



Council

Monday 29 June 2020

Subject: Re-designation of the Chief Finance Officer / Section 151 Officer

Report by:

Chief Executive

Contact Officer:

Alan Robinson
Monitoring Officer
01427 676509
alan.robinson@west-lindsey.gov.uk

Purpose / Summary:

This report considers the appointment to the statutory position of Chief Finance Officer under the provisions of the Local Government Act 1972.

RECOMMENDATION(S):

1. That Tracey Bircumshaw, Finance and Business Support Manager, be designated as the Council's Chief Finance/Section 151 Officer.

IMPLICATIONS

Legal:

Under the Local Government Act 1972 every Local Authority must appoint a Chief Finance Officer. That person is responsible for ensuring the Council's finances are managed within the financial framework established by the Council. They have a personal responsibility to report concerns regarding financial probity to the Council.

Financial : fin/40/21

None arising from this report

Staffing :

Section 113 of the Local Government Finance Act 1988 requires the person to be a member of a specified accounting body

HR have confirmed the Officer proposed to be designated S151 Officer meets this criteria.

As set out within the report

Equality and Diversity including Human Rights :

n/a

Data Protection Implications :

None arising from this report

Climate Related Risks and Opportunities:

None arising from this report

Section 17 Crime and Disorder Considerations:

None arising from this report

Health Implications:

None arising from this report

Title and Location of any Background Papers used in the preparation of this report :

Risk Assessment :

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 The Council is required to appoint three statutory officers, namely the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer. This latter position is known as the Section 151 Officer.
- 1.2 Section 151 of the Local Government Act 1972 requires the Council to make arrangements for the proper administration of their financial affairs and to secure that one of their officers has responsibility for the administration of those affairs. Section 113 of the Local Government Finance Act 1988 requires the person to be a member of a specified accounting body.
- 1.3 Section 114 of the Local Government Finance Act 1988 defines the role further by placing personal duties and requirements upon the post-holder in respect of actual or anticipated financial misconduct, mirroring the function of the Monitoring Officer in respect of law and maladministration.

2 Proposal

- 2.1 The role of the Chief Finance Officer has been undertaken by Ian Knowles since May 2014.
- 2.2 Since that time there have been a number of re-organisations of senior managers, the latest being during 2019 on the announcement that the Executive Director of Operations intended to retire with effect from October 2019.
- 2.3 The Chief Officer Employment Committee met on several occasions during 19/20 to consider the future senior management structure of the Council, and ultimately resolved to return to a Chief Executive Model.
- 2.4 On 16 December 2019 the Chief Officer Employment Committee appointed Ian Knowles as Chief Executive of West Lindsey and as such Mr Knowles now holds two of the three Statutory Officer posts.
- 2.5 Best practice and robust governance arrangements would suggest it is more appropriate these statutory obligations be divided across individuals, where possible.
- 2.6 Furthermore, the move to a single Chief Executive model has necessitated the need to review the level of senior management which sits directly below the Chief Executive. The proposed structure is a matter for the Head of Paid Service to determine and is currently out for consultation. It is hoped the structure can be finalised by 1 July and re-designation of the S151 Officer does form part of the current consultation proposals but only Council can make appointments to these statutory posts.

- 2.7 In order that a structure can be implemented in its entirety on 1 July or as soon as possible thereafter, it is considered appropriate that the re-designation of this statutory position be made in advance of that date.