

## ASSEMBLY

24 November 2021

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| <b>Title:</b> Appointment of Statutory Scrutiny Officer   |   |
| <b>Report of the Chief Executive</b>  |   |
| <b>Open Report</b>  | <b>For Decision</b>                                       |
| <b>Wards Affected:</b> None   | <b>Key Decision:</b> No                                   |
| <b>Report Author:</b><br>Alan Dawson, Head of Governance & Electoral Services   | <b>Contact Details:</b><br>Email: alan.dawson@lbbd.gov.uk |
| <b>Accountable Strategic Leadership Director:</b> Fiona Taylor, Strategic Director, Law and Governance  |   |
| <b>Summary:</b><br><br>The Council must designate one of its officers to discharge the functions of statutory Scrutiny Officer, as required under section 9FB of the Local Government Act 2000 (amended by the Localism Act 2011). The statutory scrutiny officer's role is to: <ul style="list-style-type: none"><li>• promote the role of the Council's overview and scrutiny committee(s);</li><li>• provide support to the Council's overview and scrutiny committee(s) and its Members;</li><li>• provide guidance to all Members and officers of the Council in relation to overview and scrutiny functions.</li></ul><br>The former Director of Strategy and Participation was the designated statutory Scrutiny Officer prior to leaving the Council at the end of August 2021. The statutory scrutiny officer cannot be the Council's Head of Paid Service (Chief Executive), the Monitoring Officer (Strategic Director, Law and Governance) or the Chief Finance Officer (Finance Director).<br><br>Henry Gregg was recently appointed as Interim Director of Strategy and Participation and it is proposed that he be designated as the Council's statutory Scrutiny Officer. |   |
| <b>Recommendation(s)</b><br><br>The Assembly is recommended to designate Henry Gregg, Interim Director of Strategy and Participation, as the Council's statutory Scrutiny Officer.  |   |
| <b>Reason(s)</b><br><br>To accord with the requirements of section 9FB of the Local Government Act 2000 (as amended).   |   |

## **1. Financial Implications**

Implications completed by: Katherine Heffernan, Head of Service Finance

- 1.1 There are no financial implications associated with the proposal in this report.

## **2. Legal Implications**

Implications completed by: Dr Paul Feild, Senior Governance Lawyer

- 2.1 As set out in the summary of this report the Council is obliged by law under section 9FB of the Local Government Act 2000 (amended by the Localism Act 2011) to appoint a Scrutiny Officer who will be tasked with promoting the role of the Council's overview and scrutiny committee(s) and supporting them in their business. In addition, they shall provide guidance to all Members and officers of the Council to in relation to overview and scrutiny functions these can be found in the Constitution at Part 2 Chapter 8.
- 2.2 The Local Government Association gives further guidance on the role in that the scrutiny officer activities could include as providing, or managing, administrative work, undertaking research, analysing data and preparation of reports.
- 2.3 The scrutiny officer cannot be either the Council's Head of the Paid Service, the monitoring Officer or the Chief Finance Officer (s151 officer). They do not need the word 'scrutiny' in their job title and similarly, someone with the job title 'Scrutiny Officer' will not necessarily be the Council's Statutory Scrutiny Officer.

### **Public Background Papers Used in the Preparation of the Report:**

- Section 9FB, Local Government Act 2000 (as amended)  
<https://www.legislation.gov.uk/ukpga/2000/22/section/9FB>

**List of appendices:** None