

First Meeting of Shadow Council

Forest Heath & St Edmundsbury councils

West Suffolk
working together

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| Title of Report: | Appointment of Statutory Officers | |
| Report No: | COU/SA/18/001 | |
| Report to and date/s: | Shadow Council | 30 May 2018 |
| Portfolio holder: | James Waters Leader of Forest Heath Council Tel: 07771621038 Email: james.waters@forest-heath.gov.uk | John Griffiths Leader of St Edmundsbury Council Tel: 07958700434 Email: john.griffiths@stedsbc.gov.uk |
| Purpose of report: | The Shadow Council is required to appoint statutory officers. This report makes proposals for these appointments both for the Shadow Council, and subsequently West Suffolk Council. | |
| Recommendation: | <p>It is recommended that the Shadow Council:</p> <p>(1) Appoints Ian Gallin as the Interim Head of Paid Service for the Shadow West Suffolk Council, and, from 1 April 2019, as the Head of Paid Service for West Suffolk Council</p> <p>(2) Appoints Rachael Mann as the Interim Chief Finance Officer for the Shadow West Suffolk Council, and, from 1 April 2019, as the Chief Finance Officer for the West Suffolk Council</p> <p>(3) Appoints Leah Mickleborough as the Interim Monitoring Officer for the Shadow West Suffolk Council, and, from 1 April 2019, the Monitoring Officer for the West Suffolk Council</p> | |

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| Key Decision: | <i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/> | | |
| Consultation: | None | | |
| Alternative option(s): | None considered | | |
| Implications: | | | |
| <i>Are there any financial implications? If yes, please give details</i> | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| <i>Are there any staffing implications? If yes, please give details</i> | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> As the responsible officers will be subject to a TUPE transfer to the new Council | |
| <i>Are there any ICT implications? If yes, please give details</i> | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| <i>Are there any legal and/or policy implications? If yes, please give details</i> | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The report ensures compliance with the West Suffolk (Local Government Changes) Order 2018 | |
| <i>Are there any equality implications? If yes, please give details</i> | | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Risk/opportunity assessment: | | <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i> | |
| Risk area | Inherent level of risk (before controls) | Controls | Residual risk (after controls) |
| Failure to appoint Statutory Officers leads to lack of accountability and failure to comply with legal obligations | Low | Approval of the recommendations within this report would remove such risk | Low |
| Ward(s) affected: | | n/a | |
| Background papers: <i>(all background papers are to be published on the website and a link included)</i> | | The West Suffolk (Local Government Changes) Order 2018 is available at: http://www.legislation.gov.uk/ukdsi/2018/9780111167588 | |
| Documents attached: | | None | |

1. Appointment of Statutory Officers

- 1.1 All Councils are required to appoint three specific statutory officers:
- the Head of Paid Service, who is responsible for ensuring there are sufficient resources and staff in place to deliver the Council's priorities; this post is currently held by the Chief Executive
 - the s.151 / Chief Finance Officer, who is responsible for the proper administration of the Council's financial affairs; this post is currently held by the Assistant Director (Finance and Performance)
 - the Monitoring Officer, who advises on the lawfulness of the Council's decision making; the post is currently held by the Service Manager – Democratic Services
- 1.2 The Shadow Council is required to appoint officers to these three posts on an interim basis, until the new West Suffolk Council comes into effect.
- 1.3 In addition, the Shadow Council may also appoint individuals to be the statutory officers for the new West Suffolk Council.
- 1.4 This report recommends appointing the current postholders to act as the statutory officers both for the Shadow Council, and for West Suffolk Council.
- 1.5 It should be noted by Members that this proposal does not affect the terms and conditions of the relevant individuals. The Shadow Council will not act as their employer; they will remain as employees of Forest Heath or St Edmundsbury until 1 April 2019, when they are subject to a TUPE transfer alongside all other members of staff.