

## PLYMOUTH CITY COUNCIL

**Subject:** Appointment of S151 Officer (Assistant Director for Finance)  
**Committee:** Council  
**Date:** 22 May 2015  
**Cabinet Member:** Councillor Lowry  
**CMT Member:** Lesa Annear, Strategic Director for Transformation and Change  
**Author:** Judith Shore, Democratic and Member Support Manager  
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**Key Decision:** No  
**Part:** I

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### **Purpose of the report:**

This report relates to the appointment of the Council's Section 151 Officer. The Deputy S151 Officer (David Northey) was confirmed as the Council's interim S151 Officer at Council on 23 February 2015. In the meantime, the recruitment process for a permanent Assistant Director for Finance commenced.

At its meeting held on 17 March 2015, the Chief Officer Appointments Panel agreed to appoint Andrew Hardingham as the Council's Assistant Director for Finance. The S151 responsibilities are included in the role profile but the designation of an officer to act as Responsible Finance Officer (S151 officer) is a decision for Full Council.

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### **The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:**

The delivery of the Corporate Plan is underpinned by the delivery of services that are accountable, flexible and efficient despite a reduction in resources.

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### **Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land:**

The cost of employing a permanent Assistant Director for Finance is included in the overall Council Budget 2014/15 and 2015/16 and Medium Term Financial Plan, within the Transformation and Change Directorate.

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### **Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:**

No implications.

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### **Equality and Diversity:**

No implications.

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**Recommendations and Reasons for recommended action:**

That Andrew Hardingham is confirmed as the Council's Section 151 Officer with effect from the date he commences employment with the Council.

Reason

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.

**Alternative options considered and rejected:**

The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972.

**Published work / information:**

Report to the Chief Officer Appointments Panel, 17 March 2015 <http://tinyurl.com/m5dk9vz>

**Background papers:**

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
Appointment of Assistant Director for Finance, Chief Officers Appointments Panel, 26 February and 17 March 2015		✓	✓							

**Sign off:**

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Has the Cabinet Member(s) agreed the content of the report? Yes													

## **I. Authority and responsibilities**

- 1.1 The Assistant Director for Finance is the officer who has statutory responsibility to ensure the proper administration of the Council's financial affairs by virtue of section 151 of the Local Government Act 1972 and is required to hold appropriate skills and qualifications to undertake this role.
- 1.2 The appointment of the Section 151 Officer/Responsible Finance Officer is personal to that officer and once appointed by Council s/he has personal responsibilities to the Council as a whole.
- 1.2 The Council's Constitution (Part A, Section 10.4) sets out the main duties of the Responsible Finance Officer/Section 151 Officer:
- (a) **To make sure decisions are lawful and financially prudent.** After consulting with the Head of Paid Service and the Monitoring Officer, the Responsible Finance Officer will report to the Full Council and the Council's external auditor if he/she considers that any proposal, decision or course of action would incur 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.
  - (b) **To administer financial affairs.** The Responsible Finance Officer will have responsibility for the administration of the financial affairs of the Council.
  - (c) **To contribute to corporate management.** The Responsible Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
  - (d) **To provide advice.** The Responsible Finance Officer or designee will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.
  - (e) **Providing financial information.** The Responsible Finance Officer or designee will provide financial information to the media, members of the public and the community.
  - (f) **Restrictions on Post.** The Responsible Finance Officer cannot be the Monitoring Officer. The Head of Paid Service and the Responsible Finance Officer can be the same person but the Responsible Finance Officer must be a qualified accountant.
- 1.3 The S151 officer may deputise his duties to another officer, it may not, however, be to the Head of Paid Service or the Monitoring Officer who are not allowed to hold the S151 officer role.

## **2. Recruitment**

- 2.1 At its meeting held on 23 February 2015, Council appointed the existing Deputy S151 Officer (David Northey) as the Council's interim Assistant Director for Finance Section 151 officer pending the appointment of a permanent S151 officer following external advertisement.

In the meantime, the recruitment process for a replacement Assistant Director for Finance commenced.

On 17 March, the Appointments Panel agreed to appoint Andrew Hardingham as the Council's Assistant Director for Finance.

The Constitution requires notification of the proposed appointment to be given to each member of the Cabinet to give them an opportunity to object to the proposal. Such notification has been given to the Cabinet and no objections were received.

### **3. Council approval**

The S151 responsibilities are included in the role profile of the Assistant Director for Finance but the designation of an officer to act as Responsible Finance Officer (S151 officer) is a decision for Full Council.