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: Deidre Collins, Head of Legal and Monitoring Officer	
Accountable Executive Team Director: Fiona Taylor, Chief Executive	

Summary:

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 cannot be the Council's Head of Paid Service (Chief Executive), the Monitoring Officer (Head of Legal) or the Chief Financial Officer (Strategic Director, Resources). The statutory scrutiny officer's role is to:

- 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.

LBBD has typically designated its Director of Strategy as statutory Scrutiny Officer, as was the case when Alex Powell, interim Director of Strategy, was designated as statutory Scrutiny Officer by the Assembly on 27 July 2022 (Minute 19 refers). At the Assembly meeting on 27 September 2023 (Minute 34 refers), Members were advised of Mr Powell's imminent departure from the Council and the recruitment drive being undertaken for a permanent replacement. In the circumstances, the Assembly designated Leanna McPherson, Principal Governance Officer with responsibility for the governance and support to the Council's Overview and Scrutiny Committee and Health Scrutiny Committee, as the Council's interim statutory Scrutiny Officer. It was also noted that a further report would be presented to the Assembly after the new Director of Strategy had been appointed.

Sal Asghar was appointed as the Council's new Director of Strategy and commenced his duties in January 2024. It is now proposed that Mr Asghar assume the responsibilities of statutory Scrutiny Officer.

Recommendation(s)
The Assembly is recommended to designate Sal Asghar, Director of Strategy, as the Council's statutory Scrutiny Officer with effect from 16 May 2024.
Reason(s)
To accord with the requirements of section 9FB of the Local Government Act 2000 (as amended).

1.   Financial Implications

Implications completed by: Kenny Leshi, Finance Business Partner

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

2.   Legal Implications

Implications completed by: Dr Paul Feild, Principal 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 LGA 1972 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