

Article 11 – Officers

11.1 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
<p>Chief Executive The functions and areas of responsibility identified opposite will be discharged by the Chief Executive or an officer nominated by the Chief Executive.</p>	<p>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 Cabinet, 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 and Statutory Services; Information Technology; Economic Development, Corporate Policy and Partnership, Electoral Services, Information Governance, Marketing and Media, Performance Management, Property and Major Projects, Registration Services; Corporate Property</p>
<p>Director of Corporate Services</p>	<p>Financial Services; Revenues; Audit; Procurement and Risk Management.</p>
<p>Director of Community Services</p>	<p>Adult Services; Housing Services, Public Protection, Health Co-ordination; Leisure; Statutory Director of Social Services.</p>
<p>Director of Education & Children's Services</p>	<p>School Support Services, Children and Family Services, Support Services, Library Services Modernising Education Programme; School Estate Management; Planning School Places</p>
<p>Director of Environment</p>	<p>Planning Services; Highways & Transport; Waste & Environmental Services; Property Services.</p>

- (c) **Chief Executive, Monitoring Officer and Chief Financial Officer**
The Council will designate the following posts as shown.

Post	Designation
Chief Executive	Chief Executive
Head of Administration and Law	Monitoring Officer
Director of Corporate Services	Chief Finance Officer /Section 151 Officer

Such posts will have the functions described in Articles 11.2–11.4 below.

- (d) **Structure.**
The Chief Executive 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.

11.2 Functions of the Chief Executive

- (a) **Discharge of Functions by the Council.**
The Chief Executive 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 Chief Executive may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

11.3 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 Chief Executive 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 Cabinet 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 Cabinet are Within the Budget and Policy Framework**
The Monitoring Officer will advise whether decisions of the Cabinet 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 Chief Executive.

11.4 Functions of the Chief Finance Officer

- (a) **Ensuring Lawfulness and Financial Prudence of Decision Making.**
After consulting with the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Cabinet in relation to a Cabinet 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.
- (d) **Give Financial Information**
The Chief Finance Officer will provide financial information to the media, members of the public and the community.

11.5 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.

11.6 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.

11.7 Employment

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