

Article 11 – Officers

11.01 Management structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The full Council will engage persons for the following posts, who will be designated Chief Officers:

| POST | FUNCTIONS |
|---|--|
| Chief Executive | Overall corporate management and operational responsibility (including overall management responsibility for all officers) Provision of professional advice to all parties in the decision making process. Representing the Council on partnership and external bodies (as required by statute or the Council). |
| Head of Legal & Governance | Governance and standards Monitoring Officer Democratic Services Member support and development Property and asset management Information and knowledge management Elections/electoral registration Legal Services |
| Head of Finance & IT | Financial strategy S151 Officer Property and asset management Accountancy and financial services ICT Strategy ICT Services (including LLPG) Facilities management (including Office Services) Internal Audit Commissioning Revenues & Benefits Commissioning |
| Head of Customer & Environmental Services | Customer focus and excellence Customer research and marketing Development of service standards Hub strategy Service and Contact Centres Regulatory Services (Env Health, Housing, Licensing, Street Scene Wardens) Regulatory strategies (waste, street scene, air quality and contaminated land) Direct Operational Services (inc car parks) |
| Head of Planning & Housing | Planning policy and LDF Sustainability policy (including climate change) Environmental policies Housing policy and enabling, grants and regulation Transport policy Development Control Building Control Conservation |

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|--|--|
| Head of Performance & Policy | Leadership and development programme Management of shared services Business change (including BPR) Value for money and efficiency programmes Corporate programme and project management Co-ordination of transitional portfolio change activities HR/Personnel strategy and services Communications Emergency Planning Equality and Diversity Shared Services Efficiency Business Support Document Services |
| Head of Community & Economic Development | Community strategy and LSP Community engagement and co-ordination of community leadership activities Community safety policy Social inclusion policies including older people, children and young people and anti-poverty. Economic development policy (including tourism) Leisure and culture strategy and enabling. LAA co-ordination |

- (c) **Head of the Paid Service, Monitoring Officer and Chief Financial Officer.** The Council will designate the following posts as shown:

| POST | DESIGNATION |
|----------------------------|----------------------------------|
| Chief Executive | Head of the Paid Service |
| Head of Legal & Governance | Monitoring Officer |
| Head of Finance & IT | Chief Financial Officer (s.151). |

Such posts will have the functions described in Article 11.02–11.04 below.

11.02 Functions of the Head of the Paid Service

- (a) **Discharge of functions by the Council.** The Head of the Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers;
- (b) **Restrictions on functions.** The Head of the Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer, if a qualified accountant.

11.03 Functions of the Monitoring Officer

- (a) **Maintaining and reviewing the Constitution** - The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public. He/she will keep the Constitution under review in accordance with Article 14 below.

- (b) **Ensuring lawfulness and fairness of decision making** - After consulting with the Head of the Paid Service and Chief Financial Officer, the Monitoring Officer will report to the full Council if he/ she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Supporting the Standards Committee** - The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (d) **Receiving reports** - The Monitoring Officer will receive and act on reports made by Ethical Standards Officers and decisions of the case tribunals.
- (e) **Conducting investigations** - The Monitoring Officer will conduct investigations into any matters referred by Ethical Standards Officers and make reports or recommendations in respect of them to the Standards Committee.
- (f) **Proper Officer for Access to Information** - The Monitoring Officer will ensure that decisions of the Council and its Committees and relevant officer reports and background papers are made publicly available as soon as possible.
- (h) **Providing advice** - The Monitoring Officer will provide advice on the scope of Council powers, maladministration, financial propriety, the Codes of Conduct and the protocols to all Councillors and will advise and support Councillors and officers in their respective roles.
- (i) **Restrictions on posts** - The Monitoring Officer cannot be the Chief Financial Officer or the Head of the Paid Service.

11.04 **Functions of the Chief Financial Officer**

- (a) **Ensuring lawfulness and financial prudence of decision making** - After consulting with the Head of the Paid Service and the Monitoring Officer, the Chief Financial Officer will report to the full Council and the Council's external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs** - The Chief Financial Officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management** - The Chief Financial Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Providing advice** - The Chief Financial Officer will provide advice on financial impropriety, probity, budget and policy framework and will support and advise councillors and officers in their respective roles.
- (e) **Provide financial information** - The Chief Financial Officer will provide financial information to the media, members of the public and the community.

11.05 **Duty to provide sufficient resources to the Monitoring Officer and Chief Financial Officer**

The Council will 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.

11.06 **Conduct**

- (a) Officers will comply with *[the Officers' Code of Conduct]*¹ and the Protocol on Officer/Member relations set out in Part 5 of this Constitution.
- (b) The Head of Legal & Governance shall record any notice given by an Officer of the Council under Section 117 of the Local Government Act 1972, of a pecuniary interest in a contract, or proposed contract, and this shall be available during office hours for inspection by any Member of the Council.²

11.07 **Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

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¹ A model form of Code of Conduct for Officers is to be prescribed by statutory instrument but has not yet been published. The code will be incorporated into the Council's constitution once published and adopted.

² It is likely that this requirement will be superseded by the adoption of a code of conduct for officers in due course