

## Part 2 – The Articles

### Chapter 19 – Officers

#### 1. Senior Management structure

##### General

- 1.1 The Council will engage such officers as it considers necessary to carry out its functions.
- 1.2 The Council will engage persons for the following posts, who will be designated chief officers:

<b>Post</b>	<b>Main areas of responsibility</b>
Chief Executive	Overall responsibility for all corporate, policy, employment and operational matters.  Human Resources and Organisational Development.
Strategic Director, Children and Adults	Public Health and Wellbeing.  Adult Social Care; Adult Commissioning and Safeguarding; Mental Health.  Children’s Social Care and Complex Needs; Children’s Commissioning and Safeguarding; Schools and Education; Youth Services.  Disability Services and Care Leavers.
Strategic Director, Inclusive Growth	Regeneration; Housing and Assets Strategy; Capital Delivery.  Economic Development, Employment and Skills; Planning and Development Management.  Energy and Sustainability; Parks Commissioning.  Commercial Services and Corporate Procurement.  Culture and Heritage.
Strategic Director, Community Solutions	Community Engagement, Participation and Prevention; Community Cohesion and Equalities.  Customer Contact  Customer Collections and Welfare, including Council Tax, rent and other payment collection, debt recovery and customer support.
Strategic Director, My Place	Housing and Property Management, including Landlord and Leaseholder Services.  Public Realm, including Highways, Parks and Environment, Street Cleansing, Waste Collection

	and Recycling. Fleet Management.
Strategic Director, Finance and Investment	Corporate and Strategic Finance, Treasury Management, the Capital Programme. Investment and Acquisition Strategy. The Council’s Pension Fund. Corporate Assurance and Counter Fraud. Information Technology (IT); Data Protection and Freedom of Information.
Director of Strategy	Corporate Strategy. Insight and Innovation Services; Corporate Performance and Programme Management. Corporate Communications, Campaigns and Events; Mayoral Support.
Chief Legal Officer (and Monitoring Officer)	Legal; Governance and Electoral Services. Community Safety; Enforcement and Regulatory Services; Civil Protection; Parking Services.

1.3 The Chief Officers form the Executive Management Team, along with other senior management as determined by the Chief Executive, and share responsibility for the proper governance and running of the Council and the delivery of the Council’s strategic framework across the priority areas of:

- Prevention, Independence & Resilience;
- Inclusive Growth;
- Participation and Engagement
- Well-Run Organisation.

1.4 The Chief Executive will determine and publicise via the Council’s website a description of the overall departmental structure of the Council.

## **2. Statutory Posts**

2.1 The Council currently designates the statutory posts as follows:

<b>Post</b>	<b>Designation</b>
Chief Executive	Head of Paid Service
Strategic Director, Children and Adults	Director of Adult Social Services Director of Children’s Services
Chief Legal Officer	Monitoring Officer
Strategic Director, Finance and Investment	Chief Financial Officer (commonly referred to as “Section 151 Officer”)
Director of Public Health	Director of Public Health

## **3. Functions of the Head of Paid Service**

3.1 The key functions of the Head of Paid Service are as follows:

- a) Overall corporate management and operational responsibility (including overall management responsibility for all officers).
- b) Provide leadership and promote high standards of conduct throughout the Council and in all of its activities;
- c) Act as Proper Officer as required.
- d) Provision of professional advice to all parties in the decision-making process.
- e) Responsible for a system of record-keeping for all the Council's decisions and boards.
- f) Represent the Council on partnership and other external bodies (as required by statute or the Assembly).

3.2 The Head of Paid Service cannot be the Monitoring Officer or statutory Scrutiny Officer but may hold the post of Chief Financial Officer if a qualified accountant.

## **4. Functions of the Monitoring Officer**

4.1 The key functions of the Monitoring Officer are as follows:

- a) Maintain an up-to-date version of the Constitution and ensure that it is available to Councillors, staff and the public.
- b) After consulting with the Chief Executive and Chief Financial Officer where practicable, report to the Assembly in respect of a non-executive function

or to the Cabinet in relation to an executive function if he or she considers that any proposal, decision or omission has given rise to or would give rise to unlawfulness or if any decision or omission has given rise to maladministration, under sections 5 and 5A of the Local Government and Housing Act 1989. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- c) Contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee and in reporting allegations of failure to comply with the Councillors' Code of Conduct.
- d) Arrange the conduct of investigations into matters referred and take such other actions as the Standards Committee may direct within its terms of reference.
- e) Maintain the register of Members' interests.
- f) Act as Proper Officer as required.
- g) Advise, in conjunction with the Chief Financial Officer, whether decisions of the Cabinet are in accordance with the Budget and Policy Framework.
- h) Be responsible for providing advice on the scope of the powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework to all Councillors.

4.2 The Monitoring Officer cannot be the Chief Financial Officer, the Chief Executive or the statutory Scrutiny Officer.

## **5. Functions of the Chief Financial Officer**

5.1 The key functions of the Chief Financial Officer are as follows:

- a) Responsible for the administration of the financial affairs of the Council as required by section 151 of the Local Government Act 1972 or (so far as relevant) section 112 of the Local Government Finance Act 1988, including the provision of financial information both internally and externally as required.
- b) After consulting with the Head of Paid Service and the Monitoring Officer where practicable, report to the Assembly in respect of a non-executive function or to the Cabinet in relation to an executive function and the Council's external auditor if he / she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- c) Act as Proper Officer as required.
- d) Contribute to the corporate management of the Council, in particular through the provision of professional financial advice;
- e) provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget issues to all

Councillors and support and advise Councillors and officers in their respective roles.

- f) Advise, in conjunction with the Monitoring Officer, whether decisions of the Cabinet are in accordance with the Budget and Policy Framework.
  - g) Provide appropriate financial information to the media, members of the public and the local community.
- 5.2 The Chief Financial Officer cannot be the Monitoring Officer or the statutory Scrutiny Officer.

## **6. Duty to Provide Sufficient Resources to the Monitoring Officer and Chief Financial Officer**

- 6.1 The Council shall provide the Monitoring Officer and Chief Financial Officer with such officers, accommodation and other resources as are, in their opinion, sufficient to allow their duties to be performed.

## **7. Delegation to Officers**

- 7.1 The delegation of powers to Chief Officers is set out in Part 3 of this Constitution.
- 7.2 Each Chief Officer shall be responsible for maintaining an internal scheme of delegation.

## **8. Conduct**

- 8.1 Officers will comply with the Employee Code of Conduct and Councillor / Employee Relations' Protocol set out in Part 5, Chapters 4 and 5 respectively of this Constitution.

## **9. Appointment and dismissal of staff**

- 9.1 The appointment and dismissal of staff shall be governed by the provisions of the Officer Employment Procedure Rules contained in Part 4, Chapter 3 of this Constitution as supplemented, where appropriate, by the Council's personnel policies and procedures.