

## ASSEMBLY

10 October 2012

<b>Title: Chief Financial Officer - Appointment of the Section 151 Officer</b>	
<b>Report of: The Chief Executive</b>	
<b>Open</b>	<b>For Decision</b>
<b>Wards Affected: None</b>	<b>Key Decision: No</b>
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<b>Accountable Divisional Director:</b>	<b>Fiona Taylor , Head of Legal and Democratic Services</b>
<b>Accountable Director:</b>	<b>The Chief Executive</b>
<b>Summary:</b> <p>There are statutory and regulatory requirements to appoint certain officer roles within the Council. These include the posts of statutory officers, which the law stipulates must be approved by full Council (in our case the Assembly). These posts are charged with the corporate management and governance of the Council and are the Head of Paid Service, the Chief Financial Officer (known as the Section 151 Officer), and the Monitoring Officer.</p> <p>This report deals with recent changes in relation to the designation of the post of the Section 151 Officer following the departure of the former Corporate Director of Finance and Resources, and recommends the Assembly to agree the appointment of Jonathan Bunt, Divisional Director of Finance, to that post until such time as proposals come forward for implementing shared management arrangements between Barking and Dagenham and Thurrock Council.</p>	
<b>Recommendation(s)</b> <p>The Assembly is asked to:</p> <ul style="list-style-type: none"><li>(i) agree to the appointment of Jonathan Bunt, Divisional Director of Finance, as the Council's Statutory Section 151 Officer until further notice;</li><li>(ii) note that a further report will be presented to Assembly to confirm the position of the Section 151 Officer in the light of proposals under any future shared management arrangements with Thurrock, and</li><li>(iii) that pending the outcome of (ii) above the Chief Executive be authorised to review and amend the Council Constitution, in particular the Scheme of Delegation.</li></ul>	

## **Reason(s)**

To regularise the position of the statutory Section 151 Officer in the Authority, the appointment of which is an Assembly function.

### **1. Introduction and Background**

- 1.1 There are statutory and regulatory requirements to appoint certain officer roles within the Council. These include the posts of statutory officers, which the law stipulates must be approved by full Council (in our case the Assembly). One of these posts is that of the Chief Financial Officer (known as the Section 151 Officer).
- 1.2 The Council's former Section 151 Officer, Tracie Evans who was the Corporate Director of Finance and Resources, left the Council on 30 September. Her designated deputy, Jonathan Bunt, Divisional Director of Finance, has since that date assumed the role of the Section 151 Officer.

### **2. Proposal and Issues**

- 2.1 Following the appointment of the Chief Executive in July 2012 as a shared arrangement between this Council and Thurrock, and with the support of both Leaders, work commenced over the summer on exploring the potential for further sharing of services between the two Councils, with a view to achieving savings for each Council as well as putting in place mechanisms for strengthening the resilience of individual services.
- 2.1 In view of this it is advisable for the Section 151 Officer role to be assigned to Jonathan Bunt, Divisional Director of Finance until such time as any proposals for the sharing of senior management are decided upon.
- 2.2 Furthermore in view of the recent departure of the Corporate Director of Finance and Resources, and similarly pending the outcome of the shared services review, it will be necessary in the interim for the Chief Executive to reassign responsibilities and duties of the post (other than those of the Chief Financial Officer) to other officers, and make appropriate amendments to the Council's Constitution, in particular the Scheme of Delegation.

### **3. Options Appraisal**

- 3.1 The appointment of the Chief Financial Officer (Section 151 Officer) is a statutory position under section 151 of the Local Government Act 1972.

### **4. Consultation**

Councillor R Gill, Deputy Leader and Cabinet Member for Finance.

### **5. Financial Implications**

Implications completed by: Ranjit Solomon, Principal Accountant  
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- 5.1 There are no financial implications associated with this proposal

## **6. Legal Implications**

Implications completed by David Lawson

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- 6.1 The Local Government Act 2000 stipulates the requirement to appointment a Section 151 Officer, the responsibility for which falls to the Assembly

## **7. Other Implications**

None

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

Council Constitution