

Meeting of the Council - 1st December, 2014

Report of the Chief Executive

Strategic Director and Statutory Officer Appointments

Purpose of Report

1. To consider recommendations concerning the appointment of the Strategic Director (Environment, Economy and Housing), the Strategic Director (Resources and Transformation) and the formal designation of statutory officers.
2. A progress report on the implementation of the senior management and organisational restructure will be submitted to the Cabinet on 4th December, 2014. This report only deals with appointments where full Council approval is required under the Constitution or relevant statutory provisions.

Background

3. In line with decisions of the Cabinet and Council concerning the corporate restructure, the Appointments Committee, at its meeting on 27th October, 2014, recommended that the Council:-
 - (a) Appoint John Millar, presently the Director of the Urban Environment, to the post of Strategic Director (Environment, Economy and Housing), in accordance with the salary and terms and conditions of employment applicable to the post.
 - (b) Appoint Philip Tart, presently the Director of Corporate Resources, to the post of Strategic Director – Resources and Transformation, in accordance with the salary and terms and conditions of employment applicable to the post.
4. Subject to the Council's approval, both of the above appointments will take effect from 19th January, 2015. The other Strategic Director post for People Services has been externally advertised. This post will undertake the statutory adult social care and children's services responsibilities. The Appointments Committee is scheduled to meet on 19th December, 2014 to consider making a recommendation to an extraordinary meeting of the Council on the same date concerning this appointment.
5. In his capacity as Director of Corporate Resources, Philip Tart was designated by the Council on 22nd February, 2010 as the Monitoring Officer pursuant to Section 5 of the Local Government and Housing Act 1989. It is proposed that Philip Tart continue to be designated as the Council's Monitoring Officer in his new Strategic Director post.

6. On 14th November, 2014, the Appointments Committee decided that, subject to the necessary approval of the Council, Iain Newman, presently the Treasurer, be appointed to the post of Chief Officer (Finance and Legal Services), with effect from 19th January, 2015 in accordance with the salary and terms and conditions of employment applicable to the post.
7. At the Council meeting on 26th April, 2010, upon his appointment to the post of Treasurer, Iain Newman was designated as the officer responsible for the proper administration of the Council's financial affairs under and in accordance with Section 151 of the Local Government Act, 1972. It is proposed that Iain Newman continue to be designated as the Council's 'Section 151 Officer' in his new Chief Officer post.
8. In the context of the organisational restructure, the Strategic Director of Resources and Transformation, in consultation with the Leader, the appropriate Cabinet Member(s) and the Chief Officer (Finance and Legal Services) will make the necessary internal arrangements for the ongoing nomination of the Deputy Monitoring Officer and Deputy Section 151 Officer. These roles are currently undertaken by Mohammed Farooq, Assistant Director (Law and Governance) and Jan Szczechowski, Head of Accountancy, respectively.
9. On 25th November, 2014, the Appointments Committee will interview applicants with a view to making an appointment to the post of Chief Officer (Health and Wellbeing). This post will undertake the statutory duties of the Director of Public Health.

Finance

10. The cost of the appointments referred to in this report have been included in budgetary provisions associated with the senior management restructure as approved by the Cabinet and Council.

Law

11. The terms of reference of the Appointments Committee and the Officer Employment Procedure Rules in Part 4 of the Council's Constitution provide that a recommendation should be made to the full Council concerning any new appointments with a salary exceeding £100,000. This applies to the Strategic Director posts established under the senior management restructuring as approved by the Council on 13th October, 2014.
12. Under Section 5 of the Local Government and Housing Act 1989, the Council has a legal duty to designate an officer as the Monitoring Officer. The functions of the Monitoring Officer are referred to in Article 12.03 of the Constitution.
13. In accordance with Section 151 of the Local Government Act, 1972, the Council has a legal duty to designate an officer to be responsible for the proper administration of the Council's financial affairs. The functions of this officer are set out in Article 12.04 of the Constitution.

14. The statutory role of the Director of Public Health is contained in the provisions of the National Health Service Act 2006, the Health and Social Care Act 2012 and any other relevant legislation, statutory provisions, regulations or guidance issued by the Secretary of State. Paragraph 2 of the Council's Officer Employment Procedure Rules refers to the designation of statutory officers, including the Director of Public Health.
15. The requirement to designate the statutory posts is included in the Council's Constitution adopted in accordance with the provisions of Part II of the Local Government Act, 2000.

Equality Impact

16. The proposals in this report comply with the Council's Policy on Equality and Diversity.

Recommendations

17. That with effect from 19th January, 2015:
 - (a) John Millar be appointed to the post of Strategic Director (Environment, Economy and Housing), in accordance with the salary and terms and conditions of employment applicable to the post.
 - (b) Philip Tart be appointed to the post of Strategic Director – Resources and Transformation, in accordance with the salary and terms and conditions of employment applicable to the post and that Philip Tart continue to be designated as the Council's Monitoring Officer in the role of Strategic Director.
 - (c) That Iain Newman continue to be designated as the officer responsible for the proper administration of the Council's financial affairs under and in accordance with Section 151 of the Local Government Act, 1972 in his role as Chief Officer (Finance and Legal Services).
18. That the Council consider a recommendation from the Appointments Committee meeting on 25th November, 2014 concerning the designation of the Chief Officer (Health and Wellbeing), to undertake the statutory role of the Director of Public Health.
19. That the external advertisement of the post of Strategic Director (People Services) to undertake statutory adult social care and children's services responsibilities be noted; that interviews be undertaken by the Appointments Committee and a subsequent recommendation be made to the Council on 19th December, 2014.
20. That the Strategic Director of Resources and Transformation, in consultation with the Leader, the appropriate Cabinet Member(s) and the Chief Officer (Finance and Legal Services) be authorised to make the necessary internal arrangements for the nomination of the Deputy Monitoring Officer and Deputy Section 151 Officer.

John Poyce

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Chief Executive