

# Article 11 – Officers

## 11.01 Management Structure

(a) **General**

Full Council may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

(b) **Chief Officers**

Full Council will engage persons for the following posts, who will be designated Chief Officers:

Post	Functions and areas of responsibility
Chief Executive (and Head of Paid Service)	<ul style="list-style-type: none"> <li>➤ Overall corporate management and operational responsibility (including overall management responsibility for all Officers).</li> <li>➤ Provision of professional advice to all parties in the decision making process.</li> <li>➤ <del>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions.</del></li> <li>➤ Representing the Council on partnership and external bodies (as required by statute or Full Council).</li> </ul>
<u>Executive Director – Housing and Communities of Operations</u>	<ul style="list-style-type: none"> <li>➤ <u>Overall management for Operational Services, Environmental Services, Culture and Community Services.</u></li> </ul>
<u>Executive Director – Law and People</u>	<ul style="list-style-type: none"> <li>➤ <u>Overall management for Legal and Democratic Services, Organisational Development, Corporate Property Services.</u></li> <li>➤ <u>Responsibility for a system of record keeping for all the Council's decisions.</u></li> </ul>
<u>Executive Director – Resources and Transformation</u>	<ul style="list-style-type: none"> <li>➤ <u>Overall management for Finance, Customer Services, Business Change and ICT.</u></li> </ul>
<u>Executive Director – Place and Prosperity</u>	<ul style="list-style-type: none"> <li>➤ <u>Overall management for Planning, Economic Development and Growth, Housing Services.</u></li> </ul>

(c) **Head of Paid Service, Monitoring Officer and Chief Finance Officer**

The Council will designate the following posts as shown:

Post	Designation
Chief Executive	Head of Paid Service
<u>Executive Director – Law and People of Operations</u>	Monitoring Officer

Such posts will have the functions described in Article 11.02–11.04 below.

(d) **Structure**

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 in Part 7 of this Constitution.

### 11.02 Functions of the Head of Paid Service

(a) **Discharge of Functions by Full 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 the Section 151 Officer if a qualified accountant.

### 11.03 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 Members, Officers and the public and otherwise follow the Protocol for Monitoring and Review of the Constitution by the Monitoring Officer contained in Part 5 of this Constitution.

(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 Full Council if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission will or 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) **Supporting the Standards Committee**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

(d) **Receiving Reports**

The Monitoring Officer will receive and act on reports, ~~made by Ethical Standards Officers and decisions of the case tribunals of the Standards Board for England.~~

(e) **Conducting Investigations**

The Monitoring Officer will conduct investigations into matters ~~referred by Ethical Standards Officers~~ and make reports or recommendations in respect of them to the Standards Committee.

(f) **Proper Officer for Access to Information**

The Monitoring Officer will 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.

(g) **Providing Advice**

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

(h) **Restrictions on Posts**

The Monitoring Officer cannot be the Section 151 Officer or the Head of Paid Service.

(i) **Contributing to Corporate Management**

The Monitoring Officer will contribute to the corporate management of the Council, in particular through the provision of professional legal advice.

#### 11.04 Functions of the Section 151 Officer

(a) **Ensuring Lawfulness and Financial Prudence of Decision Making**

After consulting with the Head of Paid Service and the Monitoring Officer, the Section 151 Officer will report to Full Council 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~~ 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 Section 151 Officer will have responsibility for the administration of the financial affairs of the Council.

(c) **Contributing to Corporate Management**

The Section 151 Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(d) **Providing advice**

The Section 151 Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity to all Councillors and will support and advise Councillors and Officers in their respective roles.

(e) **Provide Financial Information**

The Section 151 Officer will provide financial information to the media, members of the public and the community.

**11.05 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.

**11.06 Conduct**

Officers will comply with the Employees' Code of Conduct and the Protocol on Member/Employee Relations set out in Part 5 of this Constitution.

**11.07 Employment**

The recruitment, selection and dismissal of Officers will comply with the Officer Employment Procedure Rules set out in Part 5 of this Constitution.