

## **Annex 3.1 – Further Information on Officers**

Please note: ‘Officers’ means all employees and staff engaged by the council to carry out its functions.

### **1. Officer roles**

1.1. The Full Council will appoint the following:

- i. Chief Executive, designated the Head of Paid Service
- ii. Director of Corporate Services
- iii. Director of Environment, Housing and Regeneration
- iv. Section 151 Officer
- v. Monitoring Officer

1.2. The following are statutory posts:

- i. Chief Executive: Head of Paid Service (Local Government & Housing Act 1989, Section 4)
- ii. Monitoring Officer (Local Government & Housing Act 1989, Section 5)
- iii. Chief Finance Officer: Chief Finance Officer (Local Government Act 1972, Section 151; Local Government Finance Act 1988)

1.3. The posts will have the functions described below.

### **2. Structure of the council and statutory officer functions**

2.1. The Head of Paid Service will determine and publicise a description of the overall departmental structure of the council showing the management structure and deployment of officers. This is set out at below in Section 6.

2.2. Functions and responsibilities of the Chief Executive (Head of Paid Service) are as follows:

- i. Discharge of functions by the council. The Head of Paid Service has overall responsibility for the management, appointment, and coordination of officers, and day to day running of the council.
- ii. Overall corporate management and operational responsibility for all services.
- iii. The Chief Executive (Head of Paid Service) is the Proper Officer for all statutory purposes unless otherwise determined by them.
- iv. Provision of professional advice to all political groups and individual councillors.

- v. Together with the Monitoring Officer, responsibility for a system of record keeping for all the council's decisions.
- vi. Representing the council on partnership and external bodies (as required by statute or the council).

2.3. Functions of Chief Finance Officer (Section 151 Officer) are as follows:

- i. Responsible for the proper administration of the council's financial affairs under section 151 Local Government Act 1972, Section 114 of the Local Government and Finance Act 1988 and Accounts and Audit Regulations and Guidance.
- ii. Ensuring lawfulness and financial prudence of decision making. After consulting the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the Full Council and the council's external auditor if they consider that any proposal, decision or course of action: will involve incurring unlawful expenditure; is unlawful; likely to cause a loss or deficiency; or, if the council is about to enter an item of account unlawfully.
- iii. Responsibility for the administration of the financial affairs of the council.
- iv. Contribute to the corporate management of the council, in particular through the provision of professional financial advice.
- v. Providing advice on the scope of powers and authority to take decisions, maladministration, financial impropriety and probity to all councillors and supporting and advising councillors and officers in their respective roles.
- vi. Provide financial information to the media, members of the public, the community, and councillors.

2.4. Functions of the Head of Legal Services (Monitoring Officer):

- i. To act as the council's Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989 as amended.
- ii. To ensure that an up-to-date version of the Constitution is maintained, in consultation with the Standards and Constitution Committee, and that it is available to councillors, officers and the public.
- iii. Ensuring lawfulness and fairness of decision making. After consulting the Chief Executive and Chief Finance Officer, the Monitoring Officer has a duty, by virtue of Section 5 of the Local Government and Housing Act 1989, to report to the Full Council if they consider 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 by the Full Council.

- iv. Contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards and Constitution Committee.
- v. Conduct investigations into allegations against councillors made to the council and arrange, if necessary, for the Standards and Constitution Committee to receive reports or recommendations in respect of them.
- vi. Ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers, are made publicly available as soon as possible.
- vii. Provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety and probity to all councillors and to support and advise councillors and officers in their respective roles.

### **3. Provision of sufficient resources to the Chief Executive, Chief Finance Officer and Monitoring Officer**

- 3.1. The council will provide the Chief Executive, the Chief Finance Officer and the Monitoring Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

### **4. Conduct**

- 4.1. Officers will comply with the Officers' Code of Conduct, located in the council's employment policies, and other relevant codes and protocols; in particular, the councillor / officer protocol set out in [Council Operating Framework](#) (Annex 2.4).

### **5. Employment**

- 5.1. The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in the [Framework](#) (Annex 3.2).

### **6. Management structure chart**

- 6.1. The chart below illustrates the current management structure of the council:

