

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 26th July 2016

CONTACT OFFICER: Ruth Bagley, Chief Executive
(For all enquiries) (01753) 875000

WARD(S): All

PART I FOR DECISION

APPOINTMENT OF SECTION 151 OFFICER

1 Purpose of Report

To seek approval to the appointment of the Council's Section 151 Chief Finance Officer.

2 Recommendation

That Stephen Fitzgerald, the interim Assistant Director of Finance and Audit, be confirmed as the Council's Section 151 Officer with effect from the 11th July 2016.

3 Community Strategy Priorities

In accordance with the Local Government Act 1972, there is a statutory requirement on the Authority to designate three statutory officers: Head of Paid Service, Monitoring Officer and Section 151 Officer/Chief Finance Officer. The latter is required to be a suitably qualified individual. The Section 151 Officer, along with the Head of Paid Service and the Monitoring Officer combine to form the Council's Statutory Officer functions. These roles are key to ensuring lawfulness, fairness, probity and general good governance that support the council in achieving its aims. It is important that they work effectively together yet maintain appropriate independence and that the roles are undertaken by adequately skilled and experienced staff supported by appropriate resources. Typical arrangements in local authorities are for the Chief Executive to be Head of Paid Service whilst the other statutory roles are occupied at either Director or, as senior management structures shrink, increasingly at Assistant Director levels.

4 Other Implications

(a) Financial

There are no financial implications.

(b) Human Rights Act and Other Legal Implications

The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972. The Local Government and Housing Act 1989 requires that the post holder is a member of one of the CCAB accountancy bodies.

4 **Supporting Information**

ROLE AND DUTIES OF SECTION 151 OFFICER

- 4.1 The Council's Constitution sets out the main duties of the Section 151 Officer as:-
- Ensuring lawfulness and financial prudence of decision making;
 - Administration of financial affairs;
 - Contribution to corporate management;
 - Providing advice;
 - Providing financial information.
- 4.2 He/she should have a close working relationship with the other two statutory officers – the Head of Paid Service and the Monitoring Officer.

SECTION 151 OFFICER APPOINTMENT

- 4.3 At its meeting of April 2013 the Council appointed Joseph Holmes as the Council's Section 151 Officer.
- 4.4 Stephen Fitzgerald, took up his appointment as interim Assistant Director Finance and Audit in July 2016 and was designated as the Council's Section 151 Officer with effect from 11th July 2016. Mr Fitzgerald is not directly employed by the Council. He is engaged via a recruitment agency, through Matrix, in accordance with the Council's normal arrangements for the engagement of interim workers.
- 4.5 It is recommended that Council formally confirm the appointment of Stephen Fitzgerald as Section 151 Officer. Mr Fitzgerald holds the necessary professional qualifications to undertake the role.
- 4.6 It is a requirement under the Council's Constitution that appointments to the three statutory posts (Head of Paid Service, S151 Officer and Monitoring Officer) are confirmed by Full Council.

5 **Conclusion**

The role of the Section 151 Officer is an important element in the Council's structure and processes. The arrangements outlined in this paper will ensure that the functions continue to be discharged appropriately.

6 **Background Papers**

Constitution.