

READING BOROUGH COUNCIL  
REPORT BY MONITORING OFFICER

TO:	POLICY COMMITTEE		
DATE:	31 OCTOBER 2016	AGENDA ITEM:	16
TITLE:	DELEGATIONS REGISTER - STRATEGIC FINANCE DIRECTOR (SECTION 151 OFFICER)		
LEAD COUNCILLOR:	JO LOVELOCK	PORTFOLIO:	LEADERSHIP
SERVICE:	ALL	WARDS:	BOROUGH-WIDE
LEAD OFFICER:	CHRIS BROOKS	TEL:	9372602 / 72602
JOB TITLE:	HEAD OF LEGAL & DEMOCRATIC SERVICES	E-MAIL:	<a href="mailto:Chris.brooks@reading.gov.uk">Chris.brooks@reading.gov.uk</a>

**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 The Personnel Committee, at its meeting on 6 October 2016 (Minute 10 refers), noted the engagement of Rachel Musson as interim Strategic Finance Director and formally appointed her as the designated Section 151 Officer.
- 1.2 As a result of this appointment, and to reflect the new management structure within the Finance Service, the Committee is asked to approve that all references in the Council's Delegations Register to the 'Head of Finance' be replaced with the 'Strategic Finance Director', as being the proper officer to discharge the functions contained within the Delegations Register currently assigned to the 'Head of Finance'.
- 1.3 The Council's Constitution will also need to be updated to reflect the appointment of a Strategic Finance Director as the Section 151 Officer with the Head of Finance acting as the Deputy Section 151 Officer.

**2. RECOMMENDED ACTION:**

- 2.1 That, acting on behalf of all Committees of the Council and full Council itself:

All references to the 'Head of Finance' within the Council's register of functions delegated by it and its Committees to officers be replaced with the 'Strategic Finance Director', as being the proper officer to discharge the functions contained within the Delegations Register currently assigned to the 'Head of Finance'.

- 2.2 That the decision in 2.1 above be taken in accordance with Article 7 (paragraph 7.7) of the Council's Constitution.

**2.3 That the Monitoring Officer arrange for the Council's Constitution to be updated to reflect the appointment of a Strategic Finance Director as the Section 151 Officer with the Head of Finance acting as the Deputy Section 151 Officer.**

### **3. POLICY CONTEXT**

3.1 The Delegations Register was last reviewed comprehensively in 2013, when the Council adopted a Committee system of governance. Since that date it has been periodically updated on a piecemeal and ad hoc basis, as new legislation has emerged and changes have been made to senior management structures.

3.2 The current need to update the Delegations' Register has resulted due to a change in the Council's senior management structure.

### **4. THE PROPOSAL**

4.1 The new post of Strategic Finance Director has led to the the need to review the Council's Delegations Register to bring it into line with the new senior management structure within the Finance Service. In order to achieve this aim, it is proposed that the Delegations Register should be amended to replace references to the Head of Finance with the Strategic Finance Director.

4.2 The changes to the senior management structure and the appointment of the Strategic Finance Director as Section 151 Officer will also necessitate changes to the officer titles within the Council's Constitution. These changes will occur most notably in Article 12 'Officers' and Part 4 'Rules of Procedure (Budget and Policy Framework Procedure Rules; and Financial Procedural Rules/ Financial Regulations)'.

### **5. CONTRIBUTION TO STRATEGIC AIMS**

5.1 The Delegations Register records those functions of the authority which the Council and its committees have agreed to delegate to officers to exercise. Many of these functions will relate directly to the Council's strategic aims.

### **6. COMMUNITY ENGAGEMENT AND INFORMATION**

6.1 Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".

6.2 This report is concerned with the transfer of functions delegated to officers to bring them into line with new arrangements. There is no requirement for external consultation.

### **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 This report is concerned with transferring functions delegated to the Head of Finance to the Strategic Finance Director to bring them into line with the revised management arrangements and the appointment of a new Section 151 Officer. This does not have a differential impact on: racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief. As a result, there is no requirement for an equality impact assessment to be undertaken.

## **8. LEGAL IMPLICATIONS**

- 8.1 The Section 151 Officer has responsibilities under the Local Government Act 1972 and the Responsible Officer under Section 113 of the Local Government Finance Act 1992. This person is also described in the Council's Constitution as the Chief Finance (or Financial) Officer.
- 8.2 Following the adoption of a committee system of governance, at the Annual Council Meeting, on 22 May 2013, all officer delegations are now made under Section 101 of the Local Government Act 1972. The functions delegated by Council to Committees and Sub-Committees, and their arrangements for exercising them, are set out in Article 7 of the Constitution.
- 8.3 Article 13 of the Council's Constitution sets out the responsibility for decision making under the committee system of governance. Full Council is responsible for the exercise of all functions of the authority. It may delegate functions to be exercised by individual Committees or Sub-Committees, or by a senior officer(s). Committees in turn may delegate any of their functions to be exercised by a Sub-Committee of Members, or by a senior officer; and a Sub-Committee in turn may delegate any of its functions to be exercised by a senior officer.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 The proposals made in this report are budget-neutral and will not involve the authority in any additional expenditure or savings.

## **10. BACKGROUND PAPERS**

- 10.1 Constitution of the Council  
10.2 Delegations Register