

Article 12 – Officers/Staff

12.01 Management structure

(a) **General.** The Council may engage such staff (sometimes 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)	Overall corporate management and operational responsibility (including overall management responsibility for all staff). Provision of professional advice to all parties in the decision making process. Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions. Representing the Council on partnership and external bodies (as required by statute or the Council)
Director of Education and Children's Services	To work with the Chief Executive and colleague Directors on the strategic management and co-ordination of Council-wide initiatives and projects; to develop cross service policies; and to take overall responsibility for the direction and performance of the services for which he/she is responsible. To perform the statutory responsibilities of the Chief Education Officer.
Director of Adult and Community Services	To work with the Chief Executive and colleague Directors on the strategic management and co-ordination of Council-wide initiatives and projects; to develop cross service policies; and to take overall responsibility for the direction and performance of the services for which he/she is responsible. To perform the statutory responsibilities of the Director of Social Services.
Director of Environment	To work with the Chief Executive and colleague Directors on the strategic management and co-ordination of Council-wide initiatives and projects; to develop cross service policies; and to take overall responsibility for the direction and performance of the services for which he/she is responsible.
Director of Finance and Corporate Services	To work with the Chief Executive and colleague Directors on the strategic and financial management of the Council, and the co-ordination of Council-wide initiatives and projects; to develop cross service policies and financial planning and control systems; and to take overall responsibility for the direction and performance of the services for which he/she is responsible.

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(c) Head of Paid Service, Monitoring Officer and Chief Finance Officer.

The Council will designate the following posts as shown (the Deputy Monitoring Officer and the Deputy Chief Finance Officer being appointed by the Monitoring Officer and the Chief Finance Officer respectively, not the Council):

Post	Designation
Chief Executive	Head of Paid Service
Head of Legal Services (Assistant Head of Legal Services)	Monitoring Officer (Deputy Monitoring Officer)
Director of Finance and Corporate Services (Assistant Director of Finance)	Chief Finance Officer (Deputy 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 staff. 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 staff required for the discharge of functions and the organisation of staff.

(b) **Maintaining the Constitution.** The Head of Paid Service will maintain an up-to-date version of the Constitution (in accordance with Article 15) and will ensure that it is widely available for consultation by Members, staff and the public.

(c) **Proper Officer for access to information.** The Head of Paid Service will ensure that Executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

(d) **Advising whether Executive decisions are within the budget and policy framework.**

The Head of Paid Service will advise whether decisions of the Executive are in accordance with the budget and policy framework.

(e) **Providing advice.** The Head of Paid Service 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.

(f) **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) **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 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.

(b) **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.

(c) **Receiving reports.** The Monitoring Officer will receive and act on reports made by Ethical Standards Officers and decisions of the case tribunals.

(d) **Conducting investigations.** The Monitoring Officer will conduct investigations into matters referred by Ethical Standards Officers and make reports or recommendations in respect of them to the Standards Committee.

(e) **Advising whether Executive decisions are within the budget and policy framework.**

With the Head of Paid Service and the Chief Finance Officer, the Monitoring Officer will advise whether decisions of the Executive are in accordance with the budget and policy framework.

(f) **Providing advice.** The Monitoring Officer, with the Head of Paid Service and 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.

(g) **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 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) **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) **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.

(e) **Give financial information.** The Chief Finance Officer will provide financial information to members of the public and the community.

12.05 Conduct

Staff will comply with the Officers' Code of Conduct set out in Part 5 of this Constitution.

12.06 Employment

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