

Date of issue: Friday, 12 April 2024

MEETING	EMPLOYMENT COMMITTEE (Councillors Zarait (Chair), Khawar, Bedi, Escott, D. Parmar and Qaseem)
DATE AND TIME:	TUESDAY, 16TH APRIL, 2024 AT 6.30 PM
VENUE:	COUNCIL CHAMBER - OBSERVATORY HOUSE, 25 WINDSOR ROAD, SL1 2EL
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	NICHOLAS PONTONE 07749 709 868

SUPPLEMENTARY PAPERS

The following Papers have been added to the agenda for the above meeting:-

* Item 5 was not available for publication with the rest of the agenda.

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
5.	Senior Management Restructure Update	1 - 38	All

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Slough Borough Council

Report To:	Employment Committee and Council
Date:	16 April 2024 (Employment Committee) 25 April 2024 (Full Council)
Subject:	Senior Management Restructure Update
Chief Officer:	Chief Executive
Contact Officer:	Stephen Taylor – Monitoring Officer Surjit Nagra – AD Human Resources
Ward(s):	None
Exempt:	No
Appendices:	Appendix A – Organisation Chart Appendix B – Article 12 and the Officer Scheme of Delegation (Part 3.6 of the Constitution - Sections 3 and 4) Appendix C – Decisions of Commissioners in relation to the appointments of the Head of Paid Service and the S151 Officers

1. Summary and Recommendation

1.1 This report to the committee is an update on the senior management restructure that was consulted and approved in September 2023, highlighting the progress of the recruitment into the new posts created. It also highlights the arrangements that are to be in place following the resignations of two statutory officers – Head of Paid Services (Chief Executive) and Section 151 Officer.

Recommendation:

Employment Committee is recommended to:

- Note and endorse the contents of this report.
- Recommend the report to Full Council.

Council is requested to:

- Note the appointment of Will Tuckley as interim Head of Paid Service with effect from 15 April 2024;
- Note the appointment of Christopher Holme as interim Executive Director of Finance and Commercial Services – S151 Officer for the period 26 April 2024 to the 6 May 2024;

- Note the appointment of Annabel Scholes as interim Executive Director of Finance and Commercial Services – S151 Officer with effect from 7 May 2024
- Approve the updated organisation chart at Appendix A, together with revisions to Article 12 of the Constitution and the Scheme of Delegation at Appendix B;
- Approve the designation of the statutory post of Returning Officer, Acting Returning Officer, Local Returning Officer, and Electoral Registration Officer to the role of Monitoring Officer; and
- Authorise the Monitoring Officer to update the Constitution, as necessary.

Commissioner Review

Commissioners have reviewed the report and are supportive of the recommendations.

2. Report

Introduction

- 2.1 As articulated in the Council’s Corporate Plan, the Council is on a long-term path to recovery, however, to deliver this the Council needs senior corporate capacity.
- 2.2 Employment Committee Members have been updated regularly on how the senior management restructure has been articulated and the consultation process that was undertaken to reorganise the senior management structure of the Council.
- 2.3 The focus of the reorganisation was to create capacity and to respond to the need to drive through activities related to the recovery programme at pace. This report covers the next stage of implementation of the proposals and details the recruitment process to the newly created Director’s role.
- 2.4 The newly created Directors posts (which have replaced the Associate Directors (AD)) will have greater strategic authority and as such will be more empowered to progress the recovery and improvement of the Council at pace in their areas and corporately and be accountable for the decisions they make.
- 2.5 To remind members, with effect from 1 September 2022 and following the Commissioners’ initial six-month report to the Secretary of State, the Minister expanded the Directions to the Council in Annex B of the Directions to include the following:

“5. All functions to define the officer structure for the senior positions, to determine the recruitment processes and then to recruit the relevant staff to those positions.”
- 2.6 Senior positions’ is defined in Annex B of the Directions as ‘direct reports to the Chief Executive and their direct reports, and their Group Managers – tier one, tiers two and three.’ This tiering has changed in the new structure and are now Directors and Heads of Service roles.

- 2.7 On that basis, the Commissioners have been kept fully informed through the process and have the power to intervene in any stage of the process if they so wished. The appointment process for the Chief Officer and Deputy Chief Officer posts has been agreed with the Commissioners.

Progress on recruitment

- 2.8 The recruitment to the Directors posts is nearing completion. To assist with our search for high calibre candidates and ensure we get the very best candidates an external recruitment partner, Starfish, was appointed through a procurement exercise. They had a specific brief to attract candidates from a diverse background as part of the search process. They were successful in that, and the search outcome yielded a very good response for all the above posts.

- 2.9 Commissioners fully participated in the selection process and appointed the successful candidates. To date, the following posts have been recruited to:

Role	Appointee	Start Date
Director of Commissioning	Jane Senior	1 December 2023
Director of Financial Transactions	Andy Jeffs	1 January 2024
Director of Education	Neil Hoskinson	1 April 2024
Director of Public Health	Tessa Lindfield	8 April 2024
Director of Law & Governance	Sukdave Ghuman	1 May 2024
Director of Property & Assets	Peter Hopkins	1 May 2024
Director of HR & Workforce Transformation	Bal Toor	20 May 2024
Director of Adult Social Care	David Coleman-Groom	5 June 2024
Director of Environment & Highways	Matthew Hooper	17 June 2024
Director of Housing	Lisa Keating	To be confirmed

- 2.10 Four directors above have already started in the roles, with the remainder starting on the dates listed above. There are currently two further Director roles which are going through the selection process, and these are:

- Director of Strategy, Change and Resident Engagement
- Chief Planning Officer

- 2.11 A review of the new structure will take place in September 2024 in line with our organisational change policy. However, since the September 2023 reorganisation there have been a number of changes to the approved structure which will need to be taken into account. In particular, the post of Executive Director (ED) Strategy and Transformation has been deleted; a separate Chief Executive's office is being created; and there have been a number of minor rearrangements such as the Cemetery and Crematorium

have been placed with ED Regeneration, Housing and Environment, and the Library service is with the ED Children's Service.

- 2.12 An updated organisation chart is attached at **Appendix A**, and Article 12 of the Constitution together with the Scheme of Delegation will need to be updated with the consequential changes as attached at **Appendix B**, which Council is asked to approve.
- 2.13 Inevitably, this has adversely affected the pace of the recovery as substantial senior management time has been taken up with the appointments process. The council has been managing with an unstable workforce for some time. This restructure forms a vital part of stabilising the workforce and the council, but it is recognised that there could be further disruption in the short term. A key part of our next steps will be to minimise that disruption as we implement the structure, and institute a thorough induction or onboarding process to enable the new appointees to be effective in their roles.
- 2.14 As the recruitment process for this level has not been concluded, it is envisaged the next meeting of this committee will be provided with further information to demonstrate whether the approach with the recruitment partner was successful and what lessons Slough can learn for future recruitment exercises.

Head of Paid Service, S151 Officer and Director of Public Health

- 2.15 Following the departure of the Head of Paid Service on the 12 April and the S151 Officer on the 25 April, interim arrangements have been put in place. Will Tuckley has been appointed by the Commissioners as interim Head of Paid Service with effect from the 15 April 2024, following consultation with the Group Leaders.
- 2.16 So far as the S151 Officer role is concerned, the Commissioners have appointed Annabel Scholes as the interim S151 Officer with effect from 7 May 2024. In order to ensure continuity in post of a S151 Officer for the period 26 April to the 6 May, the Commissioners have appointed the current Deputy S151 officer, Christopher Holme, as the interim S151 Officer. Notification of those appointments are attached at **Appendix C**.
- 2.17 As members will know, Slough shared the Director of Public Health (DPH) post with Bracknell Forest Council and the Royal Borough of Windsor and Maidenhead. The decision was taken that Slough needed its own DPH in order that the DPH is able to focus on the particular issues facing the Borough. The Commissioners have appointed Tessa Lindfield, the previous holder of the joint post, as the DPH following a recruitment process involving the Commissioners, Members and the Faculty of Public Health.

Returning Officer roles

- 2.18 The Council is required to have in place an officer to cover the statutory roles of Returning Officer, Acting Returning Officer, Local Returning Officer, and Electoral Registration Officer.
- 2.19 Previously in Slough these electoral roles have been designated at various times and for various reasons to the Chief Executive, Chief Operating Officer or the Monitoring Officer. So far as designating the roles to the Chief Executive is concerned, having consulted with the Lead Commissioner this is not recommended in the current circumstances for reasons of capacity and focus; the incoming interim Head of Paid Service / Chief Executive will be fully engaged at the outset with the Recovery and Improvement programme.
- 2.20 Alternatively, the role could be fulfilled by the current interim Monitoring Officer who is an experienced Returning Officer and has operational responsibility for Electoral Services as this is within his portfolio. If this role is attached to the Monitoring Officer role, the incoming Monitoring Officer, who also has election experience, would take on the Returning Officer responsibilities in due course.
- 2.21 On balance, therefore, it is recommended that the Monitoring Officer be appointed to the statutory roles of Returning Officer, Acting Returning Officer, Local Returning Officer, and Electoral Registration Officer. Obviously, this situation can be reviewed in due course should circumstances warrant it.

3. Implications of the Recommendation

3.1 *Financial implications*

- 3.1.1 As advised in previous reports to the Employment Committee, the new job descriptions have been evaluated to provide accurate costings. The cost of the restructure, as stated in the original Consultation Document, compared to the current structure is overall cost broadly neutral once the entire restructure is completed. That means once these roles have been fully recruited to and the restructure of those roles reporting into the new Director roles have also been completed. However, we are currently only part way through the transition.
- 3.1.2 Now that appointments are being made into the structure, there are some posts that have attracted market supplements and not all appointments have been made at the bottom of the scale. Any posts not appointed at bottom of the scale will have had to be approved with sound evidence as to a reason why. Any pressure that this creates given the budget was estimated at lower mid-point needs to be managed within the service that this relates to, just as any market supplements will also need to be managed by the service too.

- 3.1.3 The changes to the Director of Public Health post are assumed to be cost neutral to the local authority as these costs are charged to the ring fenced Public Health Grant from OHID (Office for Health Improvement and Disparities). As per each Directorate budget, the Public Health is a cash limited budget, and the total employment cost of the Director must be contained within that overall cash limit.
- 3.1.4 The costs of the new posts were originally estimated prudently at lower mid-point – while the intention is to recruit at the bottom of the scale. Additionally, these are the expenditure effects, and some posts may be at least in part be charged to other grants or external recharges in practice. These costs are excluding recent salary uplift (and uplift for 2024/25 onwards is not assumed). However, the budgets for all these roles will be updated for the pay rise. The overall position is neutral as the over costs are similar and subject to the same % uplift as council wider senior posts.
- 3.1.5 Transitional costs of redundancy, pension strain and the overall transformation are allowed for by the reserve and c/fwds created for this purpose in the original council plans and at the last year end. There is an earmarked reserve of £7.5m. As advised these funds will assist with Pension strain and redundancy, other costs of transformation including any overlap costs. The Council are expecting to fully use this reserve.
- 3.1.6 Directorates need to manage the costs within their existing cash limit budgets and there is an assumption posts will be recruited at bottom of scale. Budgets will be adjusted as restructure progresses where budgets for deleted posts will be removed and reused for new posts.

3.2 ***Legal implications***

- 3.2.1 The rules governing recruitment and appointment of staff are set out in the Constitution. This includes the rules for appointment of chief officers, which includes the need for elected members to decide on these appointments, except when the Commissioners choose to exercise their intervention powers, or an interim is being appointed pending permanent recruitment. The DLUHC statutory Directions give powers to the appointed DLUHC Commissioners to make decisions on senior officer recruitment for the top three tiers of the organisation. All other recruitment decisions, including those decisions where the commissioners decide not to exercise their power are made by the Chief Executive, as Head of Paid Service, or an authorised officer. In general, executive directors are responsible for agreeing and implementing restructures within their services.
- 3.2.2 The Localism Act introduces duties in relation to transparency in pay policies and arrangements. The guidance associated with this legislation states that due to public interest in the level and frequency of severance payments being made in particular to senior officers, to ensure that decisions to spend local taxpayers' money on large payoffs are subject to the appropriate level of accountability, local authorities should offer full council the opportunity to vote before packages over £100,000 are approved. In appropriate circumstances

an individual may be permitted to be paid in lieu of notice. The Localism Act and associated guidance also requires local authorities to have a pay policy statement and recommends that full Council should approve new posts paid at £100,000 or more.

3.2.3 The Returning Officer (local elections), Local Returning Officer (PCC elections) and Acting Returning Officer (parliamentary elections) have statutory responsibilities in relation to the running of elections and the Electoral Registration Officer has statutory responsibility in relation to registration of electors. Section 35(1) of the Representation of the People Act 1983 requires the Council to appoint one of its officers to the role of Returning Officer. A Returning Officer is personally responsible for the administration of local government elections and for ensuring that the experience of voters and those standing for election is a positive one.

3.3 ***Risk management implications***

3.3.1 There is an inherent level of risk with any restructure, including whether it has the expected impact on performance, service delivery and efficiency and whether it is possible to recruit to the new structure. This will be mitigated through ongoing review of the impact and a 12-month review of the structure.

3.3.2 There are additional risks for the Council. These include the disruption that restructure at this scale causes, this disruption is already happening and will continue until significant numbers of the new posts are recruited to and postholders have started their jobs. That said, the council has been coping with instability in the work force for some time and clarity over senior roles and permanent recruitment will begin to drive more stability in the organisation. Organisational leaders and managers will need to manage ongoing delivery and risks in their areas using a variety of tools to mitigate disruption and maintain delivery. There are several interims in post at the associate director level and it is anticipated that many of these staff will stay with Slough until permanent recruitment is undertaken, minimising the risks of gap.

3.3.3 There is the potential for the loss of institutional memory and knowledge in staff leaving either through redundancy or as they seek other employment during the process. This will be mitigated through thorough hand over expectations of those leave.

3.4 ***Environmental implications***

3.4.1 There are no specific environmental implications arising from this report.

3.5 ***Equality implications***

3.5.1 As part of the consultation process an Equality Impact Assessment was conducted.

3.5.2 Officers are seeking to mitigate any equalities impacts by putting a very high premium on diversity in all its forms. This was the key criteria in the selection of the recruitment partner.

3.6 Procurement implications

3.6.1 Not applicable for this report to the committee.

3.7 Workforce implications

3.7.1 The consultation process has followed the Council's Organisational Change Policy and Procedure and trade unions have been involved in this change programme.

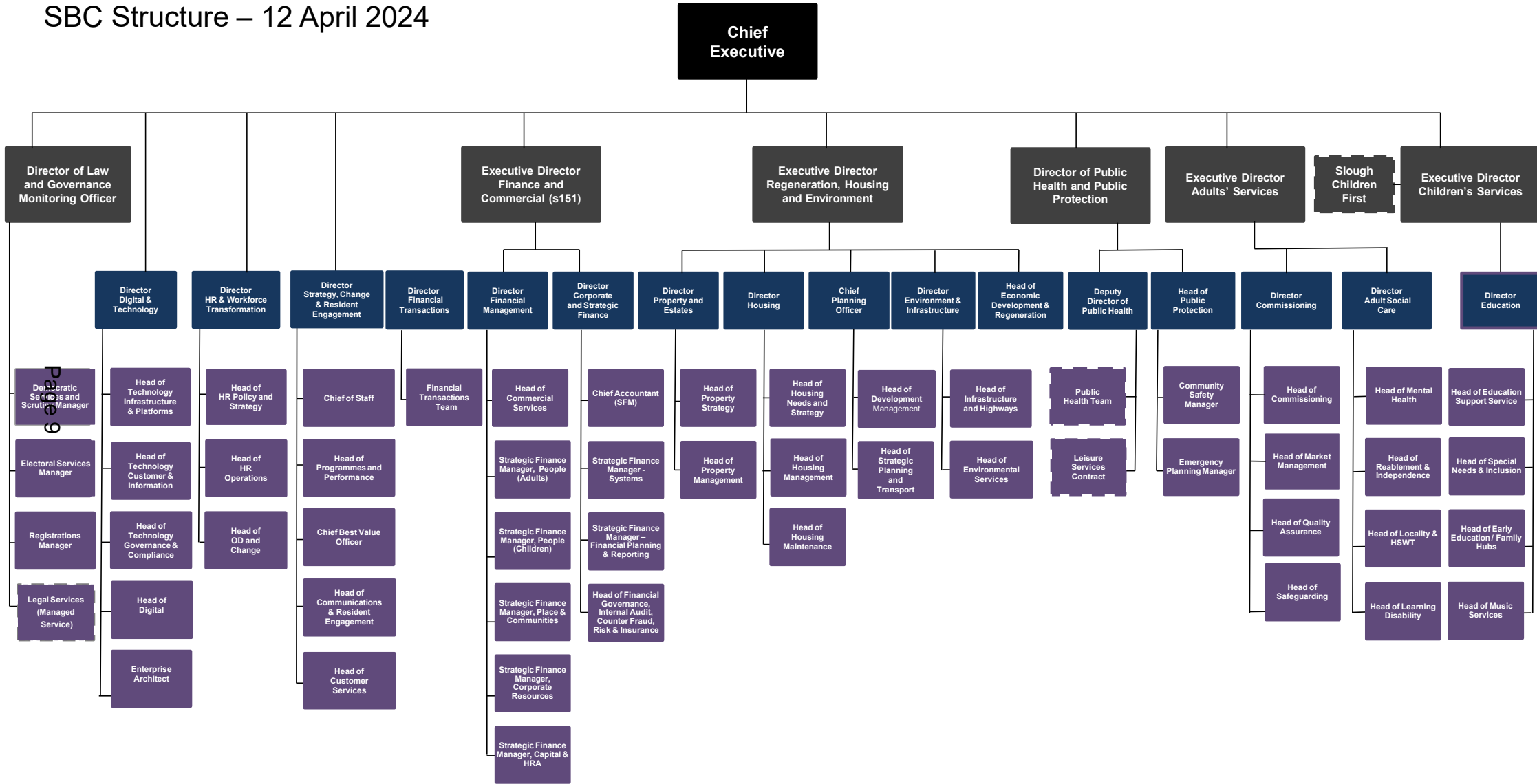
3.8 Property implications

3.8.1 Not applicable for this report to the committee.

4. Background Papers

None

SBC Structure – 12 April 2024



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ARTICLE 12 – OFFICER ROLES AND STATUTORY CHIEF OFFICER FUNCTIONS

1 Chief Officers

Post
Chief Executive
Executive Director: Finance and Commercial
Executive Director: Regeneration, Housing and Environment
Executive Director: Adults Services
Executive Director: Children’s Services
Director of Public Health and Public Protection
Director of Law and Governance

Statutory Chief Officers

The Council will designate the following posts as shown:

Post	Designation
Chief Executive	Head of Paid Service
Director of Law and Governance	Monitoring Officer
Executive Director: Finance and Commercial	Chief Finance Officer – S151 Officer
Executive Director: Children’s Services	Director of Children’s Services
Executive Director: Adults Services	Director of Adult Social Services
Director of Public Health and Public Protection	Director of Public Health

Such posts will have the functions described below.

Structure. The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

2 Functions of the Head of Paid Service

1. Duty to grant and supervise exemptions from political restriction from the authority's staff	Section 3 Local Government and Housing Act 1989
2. Duty to report on the following matters: a. the manner in which the discharge by the authority of their different functions is co-ordinated; b. the number and grades of staff required by the authority for the discharge of their functions; c. the organisation of the authority's staff; d. the appointment and proper management of the authority's staff	Section 4 Local Government and Housing Act 1989
3. To be the principal advisor on staffing matters to the council (except where there would be a conflict of interest in respect of his or her own pay and conditions of service)	Part 1 Local Government and Housing Act 1989
4. To ensure the appointment and proper management of the authority's staff and that all staff are appointed on merit.	Part 1 Local Government and Housing Act 1989

- (a) **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.

3 Functions of the Monitoring Officer

1. Report on contravention or likely contravention of any enactment or rule of law.	Section 5 & 5A Local Government and Housing Act 1989.
2. Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3. Appointment of Deputy Monitoring Officer.	Section 5 Local Government and Housing Act 1989.
4. Report on resources needed to undertake Monitoring Officer functions.	Section 5 Local Government and Housing Act 1989.
5. Establish and maintain registers of member's interests and gifts and hospitality.	Sections 29 and 30 Localism Act 2011 The Relevant authorities (Disclosable Pecuniary Interests) Regulations 2012
6. Advice to Members on interpretation of the Code.	Members' Code of Conduct
7. Advice and determination of process for complaints under the Code of Conduct in accordance with the agreed complaints procedure.	Sections 28 – 34 Localism Act 2011
8. Advice to Members on Compensation or remedy for maladministration.	Section 92 Local Government Act 2000.

(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) **Affixing the seal.** The Monitoring Officer will authorise in writing another officer, including legal staff within the London Borough of Harrow, to affix the common seal and execute under seal any deed or document

- (b) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer – S151 Officer or the Head of Paid Service.

4 **Functions of Chief Finance Officer (S151 Officer)**

1. Oversight of proper administration of financial affairs.	Section 151 Local Government Act 1972
2. Duty to nominate a member of his/her staff as chief financial officer.	Section 114 Local Government Finance Act (LGFA)1988
3. Duty to report on a Council decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114 LGFA 1988
4. Duty to report if the expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.	Section 114 LGFA 1988
5. Duty to report on an Executive decision or likely decision which would lead to the authority incurring unlawful expenditure or would cause a loss or deficiency to the authority or entry of an unlawful item of account.	Section 114A LGFA 1988
6. Duty to report on the robustness of the authority's budget calculations.	Section 25 Local Government Act 2003
7. Duty to report on the adequacy of the authority's proposed financial reserves.	Section 25 Local Government Act 2003
8. Duty to report on previous years' financial reserves if it appears that controlled reserves is or likely to be inadequate, including recommendations for appropriate actions to rectify.	Section 27 Local Government Act 2003
9. Duty to assist the Council in carrying out regular budget monitoring.	Section 28 Local Government Act 2003

(a) **Restrictions on posts.** The s.151 Officer cannot be the Monitoring Officer.

5. Functions of the Director of Children's Services

1. Responsible for functions conferred on or exercisable by the authority in their capacity as a local education authority	Section 18 Children Act 2004
2. Responsible for functions conferred on or exercisable by the authority, which are social services functions, so far as those functions relate to children.	Section 18 Children Act 2004
3. Responsible for functions under section 23C to 24D of the Children Act 1989, relating to looked after children.	Section 18 Children Act 2004
4. Improving well-being of children in the authority's area.	Sections 10 and 18 Children Act 2004
5. Safeguarding and promoting the welfare of children.	Sections 11 and 18 Children Act 2004
6. Responsible for any function under section 75 of the National Health Service Act 2006 on behalf of an NHS body so far as those relate to children.	Section 18 Children Act 2004

6 Functions of the Director of Adult Social Services

<p>1. Responsibility for all social services functions (other than those for which the Director of Children's Services is responsible under section 18 of the Children Act 2004).</p>	<p>Section.6 and Schedule 1 of the Local Authority Social Services Act 1970</p>
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7. Functions of the Director of Public Health

Director of Public Health	Statutory Source of Function.
1. Responsibility for the functions under S2B National Health Service Act – taking steps to improve Health.	Ss 2B and 73A National Health Service Act 2006.
2. Responsibility for the functions under S111 National Health Service Act – dental public health.	Ss 111 and 73A National Health Service Act 2006.
3. Responsibility for the functions under S249 National Health Service Act – joint working in respect of prison health.	Ss249 and 73A National Health Service Act 2006.
4. Responsibility for compliance with regulations made under s6C(1) or (3) National Health Service Act 2006 –requirement to undertake functions of the Secretary of State	Ss 6C(1) and (3) National Health Service Act 2006
5. Responsibility for the functions under S7A National Health Service Act – arrangements to undertake Secretary of State’s functions.	Ss 7A and 73A National Health Service Act 2006.
6. Responsibility for the exercise by the authority of its functions under Schedule 1 National Health Service Act 2006 - inspection of school pupils.	Schedule 1 National Health Service Act 2006
7. Responsibility for any functions that relate to planning for or responding to emergencies involving a risk to public health.	S73A National Health Service Act 2006.
8. Responsibility for the functions under S325 Criminal Justice Act 2003 – arrangements for assessing risk of certain offenders.	S325 Criminal Justice Act 2003
9. To prepare an annual report on the health of the people in Slough	S73B(5) National Health Service Act 2006
10. To be a member of the Health and Wellbeing Board	S194(2)(d) National Health Service Act
11. Responsibility for the exercise of all other Local Authority’s public health functions specified in S73A(1) National Health Service Act 2006.	S73A National Health Service Act 2006.

9 Conduct

Officers will comply with the Officers' Code of Conduct for Employees in Part 5.3 and the Local Code Governing Relations Between Elected Members and Council Employees in Part 5.4 of this Constitution.

10 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

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Part 3.6 Scheme of Delegation to Officers

Contents

Section 1. Guiding Principles

Section 2. General Delegations which apply to all the Council

Section 3. Proper Officer Functions

Section 4. Delegations to each Directorate

Chief Executive

Executive Director: Finance and Commercial

Executive Director: Regeneration, Housing and Environment

Executive Director: Adult Services

Executive Director: Children's Services

Director of Law and Governance (Monitoring Officer)

Director of Public Health and Public Protection

Section 1 - Guiding Principles

1.1. Introduction

This document sets out how the Council has delegated its executive and non-executive powers to officers. Its purpose is to ensure that there are sufficient properly authorised, officers to carry out the Council's business, lawfully and effectively and that everyone: officers, members and the public, knows who they are.

These delegations to officers are the last link in the chain of delegation which begins with the framework described in the Constitution. They must be read in conjunction with the Constitution itself, and in particular the arrangements for discharge of executive and non-executive functions set out in Part 3, and those delegations to Committees, sub-Committees and Directors.

General principles

Officers may exercise delegated powers provided that the matter:-

- is covered by an approved policy
- there are no unusual features
- there are no political or other significant issues,

otherwise the matter should be referred to Members to determine.

In exercising delegated powers officers must:

- Incur expenditure within approved estimates/limits.
- Comply with the Council's procedural rules and constitution, including the Contract Procedure Rules and Financial Procedure Rules in force at the time.
- Comply with any policy, plan or direction of the Council, Cabinet or Committee.
- Comply with the Council's internal policies, procedures and guidance.
- Consult where appropriate, and/or agree with other relevant officers.
- Consult or refer the matter to the Chief Executive, s.151 Officer and/or Monitoring Officer in appropriate cases.
- Keep appropriate records and registers of decisions and report to Council, Cabinet or Committee if required.

In using delegated powers, officers are accountable to the Council or Cabinet or the Committee from which those delegated powers derive.

Acts of officers done under delegated powers are deemed to be acts of the Council.

1.2. Structure of the Scheme

Section 2 of the Scheme is the **General Delegations**. These are delegated powers which are common to all parts of the Council and relate to the Finance, Procurement, Human Resources, Legal transactions and Property Management functions which support the main work of the Council.

Section 3 lists the 'Proper Officers' described in Part 3.6.4 of the Council's Constitution. These are posts which are created by legislation rather than resulting from a chosen structure. The proper officers are listed and cross referenced to officer posts in each directorate. 'Proper Officers' include the 'statutory chief officers' whose roles are set out in Article 13 of the Constitution. Although they retain personal responsibility for how their powers are used, they may delegate some of their duties to other officers. In the absence of the proper officer function being listed, it is deemed to be exercisable by the chief officer with responsibility for the function.

Section 4 sets out the functions delegated to each Directorate. The Executive Director is responsible for maintaining a written internal scheme of delegation setting out particular posts or groups of posts can exercise functions and make decisions. The internal scheme is subject to restrictions set out in the constitution and where the two documents do not align, the constitution takes precedence.

1.3. Reserved Matters, deemed delegations and general authorities

Matters reserved to the Council, the Executive, and their Committees:

Functions may be specifically reserved to the Council, or a Committee of the Council, or to the Executive of the Council, either under the Articles of the Constitution, Part 3 of the Constitution (Responsibilities for Functions), Financial Regulations or Contract Procedure Rules. Functions may also be reserved under the Scheme of Delegations. These reserved functions may not be carried out by any officer unless they have been specifically delegated to him/her by the person or body holding the reserved power. The only exception is the urgency provision set out in paragraph 1.4 below.

Deemed delegations to officers:

- Any matter not specifically reserved in this way will be deemed to be within the delegated authority of the Chief Executive or the relevant Executive Director.

The Chief Executive may exercise any function delegated to any other officer, except those functions of the other statutory chief officer or where the delegation is to an officer with a required appointment process e.g. appointed health and safety inspector. Executive Directors may exercise any function outside their directorate delegations delegated to them by the Chief Executive.

- Statutory chief officers and proper officers should make arrangements to appoint an individual to undertake their responsibilities during period of absence.
- London Borough of Harrow has a delegation of function to:

- commence, defend or settle any legal proceedings as necessary to protect the interests of the Council, whether or not specifically delegated under this scheme.
- Take any action in order to protect the interests of the Council or of any person or property to whom, or for which, the Council has responsibility or in order to give legal effect to any decision or action properly taken by the Council or a Committee or person on behalf of the Council, including certifying documents as a copy of the original.
- Sign any documentation to give effect to any resolution of the Council in any tribunal or court.
- Sign any document necessary to give effect to any decision of the Council.

This delegation is exercised by the Head of Legal, London Borough of Harrow, who is permitted to delegate the function to any of her officers. The Monitoring Officer also has power to exercise these functions.

1.4. Urgency provisions – Non-Executive functions

The following provisions apply regardless of any specific reservations to Members:

- The Chief Executive has power to act in cases of emergency or urgency to discharge non-executive functions.
- In the absence of the Chief Executive, the Executive Director nominated to deputise will exercise emergency or urgency powers in the same way.

Urgency provisions – Executive functions

- Subject to consultation with the Leader of the Council (or in his/her absence the Deputy Leader) where possible, the Chief Executive (and his or her appointed deputy in the case of absence) shall have the power to exercise executive functions in cases of emergency or urgency.

When deciding whether a matter is an emergency or urgent, consideration should be given to the following:

- whether it is prejudicial to the Council's interest to delay
- whether it is practicable to call an emergency member meeting or use the Leader's Action procedure as set out in Part 4.4 – Executive Procedure Rules
- whether it is appropriate to refer the matter to a member meeting following the action
- compliance with the significant officer decision procedure set out below.

1.5. Incidental and ancillary functions, successor legislation, meaning of 'officer'

Incidental functions: any reference to officers being authorised to carry out or perform any functions in the schemes shall be deemed to include the authority to carry out any other functions which are necessary or incidental to, or required to facilitate or be conducive to the performance of the function in question.

Successor legislation: any reference in the Schemes to any legislation or to any Council procedure or rule shall be deemed to include a reference to any successor legislation, procedure or rule as may be introduced or enacted by way of substitution, revision or amendment.

If the Council acquires a new function responsibility will fall to the Chief Executive or Executive Director with responsibility for the relevant service area.

Restructure

If the Council restructures its organisation, delegated authority will be deemed to be held by the chief officer with responsibility for the service area.

1.6 Significant Officer Decisions

For certain significant officer decisions, to ensure transparency, a written record will be made and published on the Council's website. Officers are responsible for preparing the written record as soon as reasonably practicable after any significant officer decision. The record will include the decision, date it was made, reasons for the decision, details of any alternative options considered and rejected and where a specific delegation has been given, the names of any member of the relevant committee/cabinet who has declared a conflict of interest. Decisions that are deemed to be key decisions as defined in Article 13 are reserved to Cabinet and should only be made by an officer if the urgency procedures have been followed.

1. Tenders/Contracts over £50,000 or 'politically sensitive' excluding individual social services care packages and school placements.
2. Write-off of individual debts between £5,000 and £15,000.
3. Decisions arising from external report on significant Health and Safety at Work Act risk.
4. Compulsory Purchase Orders if under delegated authority.
5. Other decisions such as those with political, media or industrial relations implications that Directors consider Members should be aware of.
6. Appointments to casual vacancies on committees, sub-committees, Panels, and outside bodies
7. Decisions that grant a permission or licence or otherwise affect the rights of an individual and are not otherwise publicly recorded in accordance with other statutory requirements.
7. Specific decisions that have been delegated to a particular officer by resolution at a Cabinet meeting to be taken following consultation with the relevant Cabinet Member or be resolution of a committee or sub-committee of the Council.

Section 2 - General Delegations

Delegated Powers

General

Taking and implementing any decision required for operational effectiveness.

Taking any action necessary to ensure the effective development and implementation of the Council's key strategies and services relating to directorates.

Investigating and resolving complaints, including agreeing the payment of compensation, including payments or other benefits in cases of maladministration.

Responding to requests for data or information in accordance with information law procedures.

Attending and representing the Council on partnership boards.

To conduct criminal investigations, including exercising statutory powers, administering cautions and conducting financial investigations in relation to proceeds of crime.

Exercising proper officer functions where these are not specifically designated under section 3 below.

Financial – these are subject to limits within the Financial Procedure Rules

Preparation for member approval of the annual directorate budget

Monitoring of directorate budget

Authorise expenditure within approved revenue budget estimates.

Virement of revenue and capital in accordance with Financial Procedure Rules.

Authorise collection of income

Authorise expenses

To agree in-year variations to costs, fees and charges

- up to 3% plus inflation

Applying for grants

Disposing of non-land assets

Write off debts

Procurement – these are subject to limits within Contract Procedure Rules

Authorise tendering processes

Approve contracts

Approve variations in contracts

Approve use of consultants

Human Resources – these are subject to internal HR policies and procedures

To appoint, suspend and dismiss staff

To take any action under the Council's employment policies and procedures

To re-organise staff within their directorates, subject to budgetary implications

Consultation with trade unions on staff organisational changes

Maintaining an up-to-date staffing structure

Property - subject to budgetary provision and compliance with internal procedures and statutory processes

To authorise the granting, renewal, termination, assignment or sub-letting of leases, tenancies or other interests in land and property.

To approve variations in rent arising from rent reviews of land and property leased to or by the Council.

To authorise the acquisition of legal estates or interest in land and property in accordance with agreed policy and within the capital programme.

To authorise the disposal of legal estates or interests in land and property not required by the Council.

To authorise the taking, granting, revocation or termination of covenants, easements, wayleaves, licences and other rights or user.

To serve and respond to statutory notices in relation to land.

To authorise the appropriation of land, including appropriation by the HRA from the general fund.

Legal transactions

Instructing HB Public Law (London Borough of Harrow) or the Monitoring Officer in relation to legal matters and disputes.

Instructing external lawyers in relation to legal matters and disputes, where agreement has been sought from the HB Public Law or the Monitoring Officer that instructions are appropriate.

Authorising officers to attend court and appear on behalf of the Council under s.223 Local Government Act 1972 and the County Courts Act 1984, following consultation with the Monitoring Officer or HB Public Law.

Section 3 – Proper Officer and Statutory Officer designations (statutory chief officers are set out in Article 12) - this list is not exhaustive and the proper officer functions not specifically referred to will be designated to the chief officer managing the relevant service.

Post	Designation	Function
Chief Executive	Proper Officer for notices regarding councillor appointments and resignations	Section 83 to 99 Local Government Act 1972
Chief Executive	Proper Officer for notices of council meetings	Section 100 to 100G Local Government Act 1972
Director of Law and Governance (Monitoring Officer)	Proper Officer for Births, Deaths and Marriages	Registration Services Act 1953
Director of Law and Governance (Monitoring Officer)	Proper Officer for deposit of documents and certifying documents.	Section 225 Local Government Act and associated legislation
Director of Law and Governance (Monitoring Officer)	RIPA Responsible Officer for register of authorisations	Section 28 and 29 of the Regulation of Investigatory Powers Act 2000
Director of Law and Governance (Monitoring Officer)	Electoral Registration Officer and other proper officer election functions	Section 8 - Representation of the People Act 1983 Section 82 – Representation of the People Act 1983
Director of Law and Governance (Monitoring Officer)	Returning Officer	Section 35 - Representation of the People Act 1983
Director of Law and Governance (Monitoring Officer)	Acting Returning Officer	Section 28 - Representation of the People Act 1983
Head of Governance and Scrutiny	Scrutiny Officer	Section 31 – Local Democracy, Economic Development and Construction Act 2009
Head of Virtual School, Slough Children First Ltd.	Virtual School Head	Section 22 Children Act 1989
ICT and Digital Service Manager	Data Protection Officer	GDPR

Section 4 – Specific Delegations

Chief Executive

Functions in relation to:

Human Resources
Communications and resident engagement
Policy and performance
Customer services
Information governance
ICT
Programme management

To take any action necessary to ensure the effective and efficient management and operations of the Council and the effective development and implementation of the Council's key strategies and services. If following a Borough Election the Leader has not been elected as a councillor or, if re-elected, the political party of which they are a member does not have a majority on the Council, then until a Leader is appointed, the Head of Paid Service (in consultation with all Group Leaders) shall be authorised to take and implement any decision required for operational effectiveness of the Council but excepting any such responsibilities, duties and powers specifically reserved to any other person or body.

To promote the importance of the ethical agenda and to sustain the highest standards of ethical behaviour on the part of the Council's officers in accordance with the Code of Conduct for Council Employees and to undertake any action necessary to ensure the effective development and implementation of the Council's Corporate Governance Framework.

Approve minor and technical changes to the Council constitution in consultation with the Monitoring Officer.

Following consultation with the Leader and Leader of the Opposition, to suspend the Monitoring Officer or officer designated as Chief Finance Officer in exceptional circumstances for up to ten days pending the Chief Officer's Employment Panel being convened to consider the suspension in accordance with Part 4.7 of the constitution.

Following consultation with the Leader and Leader of the Opposition, to refer matters of discipline (as defined in the disciplinary procedure) in respect of the Monitoring Officer or officer designated as Chief Finance Officer to the relevant member panel.

Executive Director: Finance and Commercial

Functions in relation to:

Financial strategy and management
Internal audit, risk and insurance and anti-fraud
Revenue and benefits
Procurement and commercial services

Following consultation with the Leader and Leader of the Opposition and the Monitoring Officer, to suspend the officer designated as Head of Paid Service in exceptional circumstances for up to ten days pending the Chief Officer's Employment Panel being convened to consider the suspension in accordance with Part 4.7 of the constitution.

Following consultation with the Leader and Leader of the Opposition, to refer matters of discipline (as defined in the disciplinary procedure) in respect of the officer designated as Head of Paid Service to the relevant member panel.

Executive Director: Regeneration, Housing and Environment

Functions in relation to:

Housing needs
Tenant and leaseholder services
Housing allocations and social lettings
Planning services
Property asset management
Regeneration development and delivery
Transport and highway planning
Cemeteries and Crematoriums

Executive Director – People (Adults)

Functions in relation to:

Adult social care operations
Adult social care commissioning
Mental health

Executive Director – People (Children)

Functions in relation to:

Children’s social care – some functions contracted out to Slough Children First Ltd
Children’s centres and early help services – some function contracted out to Slough Children First Ltd
Early years
Access and inclusion
School effectiveness
Education services
Special educational needs and disabilities
Youth services – some functions contracted out to Slough Children First Ltd
Libraries

Director of Law and Governance (Monitoring Officer)

Functions in relation to:

Democratic governance
Scrutiny
Elections and electoral registration
Legal services
Registrars Service

Following consultation with the Leader and Leader of the Opposition and the Chief Finance Officer, to suspend the officer designated as Head of Paid Service in exceptional circumstances for up to ten days pending the Chief Officer’s Employment Panel being convened to consider the suspension in accordance with Part 4.7 of the constitution.

Following consultation with the Leader and Leader of the Opposition, to refer matters of discipline (as defined in the disciplinary procedure) in respect of the officer designated as Head of Paid Service to the relevant member panel.

Director of Public Health and Public Protection

Functions in relation to:

Public Health
Leisure services
Community safety
Emergency Planning
Regulatory services – trading standards and environmental health

Slough Borough Council Best Value Commissioners

10 April 2024

To: Stephen Taylor, Monitoring Officer, Slough Borough Council [by email]

Dear Stephen,

Commissioners' Decision on appointment of Interim Chief Executive and Head of Paid Services.

On 22 March 2024, the Commissioners decided to appoint Will Tuckley as Interim Chief Executive and Head of Paid Services for Slough Borough Council from 15 April 2024.

As you are aware, the Secretary of State's Directions pursuant to his powers under section 15(5) and (6) of the Local Government Act 1999 and in accordance with Annex B, paragraph 4 of the Direction dated 01 Sept 2022, give Commissioners powers to exercise the functions of the Council relating to the appointment and designation of persons as statutory officers. The appointment was made following a request for candidates from various recruitment agencies, discussions between Will Tuckley (Chief Executive and Head of Paid Services designate) and Gavin Jones, Lead Commissioner and Ged Curran, Commissioner and subsequent engagement with the Leader of the Council, Deputy Leader of the Council, and the Leader of the Opposition.

Mr Tuckley will be appointed on an interim basis for up to 4 days a week at a daily rate of £1,100 and will remain in place until such a time as the role of Chief Executive and Head of Paid Services is filled on a permanent basis. This will be reviewed after six months.

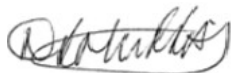
This appointment will be formally reported to the next full meeting of the Council on 25 April 2024 where the Council will be invited to note the Commissioners' decision.

A copy of this letter will be published on slough.gov.uk as part of our commitment to transparency in the use of Commissioners' powers.

Yours sincerely,



Gavin Jones, Lead Commissioner



Denise Murray, Finance Commissioner



Ged Curran, Commissioner

Gavin Jones

Lead Commissioner
Slough Borough Council

Denise Murray, FCCA

Finance Commissioner
Slough Borough Council

Ged Curran

Commissioner
Slough Borough Council

Observatory House
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SL2 2EL

commissioners@slough.gov.uk

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Slough Borough Council Best Value Commissioners

12 April 2024

To: Stephen Taylor, Monitoring Officer, Slough Borough Council [by email]

Dear Stephen,

Commissioners' Decision on appointment of Interim Executive Director Finance and Commercial Service (S151 Officer).

On 9 April 2024, the Commissioners decided to appoint Christopher Holme, the current Deputy S151 Officer, as interim Executive Director Finance and Commercial Service (S151 Officer) for Slough Borough Council for the period 26 April 2024 to 6 May 2024 to ensure continuity in post of a S151 Officer following the departure of Adele Taylor on 25 April and the arrival of Annabel Scholes on 7 May 2024.

As you are aware, the Secretary of State's Directions pursuant to his powers under section 15(5) and (6) of the Local Government Act 1999 and in accordance with Annex B, paragraph 4 of the Direction dated 01 Sept 2022, give Commissioners powers to exercise the functions of the Council relating to the appointment and designation of persons as statutory officers. Mr Holmes is appointed on an interim basis at a daily rate of £1,000 plus agency margin.

We understand that this appointment will be formally reported to the next full meeting of the Council on 25 April 2024 where the Council will be invited to note the Commissioners' decision.

Yours sincerely,

Gavin Jones
Lead Commissioner

Denise Murray
Finance Commissioner

Ged Curran
Commissioner

Gavin Jones

Lead Commissioner
Slough Borough Council

Denise Murray, FCCA

Finance Commissioner
Slough Borough Council

Ged Curran

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Slough Borough Council Best Value Commissioners

10 April 2024

To: Stephen Taylor, Monitoring Officer, Slough Borough Council [by email]

Dear Stephen,

Commissioners' Decision on appointment of Interim Executive Director Finance and Commercial Service (S151 Officer).

On 5 April 2024, the Commissioners decided to appoint Annabel Scholes as Executive Director Finance and Commercial Service (S151 Officer) for Slough Borough Council from 7 May 2024.

As you are aware, the Secretary of State's Directions pursuant to his powers under section 15(5) and (6) of the Local Government Act 1999 and in accordance with Annex B, paragraph 4 of the Direction dated 01 Sept 2022, give Commissioners powers to exercise the functions of the Council relating to the appointment and designation of persons as statutory officers. The appointment was made following a recruitment exercise carried out by a number of external recruitment agencies who put forward a pool of candidates to be considered for this role. Denise Murray, the Finance Commissioner carried out the interviews, and was supported by Will Tuckley (Interim Chief Executive and Head of Paid Services designate) and Councillor Wal Chahal, Deputy Leader, and Lead for Financial Oversight & Council Assets as observers.

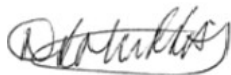
Annabel Scholes will be appointed on an interim contract for a period of six months working a 9-day fortnight at a daily rate of £1,375 (including agency margin). This amount is the cost that will be incurred by Slough Borough Council, noting the amount actually received by the individual will be lower. The Council is intending to simultaneously commence permanent recruitment for this role.

This appointment will be formally reported to the next full meeting of the Council on 25 April 2024 where the Council will be invited to note the Commissioners' decision.

Yours sincerely,



Gavin Jones, Lead Commissioner



Denise Murray, Finance Commissioner



Ged Curran, Commissioner

Gavin Jones

Lead Commissioner
Slough Borough Council

Denise Murray, FCCA

Finance Commissioner
Slough Borough Council

Ged Curran

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