Head of People, Place and Regulatory, at a salary of £80,800k will report to the Deputy City Solicitor. It is proposed that the post be released for internal and external recruitment. The post holder will be responsible for:

- Operational delivery of litigation, employment, housing, education, health and community teams which encompasses adult social care.
- Establishment of an integrated care organisation in Salford and continued development of new ways of working between Salford, SRFT/CCG and Mental Health Trust.
- Supporting the development of new delivery models for Adult Social Care in the Council.
- Development of the legal services model with partners and other AGMA authorities to deliver cost effective legal service including providing agency support to these authorities.
- Be the lead client contact for the Salford Commissioning contract

5.8 It is proposed that the existing post of Head of Childcare be re-graded and designated to the Head of Children and Family Law, at a salary of £80,800k, reporting to the Deputy City Solicitor. This change reflects the increasing scope and responsibility of the post. This post holder will be the Council's most senior Childcare Lawyer and will be responsible for:

- Providing full legal service support to both Manchester and Salford Children and Families Directorates, this includes attendance at senior management level and support in relation to both Authorities OFSTED inspection regime.
- Responsible for the delivery of safeguarding advice to both Manchester and Salford Children's Safeguarding Boards and works with the Chairs of these groups to implement changes to the strategic operation of these Boards.
- The post holder is the strategic lead for the Children and Adults safeguarding across Manchester and Salford.
- Continued development of an in house advocacy service offer, providing advocacy to Manchester, Salford and other AGMA authorities (Oldham & Tameside).
- The post holder will also provide management support to Rochdale Council Legal Children and Family team
- Providing legal support to the children's devolution agenda.

5.9 The new post of Head of Development and Investment, at a salary of £80,800k will report to the Deputy City Solicitor. It is proposed that this post be released for internal and external recruitment. The post holder will be responsible for:

- Leading the increasing work programme of delivery of the growth agenda across Manchester and Salford.
- The delivery of regeneration work including commercial, property, planning and highways.
- Providing legal support to Greater Manchester Combined Authority in relation to investment and development activity
- The Head of Development and Investment would also hold a complex personal case load.

5.10 The new post of Head of Governance, at a salary of £80,800k will report to the Deputy City Solicitor. It is proposed that this post be released for internal and external recruitment. The post holder will be responsible for the governance support arrangements, including:

- Delivery of Governance advice and assistance to Manchester and Salford
- Delivery of governance advice and support to Greater Manchester Combined Authority
- Deputy Monitoring officer for Salford City Council
- Service Quality Manager, including undertaking the role of lead Lexcel officer
- CIARG support to the City Solicitor
- Elections legal support
- Management of the Registrars and Coroners Service
- Management of the Governance and Scrutiny Unit
- Management of the Head of Business Support and Development

- 5.11 The new post of Head of Business Support and Development will report to the Head of Governance. The post holder will be responsible for supporting the services across City Solicitor's to deliver strategic objectives by providing a professional support function through the development and flexibility of people. The team will support all services within the City Solicitor's division, including transferring the responsibility and management of Member Services from the Head of Executive Office to the Head of Business Support and Development. This will enable a greater level of flexibility across City Solicitor's, increasing the capacity to support the services within the division. The post holder will also be responsible for:
- Management of the legal services finance team, responsibility for all billing and finance functions
 - Maintenance of electronic business support systems and manage the content and development of various business development databases.
 - Driving business development and developing excellent relationships with clients
 - Responsible for the provision of all SLAs and business communications.
 - Preparation of all tenders/framework submissions
 - Support maintenance of Lexcel accreditation
 - Management of information projects and budgets
 - The annual client survey – review client feedback.
 - Keep abreast of client issues to enable pro-active identification of business opportunities.
 - Preparation of innovative materials for clients
- 5.12 It is proposed to re-designate the post of Strategic Lead (Commercial Law) to the Head Commercial and Strategic Development Projects, at a salary of £80,800k. The role will continue to report to the City Solicitor and will be the most senior and experienced Commercial Lawyer in the Council working closely with the Chief Executive, Strategic Director (Development) and senior leadership team within the Greater Manchester Combined Authority. The Head of Commercial and Strategic Development Projects will also work alongside the Core Investment team, delivering the GM Investment Strategy and as such requires specialist knowledge, particularly of State Aid.
- 5.13 The Head Commercial and Strategic Development Projects will ensure that legal costs are minimised through delivery of legal advice via the in house legal team. This post will strengthen the overall strategic capacity of the organisation in a changing and complex local government and public sector landscape and deal with the growing work programme of public sector reform by focusing on the commercial portfolio. This post is currently vacant and will be subject to internal and external recruitment.
- 5.14 Approval is sought to grant delegated authority to the Chief Executive to agree a market supplement of up to £17,500k for the Head of Commercial and Strategic Development Projects as set out in the Council's Pay Policy Statement should this be deemed necessary.

6 Proposed Management Arrangements – Executive Office

- 6.1 It is proposed that temporary post of Head of Executive Office be established on a permanent basis at a salary of £67,766k reporting directly to the City Solicitor with a line of accountability to the Chief Executive. This post has been appointed to on a time limited basis; therefore it is proposed that this arrangement is confirmed on a permanent basis. The post holder will have responsibility for:
- Providing direct support to the Chief Executive, the Strategic Management Team and Executive Members to deliver the **Our Manchester** Strategy priorities, including policy support and liaison between directorates.
 - Electoral Services, supporting the Chief Executive in the role as Returning Officer for national and local electoral events and as Electoral Registration Officer and managing the Greater Manchester Elections Coordination and Support Team.
 - The Council's Civic and Ceremonial function, including the Lord Mayor's Office, which provides direct support to the Lord Mayor of Manchester as the first citizen and ambassador for Manchester.
 - Strategic leadership for Communications, which includes Operational and Strategic Communications. The Head of Executive Office will provide management support and draw together the Communications strategy and Our Manchester priorities to ensure alignment.
- 6.2 The Head of Strategic Communications role was established on the 3 June 2015 at a salary of £55k following the disestablishment of the post of Assistant Chief Executive, Communications and Customer. At the time of establishment the Head of Strategic Communication reported directly to a member of the Strategic Management Team, Strategic Director (Reform). However following the resignation of the Strategic Director (Reform) and a subsequent review of the Corporate Core, it was agreed by this Committee that Communications should transfer to the City Solicitor's division under the leadership of the Head of the Executive Office.
- 6.3 The Head of Strategic Communications provides professional advice and support to the City Council and to Greater Manchester Combined Authority on all elements of communications activity, including content and strategy, digital and operational delivery, managing a team of 84FTE. The current Head of Strategic Communications has repositioned the Communications function from a traditional marketing approach to a more participative and engagement focused model, working with residents and partners and to ensure the Council is visible and responsive as possible to residents, businesses and visitors. The Communications team now works closely with client departments at all stages of project and service initiatives to ensure that objectives are achieved and bring expertise and knowledge of channels and approaches tailored to meet service needs, including continued development of digital and social media.

- 6.4 The Head of Strategic Communications is providing a significant amount of support and expertise on communications and engagement across a range of organisations as the Our Manchester approach continues to develop, including consideration of how the Council will deliver a fundamental change to the way it communicates and engages with residents, staff and partners. In recognition of the increased responsibility and focus of this role, it is proposed that the post be re-graded to £65k from £55k

7 Researching the Structure and Salaries

- 7.1 The proposals set out within this report have been formulated in consideration of the emerging work programme and knowledge of best practice approach. This has considered both the revised operating model and the new roles, including an insight into the required skills and expectations of the new management team.
- 7.2 The research undertaken has involved a review of senior legal structural arrangements in both the public and private sectors, including job descriptions and salaries. This information has then been considered alongside market conditions and the Council's Pay Policy Statement.
- 7.3 The market research gathered information and advice from other comparable Councils, the private sector and legal recruitment agencies that specialise in senior legal roles. This has highlighted that the legal market and, in particular, the skills and experience the Council need to retain and attract, is active, with high calibre candidates in demand. It should also be noted that seven lawyers have recently left the Council to take up alternative post in both private and public organisations at significantly higher salaries.

8 Deputy Chief Executive (People, Policy & Reform) Comments

- 8.1 I have been involved with the development of the proposals set out within this report and agree with the recommendations made. The proposals have been developed to ensure the relevant and appropriate leadership capacity is in place for the future. The proposals have been developed in line with the Council's Pay Policy Statement and approach to senior grading.

9 Trade Union Comments

These are to be tabled at the meeting.

10 Conclusion

- 10.1 The proposals set out within this report have been developed to ensure the Council has the required leadership capacity within City Solicitors to support the Chief Executive and City Solicitor and meet the growing and ambitious strategic priorities for the future.

- 10.2 Recruitment to these new posts will progress in line with the Council's Recruitment and Selection Policy and ***m people*** principles as set out within the body of the report.