

Role and Functions of Head of Paid Service, Monitoring Officer and Chief Finance Officer

The Council is required by statute to designate officers in respect of these three posts. The Head of Paid Service may not also be the Monitoring Officer. The Chief Finance Officer may not also be Monitoring Officer. The Council has designated the following officers to these posts:

Head of Paid Service: The Chief Executive

Monitoring Officer: The Executive Director, Core Services

Chief Finance Officer: The Service Director, Financial Services

The functions of these three statutory posts are as follows:

Functions of the Head of Paid Service

The Head of Paid Service has overall responsibility for the management and coordination of the employees appointed by the Council. They are required to report to the Council as appropriate with regard to the way in which the overall discharge by the Council of its different functions is coordinated, the number and grades of staff required for the discharge of these functions, the way in which these people are organised and managed, and the way in which they are appointed.

Functions of the Monitoring Officer

The Monitoring Officer has defined statutory responsibilities in respect of matters of legality, conduct, and probity. The Monitoring Officer may not also be the Head of Paid Service. However the Monitoring Officer will liaise as appropriate with the Head of Paid Service in the discharge of their functions.

(i) Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure this is widely available for consultation by Elected Members, employees, and members of the public.

(ii) 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 Cabinet in relation to an executive function) if they consider 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.

(iii) Supporting the Appeals, Awards, and Standards Regulatory Board

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Appeals, Awards, and Standards Regulatory Board.

(iv) Composition of Panels

The Monitoring Officer will determine the composition of any panels being selected from the Board, in consultation with the Chairman of the Board and in accordance with the relevant statutory provisions governing the matter that is the subject of the appeal.

(v) Conducting Investigations

The Monitoring Officer will determine whether or not a complaint under the Ethical Standards Framework and Member Code of Conduct should be investigated, following consultation with the Independent Person, and make arrangements for any complaint to be investigated accordingly.

(vi) Determining applications for dispensation

The Monitoring Officer will determine applications for dispensations from the Code of Conduct where the number of Members otherwise precluded from taking part in a decision would impede the conduct of business or interfere with the political balance of the decision making body, following consultation with the Independent Person.

(vii) Access to Information

The Monitoring Officer will ensure that decisions of the Cabinet together with the reasons for those decisions, as well as relevant officer reports and background papers, are made publicly available as soon as possible to persons requesting them. (NB: The release of certain information may be restricted by law).

(viii) Advising whether Cabinet Decisions are within the Budget and Policy Framework

The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the budget and policy framework approved by the Council. (Decisions outside that framework will require approval of the full Council).

(ix) Providing Advice

The Monitoring Officer will provide advice on the scope of statutory powers and authority of the Council or Cabinet to take decisions, issues relating to maladministration, conduct and probity the budget and policy framework to all Elected Members.

(x) Register of Members Interests

The Monitoring Officer will establish and maintain a Register of Interests of Members and Co-opted Members of the Authority. (Further information is available under the 'documents relating to Members of the Council' section of the Council's Constitution).

Functions of the Chief Finance Officer

The Chief Finance Officer has defined statutory responsibilities in respect of the proper administration of the financial affairs of the authority.

(i) 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 Cabinet in relation to an executive function) and the Council's external auditor if they consider that any proposal or 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.

(ii) Administration of Financial Affairs

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

(iii) Providing Advice

The Chief Finance Officer will provide professional financial advice as appropriate. They will also provide advice on scope of powers and authority to take decisions, issues relating to maladministration, financial impropriety, probity, and the budget and policy framework, to all Elected Members, and will support and advise Councillors and officers in their respective roles.

(iv) Give Financial Information

The Chief Finance Officer will provide financial information as appropriate to the media and members of the public. (NB: The release of certain information may be restricted by law).