

**Open Report on behalf of Councillor M J Hill, OBE, Chairman of the
Appointments Committee**

Report to:	County Council
Date:	11 December 2019
Subject:	Appointment to the Post of Chief Executive

Summary:

This Report sets out the process followed by the Appointments Committee in recruiting to the post of Chief Executive and recommends the appointment of a successful candidate and that a conditional offer of employment is made to the successful candidate.

The Report also recommends that from the date the successful candidate takes up office they be designated as the Council's Head of Paid Service and Director of Children's Services and appointed as Returning Officer, and that the necessary constitutional changes take effect.

Recommendation(s):

That the Council, on the recommendation of the Appointments Committee:-

- 1 Approves the appointment of Debbie Barnes OBE to the post of Chief Executive with effect from 1 January 2020;
- 2 Approves the making of an offer of employment as Chief Executive to Debbie Barnes OBE
- 3 Approves, from and including 1 January 2020 that:-
 - (a) the Chief Executive be designated as the Head of Paid Service;
 - (b) the Chief Executive be appointed as Returning Officer for County Council by-elections;
 - (c) the Chief Executive undertake the role of the Council's statutory Director of Children's Services; and
 - (d) The amendments to the Council's Constitution attached at Appendix B take effect.

1. Background

Introduction

- 1 The Council has been pursuing a recruitment process to identify a new Chief Executive. This process has been undertaken by the Appointments Committee which has delegated authority to appoint to the post of Chief Executive.
- 2 However, where an appointment is made to a post which is to be designated as the head of the authority's paid service, the full Council must approve that appointment before an offer of appointment is made to that person. This is set out in paragraph 2.3 of the Officer Employment Procedure Rules in Part 4 of the Council's Constitution.
- 3 As the post of Chief Executive is traditionally designated as the Head of Paid Service and that is the intention moving forward the appointment proposed by the Appointments Committee requires approval of the full Council to enable an offer of employment to be made and this Report recommends a candidate for approval.

Recruitment process

- 4 At its meeting on 25 October 2019 the Committee approved a process and timescale for a recruitment process to appoint to the vacant post of Chief Executive.
- 2 That process in general terms consisted of:-
 - Adverts placed online in the Guardian, Times, Jobs Go Public and Total Jobs. This was supplemented with promotional activity via LinkedIn channels.
 - Use of dedicated pages on the Council's new website including role information and background documentation.
 - Pre-screen calls with applicants to understand current position, interest in the role and background information.
- 3 The closing date for receipt of applications was midnight on Thursday 14 November 2019 and the Council received 21 applications.
- 4 At its meeting on 25 November 2019, the Committee resolved to invite a shortlist of three of the candidates to the final round of interviews and assessments.
- 5 The final round of interviews and assessments, took place on 3 and 4 December 2019. All members of the Committee were involved in the scoring of the candidates against the assessment criteria in at least one of the interviews and assessments. The results of that evaluation process were collated and moderated with all the members of the Committee and a successful candidate identified.

- 6 At a meeting of the Committee on 4 December 2019 the Committee unanimously resolved to recommend Debbie Barnes to the full Council for appointment to the post of Chief Executive. Appendix A contains a description of the qualifications and experience of the candidate proposed for appointment.
- 7 However, because of the information available to the Committee in making its final decision to recommend appointment, the Committee's decision was subject to:-
- a) Receipt of satisfactory references;
 - b) There being no well-founded objection by the Executive to the appointment pursuant to paragraph 2.6 of the Officer Employment Procedure Rules; and
 - c) satisfactory evidence has been received from the candidate that if the offer of employment were to be approved by the Council it is likely to be accepted.

Authority was delegated to the Executive Director - Resources in consultation with the Leader of the Council as Chairman of the Committee to determine whether conditions a) and c) was fulfilled.

- 8 By way of explanation of the condition at paragraph 7b) above, paragraph 2.6 of the Officer Employment Procedure Rules in Part 4 of the Council's Constitution states that no appointment can be made to the post of Chief Executive and Head of Paid Service unless every member of the Executive has been notified of:
- (i) the name of the person to whom the appointor wishes to make the offer;
 - (ii) any other particulars relevant to the appointment which the appointor has notified to the proper officer; and
 - (iii) the period within which any objection to the making of the offer may be made by the Leader of the Council on behalf of the Executive.

The appointment cannot then proceed unless

- (a) the Leader of the Council has, within the period specified in the notice notified the appointor that neither he nor any other member of the Executive has any objection to the making of the offer;
- (b) no objection is received within the specified period from the Leader of the Council; or
- (c) an objection is made by the Leader of the Council within the specified period but the Committee is satisfied that the objection is not material or is not well-founded;

A deadline of 1.00pm on Thursday 5 December 2019 was given for notification of any objection by a member of the Executive.

- 9 In respect of the conditions set out in paragraph 7:-
- a) satisfactory references have been received;
 - b) no objection has been made by any member of the Executive to the appointment; and

- c) satisfactory evidence has been received from the candidate that if the offer of employment were to be approved by the Council it is likely to be accepted.
- 10 The conditions attaching to the Appointments Committee's recommendation have therefore been met and the Appointments Committee recommends that Debbie Barnes OBE be appointed to the post of Chief Executive and that the full Council approve such appointment and approve the making of an offer of employment to the candidate.
- 11 As the recommended candidate is an existing officer of the Council there are no further conditions that need to be placed on the offer of employment and it is recommended that on acceptance the appointment takes effect from 1 January 2020.
- 12 At its meeting on 14 December 2018, full Council designated the Executive Director of Children's Services as the Council's Head of Paid Service and appointed her as the Returning Officer.
- 13 On the taking up of office of a new Chief Executive these arrangements will need to be addressed. The new Chief Executive will need to be designated as Head of Paid Service and appointed as the Returning Officer.
- 14 The new recommended Chief Executive is the Council's existing Executive Director for Children's Services and statutory Director of Children's Services under section 18 of the Children Act 2004. Guidance issued under section 18 does exceptionally permit the Chief Executive also to fulfil the function of statutory Director of Children's Services as a temporary measure whilst the Council actively takes steps to fill a vacant Director of Children's Services post and an alternative interim Director of Children's Services appointment is not considered appropriate
- 15 At its meeting on 4 December 2019 the Appointments Committee resolved to commence a recruitment process for a replacement Executive Director of Children's Services and delegated authority to the Executive Director – Resources in consultation with the Leader of the Council to determine the process and take all steps up to but not including shortlisting.
- 16 This will ensure that any period during which the new Chief Executive combines that role with the statutory Director of Children's Services role will be limited. Under existing arrangements the statutory role of Director of Children's Services role has been combined with that of Head of Paid Service and this has ensured, along with robust delegation to two Assistant Directors, that there has been continuity in the arrangements governing Children's Services. In those circumstances it is considered that an interim appointment to Director of Children's Services would potentially disrupt these arrangements and impact adversely on the management of Children's Services.
- 17 It is therefore recommended that the Chief Executive fulfil both that role and the statutory role of Director of Children's Services pending a permanent appointment being made to the Executive Director of Children's Services post.

18 Certain constitutional changes are required as a consequence of these recommendations. The necessary constitutional changes are attached at Appendix B to this Report.

2. Legal Issues:

Equality Act 2010

19 Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

20 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

21 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

22 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

23 Compliance with the duties in section 149 may involve treating some persons more favourably than others

24 The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

The recruitment has been conducted in accordance with the Council's policies and a rigorously designed assessment and evaluation process which ensures that all applicants are treated equally regardless of protected characteristics.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS).

- 25 The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no direct implications of the decision for the JSNA or JHWS.

Crime and Disorder

- 26 Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no direct implications of the decision for crime and disorder.

2. Conclusion

- 27 The Council has undertaken a comprehensive and rigorous process for the recruitment of a replacement Chief Executive who will also be the Council's Head of Paid Service. This process has been undertaken by the Appointments Committee which has delegated authority to make appointments to the post of Chief Executive subject to full Council approval.
- 28 The Council is recommended by the Appointments Committee to approve the appointment of Debbie Barnes OBE to the post of Chief Executive and the making of an offer of employment to the said candidate.
- 29 The Report also makes proposals as to the designation of the Council's Head of Paid Service and Director of Children's Services and the appointment of the Returning Officer and consequential changes to a number of constitutional provisions.

3. Legal Comments:

The Appointments Committee has delegated authority to make appointments to the post of Chief Executive subject to full Council approval. The Report sets out the process that the Committee has followed in identifying a successful candidate and recommends to full Council approval to the appointment of that candidate.

The approval of the candidate is reserved to full Council on the grounds set out in the Report.

The Council must designate one of its officers as Head of Paid Service and appoint an officer as Director of Children's Services. It must also appoint a Returning Officer. The recommendations in the Report will enable the Council to comply with these requirements and make the necessary constitutional changes.

The designation of the Head of Paid Service the appointment of the Returning Officer and approving changes to the Council's Constitution are reserved to the full Council.

4. Resource Comments:

There are no additional budget implications arising from the recommendations within this report

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

All members of the Executive have been notified of the proposed appointment under paragraph 2.6 of the Officer Employment Procedure Rules of the Constitution as described in the Report and no objection has been received.

c) Scrutiny Comments

This decision has not been the subject of prior scrutiny

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

See the body of the Report

6. Appendices

These are listed below and attached at the back of the report

Appendix A	Details of Candidate
Appendix B	Changes to the Constitution

7. Background Papers

No Background Papers within the meaning of section 100D of the Local Government Act 1972 have been used in the preparation of this Report.

This report was written by Andrew Crookham, who can be contacted on 01522 553791 or Andrew.Crookham@lincolnshire.gov.uk.

DETAILS OF CANDIDATE

Debbie started her career as a nurse and obtained a Health Studies Degree in 1994 from the University of Lincoln.

She held a number of nursing posts between 1997 and 2001 culminating in the post of Nurse Manager for North Lincolnshire and Goole Hospitals Trust where she was responsible for Management of Children's Hospital Services across the Trust including 4 in patient wards, 2 Neonatal Intensive Care Units, 2 Out Patient Departments and a Community Nursing Team.

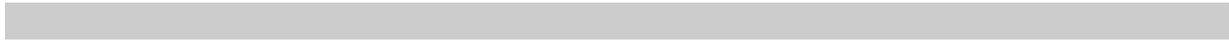
Between 2001 and 2006 Debbie was employed by West Lincolnshire Primary Care Trust as Sure Start Programme Manager responsible for operational management of the Sure Start programme which involved leading over 30 separate projects, managing 50 staff with budget responsibility for £1 million annual revenue and £5 million capital. The Programme was recognised nationally.

In 2006 Debbie obtained her Masters in Business Administration from the University of Lincoln and joined Lincolnshire County Council where she has successively occupied the following posts:-

- Lincolnshire Safeguarding Children Board Manager (2006-2008) where she provide business administration to the Lincolnshire Safeguarding Children Board including review of all safeguarding policies/commissioning serious case reviews/managing all allegations against people working with children and establishing a mechanism for engaging communities in safeguarding
- Head of Service (Children's Services) 2008-2009 where she developed and managed Children's Trust Arrangements to deliver integrated working. This included leading on implementing the Team Around the Child approach, the development of partnership strategy and policy to forge integrated working e.g. Children and Young People's Plan/ Parenting strategy/ Early Help strategy/ Workforce Development programme and leadership of the Extended Schools programme with 100% of schools engaged and achieving criteria
- Assistant Director (Children's Services) 2009-2012 involving operational leadership of Universal Children Services. This included leading the Council's education duties for over 360 schools at a time of significant change due to academisation as well as operational responsibility for Children's Centres.
- Executive Director of Children's Services and statutory Director of Children's Services (March 2012 to date. This has involved leadership of the whole range of Children Services. Key achievements include a safeguarding service judged outstanding by Ofsted, strong health and special educational needs services judged Good by CQC and innovative approach to school improvement recognised nationally. National recognition has included the County Council becoming Practice Partner to Rotherham and Tower Hamlets, supporting their improvement journey from Inadequate to Good as judged by Ofsted and the role of Chair of the Association of Directors of Children's Services Education Committee, influencing national policy.

Since November 2018 Debbie has combined the role of Executive Director of Children's Services with the role of Head of Paid Service in which role she has led the Council's paid service and the new Corporate Leadership Team developing a new 10 year Corporate Plan for approval.

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Part 2

ARTICLES OF THE CONSTITUTION



ARTICLE 9 – OFFICERS

9.01 Engagement of Staff

(a) **General**

The Council through its Head of Paid Service may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

The recruitment selection and dismissal of employees will comply with the Officer Employment Procedure Rules, Officer Employment Protocol and Councillor Role in Part 4 of this Constitution.

The Council will from time to time determine and publicise a description of the overall departmental structure of the Council showing the management structure. This is set out at Part 7 of this Constitution.

(b) **Chief Officers.**

All Chief Officers will:

- contribute to the corporate management of the County Council;
- represent and promote the County Council as a Local Authority concerned to secure high quality services in line with the Council's Business Plan for the people of Lincolnshire;
- develop partnership working.

The persons engaged to fill the following posts will be designated Chief Officers:

Post	Functions and areas of responsibility
<p>Head of Paid Service <u>Chief Executive</u></p>	<ul style="list-style-type: none"> • Overall corporate management • Overall operational responsibility (including overall management responsibility for all Officers) • Strategic development and performance of the organisation • Provision of professional advice to all parties in the decision making process • Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions • Representing the Council on partnership and external bodies (as required by statute or the Council) • Corporate communications • Community engagement
<p>Executive Director - Children's Services</p>	<ul style="list-style-type: none"> • Education • Children's Safeguarding • Early years • Children with Disabilities • Families • Support for Children with SEN • School Support Services • Regulated Services (Children Looked After, secure unit, residential homes, respite homes. adoption and fostering) • Youth Offending Services

Executive Director - Place	<ul style="list-style-type: none"> • Economy • Lead Local Flood Authority • Environmental Protection and Wellbeing • Transport, Highways & Traffic Management • Waste Management • Spatial Planning • Community Development • Libraries and Heritage
Executive Director - Resources	<ul style="list-style-type: none"> • Business Support • Corporate Audit & Risk Assurance • Strategic Finance • Pensions and Treasury • Human Resources • Legal and Democratic Services • Information Governance • Senior Information Risk Owner
Executive Director - Adult Care and Community Wellbeing	<ul style="list-style-type: none"> • Support to Hospitals • Independent Living • Learning Disabilities • Mental Health • Carers • Adults Safeguarding • Older People/Physical Disability • Health and Wellbeing
Executive Director - Commercial	<ul style="list-style-type: none"> • Commercial services • Information Management and Technology • Corporate systems • Performance monitoring and reporting • Property • Procurement and contract management

(c) **Statutory Officers** - Head of Paid Service, Monitoring Officer and Section 151 Officer

The Council will designate the following posts as Statutory Officers:

Post	Designation
Chief Executive	Head of Paid Service under section 4 of the Local Government and Housing Act 1989 Director of Children's Services under section 18 of the Children Act 2004
Chief Legal Officer	Monitoring Officer under section 5 of the Local Government and Housing Act 1989
Executive Director - Resources	Chief Finance Officer with responsibility for the administration of the financial affairs of the Council under section 151 of the Local Government Act 1972
Executive Director - Children's Services	Director of Children's Services under section 18 of the Children Act 2004 Head of Paid Service under section 4 of the Local Government and Housing Act 1989
Executive Director - Adult Care and Community Wellbeing	Director of Adult Social Services under Section 6 of the Local Authorities and Social Services Act 1970
Executive Director - Place	Traffic Manager under section 17 of the Traffic Management Act 2004
Head of Democratic Services	Scrutiny Officer under section 9FB of the Local Government Act 2000

The statutory post of Director of Public Health under Section 73A of the National Health Service Act 2006 shall be fulfilled by the Director of Public Health, being a post line managed by the Executive Director - Adult Care and Community Wellbeing with direct responsibility to the Head of Paid Service in relation to fulfilment of the statutory role of Director of Public Health.

The Head of Paid Service, Monitoring Officer and Chief Finance Officer have functions set out in 9.02 – 9.04 below.

(d) **Structure**

The Council will publicise a description of the overall departmental structure of the Council showing the management structure and deployment of Officers. This is set out at Part 7 of this Constitution.

9.02 Functions of the Head of Paid Service

(a) Discharge of functions by the Council

The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.

(b) Restrictions on functions

The Head of Paid Service may not be the Monitoring Officer but may hold the post of s151 Officer, if a qualified accountant.

9.03 Functions of the Monitoring Officer

(a) Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Councillors, Officers and the public.

(b) Ensuring lawfulness and fairness of decision making

After consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an Executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) Standards

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit Committee. The Monitoring Officer will process complaints about breaches of the code of conduct in accordance with the local arrangements. The Monitoring Officer will consider applications in relating to the granting of dispensations in relation to disclosable pecuniary interests

(d) Proper Officer for access to information

The Monitoring Officer will ensure that Executive decisions, together

with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

(e) **Advising whether Executive decisions are within the Budget and Policy Framework**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.

(f) **Providing advice**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors.

(g) **Restrictions on posts**

The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

9.04 Functions of the Chief Finance Officer

(a) **Ensuring lawfulness and financial prudence of decision making**

After consulting with the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an Executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

(b) **Administration of financial affairs**

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council and ensure maintenance of an efficient and effective internal audit function.

(c) **Contributing to corporate management**

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(d) **Providing advice**

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety,

probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.

(e) **Give financial information**

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

9.05 Duty to provide sufficient resources to the Monitoring Officer and Section 151 Officer

The Council will provide the Monitoring Officer and Section 151 Officer with such Officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government Finance Act 1988.

9.06 Other Statutory Posts

The Council is also required to appoint a Statutory Scrutiny Officer. This enables the Council to comply with its obligation under Section 9FB of the Local Government Act 2000 as inserted by Section 21 of the Localism Act 2011.

The Council is also required under Section 17 of the Traffic Management Act 2004 to appoint a Traffic Manager.

Part 3

RESPONSIBILITY FOR FUNCTIONS

**C SPECIFIC POWERS OF THE ~~HEAD OF PAID SERVICE~~CHIEF EXECUTIVE,
CHIEF OFFICERS AND OTHER OFFICERS**

~~HEAD OF PAID SERVICE~~CHIEF EXECUTIVE

General

1. To act as the Head of Paid Service in pursuance of the Local Government and Housing Act 1989. To have overall Corporate Management and operational responsibility (including overall management responsibility for all staff).
2. To grant or refuse permission for the display of the Coat of Arms and/or badge of the County.
3. To fix fees for copies of documents and extracts of documents requested by the public under the provisions of the Local Government (Access to Information) Act 1985 and Freedom of Information Act 2000.
4. To exercise the functions of the Council under charities legislation.
5. To appoint Councillors to Committees and Panels and Sub-Committees and Sub-Panels in accordance with the wishes of Group Leaders, Deputy Group Leaders and Group Whips in accordance with Rule 5 of the Council Procedure Rules in Part 4 of this Constitution and the duty arising under Section 16 of the Local Government and Housing Act 1989.
6. To progress the strategic development of the Council.
7. On appointment, to undertake all the functions of the Returning Officer.
8. To undertake appropriate and necessary action when vacancy in office occurs.

[9 To fulfil the role of Director of Children's Services under Section 18 Children Act 2004](#)

Communications

1. To provide corporate communications functions.

Community Engagement

1. To promote community engagement and development.

EXECUTIVE DIRECTOR - CHILDREN'S SERVICES

~~To act as Director of Children's Services in accordance with Section 18 Children Act 2004 and in particular in relation to the following functions:-~~

Education

1. To make grants within a framework approved by the Council including:
 - (a) for the establishment, maintenance, staffing or equipment of youth clubs and groups;
 - (b) to support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;
2. To make, suspend and reinstate grants and pay tuition or ancillary fees and/or grants to, or in respect of:
 - (a) students attending establishments of higher or further education or taking other approved courses of education and/or training and to authorise transfer between courses;
 - (b) pupils attending boarding schools and independent or direct grant schools and schools not maintained or assisted by the County Council;
 - (c) maintenance, uniform or free school meals;
 - (d) other young people of particular merit.
3. To authorise the attendance of pupils and teachers on courses or activities outside of school.
4. To discharge the statutory duties of the County Council as schools admission authority and to arrange for the admission and allocation of pupils to schools and in the case of grant-maintained schools to direct the admission of a pupil to such schools.
5. To exercise the functions of the Council in relation to home to school and college transport, school attendance, the employment of children and young persons, cleanliness of pupils and the ascertainment of need and provision for special educational treatment.
6. To appoint lay Members and Local Authority Members to School Admission Appeal Committees, under Section 43 and Schedule 33 of the Education Act 1996.
7. To approve, in circumstances which the Executive Director considers to be exceptional, any change to the admission policy of County and Controlled schools, excluding any change which would constitute a change in character of the school.
8. To make all necessary arrangements to implement the approved Scheme for the Local Management of Schools.
9. To make minor alterations to the "designated areas" associated with County primary and secondary schools.
10. To make all appropriate arrangements to secure the assessment of any pupil's special educational needs as may be required under the terms of the Education Acts.

11. In relation to schools identified as “needing special measures” consequent upon OFSTED inspections to submit to the Secretary of State and HM Chief Inspector, the comments of the County Council as the local education authority on governors’ action plans together with a statement of action which the County Council intends to take.
12. Following consultation with the relevant Committee, to issue warning notices under the School Standards and Framework Act 1998, and to appoint such additional governors as seen fit following a governing body’s failure to comply with the terms of the notice issued by the Authority.
13. To set the yearly indicative targets for permanent exclusions and unauthorised absence from schools for Lincolnshire, to be included in the Education Development Plan.
14. To take and implement decisions and to exercise statutory powers relating to the health and welfare or school attendance of individual children, and to take all steps in any related statutory process.
Services for Children in Need
1. To exercise the functions of the Council in relation to:
(a) adoption and fostering
(b) admission to all forms of accommodation including secure accommodation;
(c) promotion of the welfare, protection, supervision, care and after care of children and young persons;
(d) Children in need.
2. To act as guarantor in the matter of hire purchase agreements on behalf of children in care.
3. To make grants or incur expenditure:
(a) to prevent or diminish the need to bring children into care or to keep them in care;
(b) in respect of rent and damage guarantees;
(c) to provide any child or young person in care with such equipment considered necessary for their well-being;
(d) in respect of any child or young person in care participating in a holiday either through a school or with foster parents;
(e) in respect of special clothing grants to children in care;
(f) in respect of extra grants to children for special purposes;
(g) in respect of payments to children formerly in care;
(h) in respect of adoption allowances;
(i) in respect of playgroups (Capital and Revenue);
(j) in respect of children in need.
4. To pay enhanced boarding out allowances in exceptional circumstances.
5. To take decisions in respect of the Council’s functions acting as Accountable Body in connection with Sure Start.
6. To take decisions in the exercise of the power to licence the employment of children.

7. To approve variations of fees so far as they have been agreed by the “Examining Authority” and for which the Council have accepted responsibility for children, young persons or adults attending or residing in establishments not maintained or assisted by the Council and to approve alterations in charges for the maintenance of such residents.
8. To authorise payment for maintenance of people for whom the Council is financially responsible in homes provided by other local authorities and bodies.
9. To approve, following consultation with the appropriate Executive Councillor, the appointment of replacement visiting members of Social Services establishments.
10. To approve agreements and contracts with or grants to voluntary organisations in undertaking the functions of Children’s Social Services and the services for which the Director is responsible.
Youth Offending
1. To exercise the functions of the County Council in relation to the Youth Offending Service.

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