

ASSEMBLY

27 September 2023

Title: Appointment of Interim 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 Executive Team Director: Fiona Taylor, 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; and• provide guidance to all Members and officers of the Council in relation to overview and scrutiny functions. <p>The current Interim Director of Strategy, Alex Powell, was designated as the Council's statutory Scrutiny Officer by the Assembly on 27 July 2022 (Minute 19 refers). Mr Powell is due to leave the Council on Friday 29 September and although the recruitment of a permanent Director of Strategy is underway, it is unlikely that the new postholder will be in place for several months. The statutory Scrutiny Officer cannot be the Council's Head of Paid Service (Chief Executive), the Monitoring Officer (Chief Legal Officer) or the Chief Financial Officer (Strategic Director, Finance and Investments) and, therefore, the intention is that the new Director of Strategy will become the Council's statutory Scrutiny Officer.</p> <p>In the meantime, it is proposed that Leanna McPherson, who is responsible for the governance and support to the Council's Overview and Scrutiny Committee and Health Scrutiny Committee, be designated as the Council's interim statutory Scrutiny Officer from the point that Mr Powell leaves the Council. Once a new Director of Strategy is in post, a further report will be presented to the Assembly seeking to designate that individual as the statutory Scrutiny Officer.</p>	
Recommendation(s) <p>The Assembly is recommended to designate Leanna McPherson, Principal Governance Officer, as the Council's statutory Scrutiny Officer with effect from 29 September 2023.</p>	

Reason(s)

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, the statutory Scrutiny Officer shall provide guidance to all Members and officers of the Council to 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