

# Officers

## 7.1 Management structure

(a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

(b) **Chief Officers.** The Council will engage persons for the following posts, who will be designated chief officers. Chief Officers are defined as Officers employed on the Council's Chief Officers' Terms and Conditions.

Post	Functions and areas of responsibility
Stuart Love Chief Executive (Head of Paid Service)	Overall corporate management and operational responsibility (including overall management responsibility for all officers)  Provision of professional advice to all parties in the decision making process.  Representing the Council on partnerships and external bodies (as required by statute or the Council).  Proper Officer for Local and referenda. Proper Officer for Constitutional matters.  Returning Officer for Local, Mayoral and GLA elections and Acting returning Officer for Parliamentary Elections.
Director of Law (Monitoring Officer, Parveen Akhtar)	Provision of legal advice to the Council, Monitoring Officer
Executive Director for Children's Services Sarah Newman	Schools, Learning, Services for Children, Young People and Families

Post	Functions and areas of responsibility
Executive Director for Growth, Planning and Housing Debbie Jackson	Planning Housing, Regeneration, Worklessness
Executive Director for Adult Social Care and Health Bernie Flaherty	Adult Social Care and relationships with Health, and Public Health functions.
Executive Director for Environment and City Management Raj Mistry	Street and Premises Management including Parking Sports and Leisure and Communities
Executive Director for Finance and Resources Gerald Almeroth	Chief Financial Officer appointed for the purposes of Section 151 of the Local Government Act 1972
Executive Director Innovation and Change Pedro Wrobel	Internal and External Communications, Local Strategies Partnership, Neighbourhood Regeneration Programmes

- (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
Director of Law	Monitoring Officer
Executive Director for Finance and Resources	Chief Financial Officer appointed for the purposes of Section 151 of the Local Government Act 1972

Such posts will have the functions described in paragraph 2.4 below.

- (d) **Structure.** The Head of Paid Service will publicise a description of the overall departmental structure of the Council showing the

management structure and deployment of officers. This is attached to this part of the Constitution.

## 7.2 Functions of the head of paid service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to the Council, and the Executive as necessary, 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.

## 7.3 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 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.
- (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 complaints against Councillors and Co-opted Members.
- (e) **Proper officer for access to information.** The Monitoring Officer 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. Prior to determination by the relevant body to determine if reports should be deemed as exempt from public disclosure.
- (f) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the executive 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, impropriety, probity and budget and policy framework issues to all councillors and will support and advise officers in their respective roles.
- (h) **Approval of external legal support.** As the Council possesses an in-house legal service, external suppliers of legal services can only be used by Departments when the Director of Law confirms that the in-house team are unable to meet the requirements on that occasion due to insufficient resources, skills, experience or capacity. The Director will ensure that advice is obtained from the most appropriate source in terms of value for money, quality, and the necessary experience of the provider. The Council's in-house team will support the Department in the matter for which external legal support is approved. Departments will provide the Director with details to assist in helping understand the basis of the need for external advice, the background to the matter and the outcomes being sought.
- (i) **Restrictions on posts.** The Monitoring Officer cannot be the chief financial officer or the head of paid service.

#### 7.4 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 financial 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 financial officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The chief financial 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 lawfulness of expenditure, 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 financial officer will provide financial information to the media, members of the public and the community.

#### **7.5 Duty to provide sufficient resources to the monitoring officer and chief finance officer**

The Council will provide the monitoring officer and chief financial officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

- 7.6 Other Statutory Officers:** The Director of Public Health shall act as the Statutory Officer under section 73A of the National Health Service Act 2006, as amended by the Health and Social Care Act 2012. Fatima Zohra is the Council's Data Protection Officer and Artemis Kassi is the Council's Scrutiny Officer.

#### **7.7 Conduct**

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

#### **7.8 Employment**

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