

ASSEMBLY

27 July 2022

Title: Appointment of Statutory Scrutiny Officer	
Report of the Chief Executive	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Alan Dawson, Head of Governance & Electoral Services	Contact Details: Email: alan.dawson@lbbd.gov.uk
Accountable Director: Alison Stuart, Chief Legal Officer and Monitoring Officer	
Accountable Strategic Leadership Director: Fiona Taylor, Acting Chief Executive	
Summary: <p>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:</p> <ul style="list-style-type: none">• promote the role of the Council's overview and scrutiny committee(s);• provide support to the Council's overview and scrutiny committee(s) and its Members;• provide guidance to all Members and officers of the Council in relation to overview and scrutiny functions. <p>The former Interim Director of Strategy and Participation was the designated statutory Scrutiny Officer prior to leaving the Council at the end of May 2022. The statutory scrutiny officer cannot be the Council's Head of Paid Service (Chief Executive), the Monitoring Officer (Chief Legal Officer) or the Chief Finance Officer (Strategic Director, Finance and Investments).</p> <p>Alex Powell will be joining the Council on 1 August 2022 as Interim Chief Strategy Officer and it is proposed that he be designated as the Council's statutory Scrutiny Officer.</p>	
Recommendation(s) <p>The Assembly is recommended to designate Alex Powell, Interim Chief Strategy Officer, as the Council's statutory Scrutiny Officer with effect from 1 August 2022.</p>	
Reason(s) <p>To accord with the requirements of section 9FB of the Local Government Act 2000 (as amended).</p>	

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, the statutory Scrutiny Officer shall provide guidance to all Members and officers of the Council in relation to overview and scrutiny functions, which 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 statutory Scrutiny Officer activities could include as providing, or managing, administrative work, undertaking research, analysing data and preparation of reports.
- 2.3 The statutory 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