



Report of the Chief Executive

To Policy Council

On 7th December 2006

Changes to the Council's Constitution

1. Purpose of the report

To agree essential changes to the Council's Constitution as a result of the recent review of the Council's executive management structure.

2. Background

Executive Board on 12 October 2006 agreed a report which made the following changes to the Council's senior management structure:

- Retained the two posts of Executive Director (Community and Personal) and Executive Director (Regeneration and Technical) and also enhanced these posts in respect of their deputising functions.
- Deleted the post of Executive Director (Corporate Resources) but introduced a post of Strategic Director Resources to manage a Resources Directorate. This new Directorate brings together the Finance and Legal and Democratic Services Departments and also Strategic HR on its transfer back to the Council from Capita together with the client side of ICT and the corporate property function.
- The post of Director of Children's Services was made the Strategic Director of Children's Services.

The Chief Officer Employment Committee on 27 October 2006 appointed Alan Cotton as the new Strategic Director Resources and he has now brought in a new structure within the Resources Directorate. The structure includes the two posts of Director of Financial Services and Director of Legal Services, both of which will act as Deputy Strategic Directors for Resources. There will be additional Director posts for HR and ICT.

As a result of these changes there is a need to review key elements of the Council's Constitution to ensure officers have the necessary authority to act and that the Constitution remains an up to date and effective working document for the governance of the Council.

3. Chief Financial Officer (section 151 officer)

The former Director of Finance acted as the Council's Chief Financial Officer under section 151 of the Local Government Act 1972. This is a statutory post and is one of three which the Council must appoint to. The other posts are the Head of Paid Service (myself as Chief Executive) and the Monitoring Officer for the Council (Linda Comstive as Director of Legal Services).

There is a need to agree that the new Strategic Director Resources will serve as the Council Chief Financial Officer (section 151 officer) and also to agree how other financial responsibilities will be allocated. It is not proposed that there be any change to the role of Monitoring Officer which will continue to be undertaken by Linda Comstive as Director of Legal Services and report directly to myself as Chief Executive.

4. Changes to the Constitution

The majority of the required changes to the Constitution are contained within the officer scheme of delegation, proper officer provisions and also the Council's Financial Regulations. It is suggested that all references in the Council's Contract Procedure Rules to the Director of Finance be changed to the Director of Financial Services – there is no requirement for the Strategic Director Resources to be allocated any specific responsibility for contracts.

There are a number of other minor amendments as a result of changes in post titles and these will be picked up under the current power of the Director of Legal Services to make changes to the Constitution as a result of routine change.

The changes which are being put forward for agreement are contained in the following appendices and the amendments proposed are highlighted in grey:

Appendix 1	Officer scheme of delegation
Appendix 2	Proper officer provisions
Appendix 3	Financial regulations

There may be further changes required to the officer scheme of delegation as a result of the new posts of Director of HR and ICT and these will be brought to a future meeting of the Council.

5. Recommendations

5.1 That the Strategic Director Resources be appointed as the Council's Chief Financial Officer under section 151 of the Local Government Act 1972; and

5.2 That the proposed changes to the Council's officer scheme of delegation, the proper officer provisions and the financial regulations be approved as set out in appendices 1, 2 and 3 for inclusion in the Council's Constitution.

Graham Burgess
Chief Executive

29th November 2006

Background papers:

- Council's Constitution
- Report of the Chief Executive on the departmental restructuring considered by the Executive Board on 12 October 2006.

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