

Article 12 – Officers

12.01 Management structure

- (a) **General.** The full 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 and areas of responsibility |
|--|---|
| Chief Executive (and Head of Paid Service) The functions and areas of responsibility identified opposite will be discharged by the Chief Executive or an officer nominated by him | Overall corporate management and operational responsibility (including overall management responsibility for all staff); The provision of professional and impartial advice to all parties in the decision making process the Executive Board, overview and scrutiny committees, the full council and other committees); Together with the monitoring officer, responsibility for a system of record keeping for all the authority's decisions (executive or otherwise); Representing the authority on partnership and external bodies (as required by statute or the council); and Service to the whole council, on a politically neutral basis. Legal and governance support, customer service centres, central and administrative support services. |
| Director of Resources | Finance and Information Technology, Audit and Risk Management, Corporate Property |
| Director of Regeneration | Economic Development, European Policy and External; Grants; Planning Services; Policy Co-ordination and Research |
| Director of Social Care and Housing | Adult Services; Children and Families Services; Housing Services,; Support Services; Policy and Performance; Public Protection. |
| Director of Lifelong Learning and Leisure | School Support; Education Standards and Lifelong Learning; Policy and Performance; Leisure and Recreation; Facilities Management; Support Services |
| Director of Technical Services | Building Services; Consultancy; Policy and Performance; Street Scene; Transport; Trunk Road Advisor. |

- (c) Head of paid service, monitoring officer and chief financial officer. The Council will designate the following posts as shown. (The designation in respect of the Chief Finance Officer (Section 151 Officer) will be determined upon the appointment of the Director of Resources)

| Post | Designation |
|--------------------------------|-----------------------|
| Chief Executive | Head of Paid Service |
| Head of Administration and Law | Monitoring Officer |
| Director of Resources | Chief Finance Officer |

Such posts will have the functions described in Article 12.02–12.04 below.

- (d) **Structure.** The head of paid service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

12.02 functions of the head of paid service

- (a) Discharge of functions by the Council. The head of 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 paid service may not be the monitoring officer but may hold the post of chief finance officer if a qualified accountant

12.03 Functions of the monitoring officer

- (a) **Maintaining 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.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the head of paid service and chief finance officer, the monitoring officer will report to the full Council or to the Executive Board in relation to an executive function if he or 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 the Ombudsman and decisions of the case tribunals.

- (e) **Conducting investigations.** The monitoring officer will conduct investigations into matters referred by the Ombudsman 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 Executive Board decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether decisions of the Executive Board –** are within the budget and policy framework. The monitoring officer will advise whether decisions of the Executive Board– are in accordance with the budget and policy framework
- (h) **Providing advice.** The monitoring officer will provide advice on the scope of powers and authority to take decisions, maladministration, probity and budget and policy framework issues to all councillors.
- (i) **Restrictions on posts.** The monitoring officer cannot be the chief finance officer or the head of paid service.

12.04 Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the head of paid service and the monitoring officer, the chief finance officer will report to the full Council or to the Executive Board in relation to an Executive Board function and the Council's external auditor if he or 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 finance officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The chief finance officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

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Give financial information. The chief finance officer will provide financial information to the media, members of the public and the community

12.05 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the monitoring officer and chief finance officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.06 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

12.07 Employment

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