

Article 12 – Officers

Terminology

"Officers" means all employees and staff engaged by the Council to carry out its functions including those engaged under short term, agency or other non employed situations.

A "Chief Officer" is an officer designated by the Council as the administrative and executive head either (a) of a separate Directorate, or (b) of a particular service or function which in either case is regarded by the Council as important in relation to the total activities of the Council.

12.1 Management structure

- (a) **General.** The full Council may engage such 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)	<p>Overall corporate management and operational responsibility (including overall management responsibility for all officers).</p> <p>Provision of professional advice to all parties in the decision making process.</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions.</p> <p>Together with the Section 151 Officer to ensure that the Council's Finances are sound.</p> <p>Representing the Council on partnership and external bodies as required by statute or the Council.</p> <p>Leading on policy development, performance and project management, Health & Wellbeing Strategy.</p> <p>Finance, Democratic and Partnership Services.</p>

Post	Functions and areas of responsibility
Directors	All Directors contribute to the strategic and corporate management of the Authority. In addition, they have strategic responsibility for a broad area of Council provision, together with responsibility for performance monitoring and improvement of services. The broad areas of strategic responsibility are:-
Adults, Health and Social Care	Statutory Director of Adult Social Services, Services for Older People, physically and sensorily disabled working age adults, people with mental health issues and drugs and alcohol, people with learning disabilities, adult safeguarding and community health and wellbeing. Joint Commissioning and maintains strategic and working relationships with the local NHS family at local, regional and national level.
Children and Young People	Statutory Director of Children's Services, Children's Social Care, Commissioning and Partnerships, Learning Services.
Economy and Environment	Economy and Enterprise, Planning, Regeneration, Highways and Engineering, Housing and Environment and Asset and Facilities Management. Ensures that the Council fulfils its statutory obligations as a Highway and Planning Authority.
Communities and Service Support	Neighbourhoods, Community Engagement and Cohesion, Corporate Customer First, NNDR, Benefits, Revenues, Leisure, Tourism and Culture, Communications and Marketing, Human Resources, Transformation and Performance Management.

Post	Functions and areas of responsibility
Public Health	Statutory Director of Public Health, Weighing and Measuring of Children, Health Check Assessment, Sexual Health Services, Public Health Advice Service, Protecting the health of the local population
<p data-bbox="272 477 759 521">Heads of Service</p> <p data-bbox="272 622 759 667">Chief Executive</p> <ul style="list-style-type: none"> <li data-bbox="272 667 759 734">- Head of Democratic and Partnership Services <li data-bbox="272 846 759 891">- Head of Finance <p data-bbox="272 1059 759 1104">Children and Young People</p> <ul style="list-style-type: none"> <li data-bbox="272 1104 759 1171">- Head of Early Intervention and Safeguarding <li data-bbox="272 1272 759 1339">- Head of Commissioning and Partnerships <li data-bbox="272 1373 759 1417">- Head of Learning <p data-bbox="272 1518 759 1563">Economy and Environment</p> <ul style="list-style-type: none"> <li data-bbox="272 1563 759 1630">- Head of Planning and Highways <li data-bbox="272 1697 759 1765">- Head of Housing, Environment and Renewal 	<p data-bbox="759 477 1407 622">All Heads of Service have lead strategic, management and operational responsibility for the services within their control. The areas of service responsibility are:</p> <p data-bbox="759 667 1407 846">Solicitor to the Council and Monitoring Officer, Legal and Democratic Services, Scrutiny Support, Standards, Electoral Registration and Elections, Local Strategic Partnership</p> <p data-bbox="759 846 1407 1025">Chief Finance Officer with responsibility for the administration of the Council's financial affairs, Strategic Financial Management, Capital Programme, Procurement and Business Support</p> <p data-bbox="759 1093 1407 1238">Children's Social Care Services, Looked After Children, Multi Agency Working, Youth Offending Services, Early Intervention</p> <p data-bbox="759 1272 1407 1339">Commissioning Services, Safeguarding and Quality Assurance, Partnerships</p> <p data-bbox="759 1373 1407 1485">Integrated Children's Services, Learning, Raising Attainment, Early Learning, School Improvement</p> <p data-bbox="759 1552 1407 1664">Development Strategy and Management, Network and Highway Management, Building Control and Transport</p> <p data-bbox="759 1697 1407 1910">Strategic Housing Services, Housing Advice and Homelessness, Private Sector Housing, Community Support, Environmental Protection, Waste Management, Business Engagement, Employment Support and Markets</p>

Post	Functions and areas of responsibility
<p>Communities and Service Support</p> <ul style="list-style-type: none"> - Head of Neighbourhoods - Head of Customer Services - Head of Human Resources, Information Technology and Transformation 	<p>Community Safety and Emergency Planning, Neighbourhood Management, Cohesion Integration and Equalities, Safer Greener Cleaner Service, Funeral Services, Libraries, Public Halls, Museums, Tourism Development, Voluntary and Community Sector Liaison</p> <p>Customer First, Licensing and Registration, National Non-Domestic Rates, Revenues and Benefits, Public Relations and Marketing, Corporate Communications, Public Perception (research), Sports Development and Leisure Services, Theatre</p> <p>Human Resources, Workforce Development, Payroll Management, Corporate Health and Safety, Information, Communications and Technology Services, Transformation, and Performance Management</p>
<p>Adults, Health and Social Care</p> <ul style="list-style-type: none"> - Head of Safeguarding and Quality - Head of Partnerships and Personalisation 	<p>Adult Social Care, Contract Compliance, Adult Safeguarding, Equalities, Reviewing Teams</p> <p>Assessment and Care Management, Partnerships, Personalisation, Strategic Commissioning, Locality Working</p>

- (c) **Head of paid service, monitoring officer and chief financial officer.**
The Council will designate the following posts as shown:

Post	Designation
Chief Executive	Head of Paid Service
Head of Democratic and Partnership Services	Monitoring Officer
Head of Finance	Chief Finance Officer

Such posts will have the functions described in Article 12.2–12.4 below.

- (d) **Structure.** The head of paid service will determine and publicise a description of the overall service structure of the Council showing the management structure and deployment of officers.

12.2 Functions of the head of paid service

- (a) **Discharge of functions by the Council.** The head of paid service will report to the 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.
- (c) **Dispensations for Cabinet Members.** The head of paid service, in consultation with the Chair of the Standards Committee and Monitoring Officer, may grant dispensations to Cabinet Members where they have declared a conflict of interest in a decision being considered by Cabinet. In cases of urgency, the head of paid service may exercise this function without consultation taking place.

12.3 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 head of paid service and chief finance officer, the monitoring officer will report to the full Council or to the Cabinet 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) **Conducting investigations.** The monitoring officer will conduct investigations into allegations of breaches of the Code of Conduct for Members and make reports or recommendations in respect of them to the Standards Committee.
- (e) **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 which are not exempt or confidential are made publicly available as soon as possible.
- (f) **Advising whether Cabinet/officer decisions are within the budget and policy framework.** The monitoring officer will advise whether decisions of the Cabinet or officers are in accordance with the budget and policy framework.
- (g) **Providing advice.** The monitoring officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (h) **Restrictions on posts.** The monitoring officer cannot be the chief finance officer or the head of paid service.

12.4 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 Cabinet in relation to an executive 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) **Providing advice.** The chief finance officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (d) **Give financial information.** The chief finance officer will provide financial information to the media, members of the public and the community.

12.5 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.

12.6 Conduct

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

12.7 Employment

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

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