

<b>REPORT TO:</b>	<b>FULL COUNCIL</b> <b>28 January 2019</b>
<b>SUBJECT:</b>	<b>APPOINTMENT OF INTERIM CHIEF FINANCE AND SECTION 151 OFFICER AND INTERIM EXECUTIVE DIRECTOR OF RESOURCES</b>
<b>LEAD OFFICER:</b>	<b>CHIEF EXECUTIVE</b>
<b>CABINET MEMBER:</b>	<b>Leader, Councillor Tony Newman</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> The Council's management structure	
<b>FINANCIAL SUMMARY:</b> The salary cost of these posts are contained within the 2018/19 budget.	

## 1. RECOMMENDATIONS

Subject to the appointment notification process as set out in Section 3.4 of Part 4J of the Council's Constitution (Staff Employment Procedure Rules):

1.1 Note the resignation of Richard Simpson from his role as the Council's Executive Director of Resources and Chief Finance Officer and Section 151 Officer;

1.2 Note the appointment by the Chief Executive under delegated authority of Lisa Taylor to the statutory post of Chief Finance and Section 151 Officer on an interim basis for a period of up to 6 months from 1 February 2019;

1.3 Agree the extension of the appointment of Lisa Taylor to the statutory post of Chief Finance and Section 151 Officer on an interim basis for a period beyond 6 months should this be necessary pending recruitment to the role of Chief Finance and Section 151 Officer on a permanent basis;

1.4 Note the appointment by the Chief Executive under delegated authority of Jacqueline Harris-Baker to the post of interim Executive Director of Resources on an interim basis for a period of up to 6 months from 1 February 2019;

1.5 Agree the extension of the appointment of Jacqueline Harris-Baker to the post of interim Executive Director of Resources for a period beyond 6 months should this be necessary pending recruitment to the role of Executive Director of Resources on a permanent basis;

1.5 Note that Jacqueline Harris-Baker will retain her current functions as Council Solicitor and Monitoring Officer;

1.6 Delegate authority to the Council Solicitor and Monitoring Officer to make all necessary consequential changes to the Constitution arising from these interim appointments.

## **2. EXECUTIVE SUMMARY**

- 2.1. This report seeks the Council's approval to extend the appointment of Lisa Taylor to the post of interim Chief Finance and Section 151 Officer and Jacqueline Harris-Baker to the post of interim Executive Director of Resources and seek authority to make all necessary consequential changes to the Constitution arising from this interim appointment and that of Jacqueline Harris-Baker to the interim position of Executive Director of Resources.

## **3. DETAIL**

### Background

- 3.1. Members will be aware that Richard Simpson the Council's current Executive Director of Resources who also undertakes the statutory role of Chief Finance Officer and Section 151 Officer has resigned from the Council effective 04 March 2019.
- 3.2. Pursuant to the provisions of Section 6 of the Local Government and Housing Act 1989 and section 151 of the Local Government Act 1972, the Council is required to secure the proper administration of their financial affairs and secure that one of its officers is appointed who is responsible for the financial administration of the Council. The Chief Finance Officer and Section 151 Officer, which is one of the three Statutory Officer posts provided for in Article 12 of the Constitution is the officer with responsibility for the financial administration of the Council.
- 3.3. Under Section 113 Local Government Finance Act 1988 the Section 151 Officer must be a member of one of the specified accounting professions. In addition, there must be a separation of the roles of Section 151 Officer and Monitoring Officer so that whilst the Chief Executive of the Council, subject to appropriate qualifications, can be the Chief Financial Officer, it is not permissible for the Chief Financial Officer and Monitoring Officer to be the same officer.
- 3.4. Lisa Taylor the Council's Director of Finance, Investment and Risk is currently the Council's Deputy Chief Finance Officer and Deputy Section 151 Officer and has been a Croydon Council officer since 26 January 2009. She is a member of the Chartered Institute of Management Accountants and has been the Council's Deputy Section 151 officer since 3 February 2014. Accordingly the Head of Paid Service considers that she is appropriately qualified to fulfil the role of Interim Chief Finance Officer and Section 151 Officer.
- 3.5. Jacqueline Harris-Baker is currently the Director of Law and Governance, Council Solicitor and Monitoring Officer and it is proposed that she will retain the Council

Solicitor and Monitoring Officer functions whilst undertaking the new role of interim Executive Director of Resources.

- 3.6. Whilst the Chief Executive as Head of Paid Service is able to make interim appointments under Part 4J of the Staff Employment Procedure Rules within the Constitution for up to six months subject to the notification requirements in 3.4 of that part, and notifying that temporary appointment to the next meeting of full Council, the Chief Executive wishes to consider how best to structure the Resources Department going forward and it is not anticipated that this assessment will be completed within 6 months.
- 3.7 Accordingly the Council is asked to agree the extension of the appointments to the positions of interim Chief Finance Officer and Section 151 Officer and also interim Executive Director of Resources (should this be necessary) and agree that these interim appointments remain in place until permanent appointments to these positions are concluded. The arrangements in relation to the interim appointments would be subject to four weeks' notice on either side. All other terms and conditions relating to the post holder's substantive post as Director of Finance Investment and Risk would not be affected.
- 3.8 The Council's Staff Employment Procedure Rules at Part 4.J of the Constitution provide for a notification process to ensure that the Leader and any other Cabinet Members have no objections to the offer of appointment occurs before an offer of appointment is made to him/her and these requirements will need to be complied with should members approve the above recommendations.

#### **4 FINANCIAL AND RISK CONSIDERATIONS**

- 4 The salary cost of these posts are contained within the 2018/19 budget.

(Approved by Ian Geary Head of Finance Resources and Accountancy.)

#### **5 COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

- 5.1 The Solicitor to the Council comments that the Council may generally appoint such staff as it considers necessary for the proper discharge of its functions on such reasonable terms and conditions, including remuneration, as the Council thinks fit.
- 5.2 The Council is separately required by the Local Government Acts to employ suitably qualified individuals as Head of Paid Service, Section 151 (Chief Finance Officer) and Monitoring Officer.
- 5.3 The Council's Staff Employment Procedure Rules at Part4J of the Constitution provides that the Chief Executive may make an interim appointment to a Chief Officer position for a period of up to 6 months. The Rules also provide for a notification process to ensure that the Leader and any other Cabinet Members have no objection to the offer of appointment which will need to be complied with.

(Approved by: Sandra Herbert Head of Litigation and Corporate Law for and on behalf of Jacqueline Harris-Baker Director of Law and Governance and Monitoring Officer.)

#### **6 HUMAN RESOURCES IMPACT**

- 6.1 The arrangements as outlined may be ended earlier by either the Council or the post holders by giving four weeks' notice on either side.
- 6.2 All other terms and conditions relating to the post holder's substantive post as Director of Finance, Investment and Risk remain in place.

(Approved by: Gillian Bevan, Head of HR Resources on behalf of Sue Moorman, Director of Human Resources)

## **7 EQUALITIES, ENVIRONMENTAL, CRIME AND DISORDER IMPACT**

- 7.1 There are no direct considerations arising from this report.

## **8 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 8.1 The Council is required by law to secure the proper administration of their financial affairs and appoint one of its officers as Chief Financial Officer and Section 151 Officer who is responsible for the financial administration of the Council.

## **9 OPTIONS CONSIDERED AND REJECTED**

- 9.1 The Council must have in place an appropriately qualified officer appointed to the position of Chief Finance Officer and Section 151 Officer. The review of the Resources Directorate is not yet complete and the Chief Executive is not yet able to recommend a permanent appointment to either this position or that of Executive Director of Resources.

---

**CONTACT OFFICER:** Sue Moorman, Director of Human Resources

**BACKGROUND DOCUMENTS:** Job descriptions