
Meeting: Council

Date: 25 February 2010

Subject: Designation of Interim Chief Finance/Section 151 Officer and Revision of the Constitution

Report of: Cllr Tricia Turner, Leader of the Council

Summary: The report requests the Council to designate a post to fulfil the role of Chief Finance/Section 151 Officer on an interim basis and also asks the Council to delegate authority to amend the Constitution to reflect the proposed new directorate structure.

Contact Officer: Richard Carr, Chief Executive

Public/Exempt: Public

Wards Affected: Not applicable

Function of: Council

CORPORATE IMPLICATIONS:

Council Priorities:

The Chief Finance Officer has responsibility for exercising functions under Section 151 of the Local Government Act 1972 in respect of the administration of the Authority's financial affairs and contributes to the delivery of all the Council's objectives by the provision of professional support.

Financial:

None specifically

Legal:

The Council is required to designate one of its officers as Chief Finance Officer to administer arrangements for the financial affairs of the Authority under Sections 151 of the Local Government Act 1972 and Section 6 of the Local Government and Housing Act 1989.

Risk Management:

The recommended action will ensure the effective management of any risk that may arise pending designation on a permanent basis of a post as the Council's Chief Finance Officer.

Staffing (including Trade Unions):

None specifically

Equalities / Human Rights:

There are no direct equalities implications of this proposal. This is an interim arrangement pending the permanent designation of a post as Chief Finance Officer following the conclusion of the Senior Management Review.

Community Safety:

None specifically

Sustainability:

None specifically

RECOMMENDATION(S):

- 1. that the post of Assistant Director, Financial Services be designated as Chief Finance Officer (Section 151 Officer) on an interim basis, pending the permanent designation of a new post as Chief Finance Officer, following the completion of the Senior Management Review.**
- 2. that following ratification of the revised Senior Management Structure by the Executive, the Monitoring Officer, after consultation with the Constitution Advisory Group, be authorised to amend the Constitution, as necessary, to reflect the amended Directorate structure and the allocation of functions within those Directorates.**

Background

1. As Members are aware, the Executive, at its meeting held on 8 December 2009, considered a proposal to revise the Council's senior management arrangements, taking account of the need to reduce the Council's costs and to deliver customer-focused services. The Executive agreed to move to a four directorate model, together with a small office supporting the Chief Executive.

2. The Chief Executive was authorised to implement the necessary arrangements, including a review of Assistant Director and Head of Service level posts, with a view to reducing the costs to the Council over time by 20%.
3. Following the decision of the Executive on 8 December 2009, a period of formal consultation took place upon the four directorate structure with the affected staff and unions. The Appointments Sub Committee conducted interviews on 12 January 2010 for the new post of Director of Customer and Shared Services. Richard Ellis, who currently holds the post of Director of Business Transformation, has been appointed to the newly established post.
4. Revised Assistant Director and Head of Service arrangements, based on the model agreed by the Executive, have been developed and consultation upon the draft proposals is now taking place with the staff concerned and with the recognised trade unions and professional associations.

Designation of Interim Chief Finance Officer

5. Part H1 of the Constitution provides that the Director of Corporate Resources is designated as the Council's Chief Finance Officer. Under the four directorate model referred to above, the post of Director of Corporate Resources will be deleted and the current post holder, will shortly be leaving the Council's employment.
6. It is therefore necessary to designate a post as Chief Finance Officer to exercise the functions under Section 151 of the Local Government Act 1972 in respect of the administration of the Authority's financial affairs.
7. The Chief Finance Officer must be financially qualified and of sufficient status to undertake the duties associated with this statutory role. It is therefore recommended that the post of Assistant Director, Financial Services be designated as the Council's Chief Finance Officer on an interim basis until such time as the Senior Management Review is completed and a permanent appointment can be made.

Consequential Amendments to the Constitution

8. The implementation of the Senior Management Review will have consequential implications for the Constitution most notably in Part H to reflect the changes in the Directorate structure and the need to transfer delegations to the appropriate Director.

9. As consultation is still proceeding upon the draft proposals, it is not possible to bring to the Council at this stage the detailed changes required to the Constitution. In order to facilitate amendment of the Constitution to reflect the consequential changes required, particularly in transfer of delegations to the appropriate Director under the new structure, the Council is requested to authorise the Monitoring Officer, in consultation with the Constitution Advisory Group, to make the necessary amendments, once the Executive has endorsed the revised Senior Management Structure.

Appendices:

None

Background Papers: (open to public inspection)

None

Location of papers:

N/A