

**COUNCIL**

Wednesday, 23 January 2019

**APPOINTMENT OF SECTION 151 OFFICER (REP1978)**

**EXECUTIVE SUMMARY**

1. Under s151 of the Local Government Act 1972, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs.
2. Following Mrs Javadi's departure to Eastbourne Borough Council and Lewes District Council, the Finance Manager and Deputy s151 Officer, Mr Simon Taylor, was acting as the Interim Chief Finance Officer. Mr Taylor was also appointed as the Interim Chief Finance Officer to the East Suffolk Shadow Council, pending a permanent appointment to the role of Chief Finance Officer.
3. Following a recent joint recruitment process, the Councils have appointed Mr Taylor as the Chief Finance Officer, and he will take up the post with immediate effect.

Is the report Open or Exempt?	Open
<b>Wards Affected:</b>	All Wards in the District
<b>Cabinet Member:</b>	Councillor M Bee Leader of the Council
<b>Supporting Officer:</b>	Stephen Baker Chief Executive 01394 444348 <a href="mailto:stephen.baker@eastsoffolk.gov.uk">stephen.baker@eastsoffolk.gov.uk</a>

## **1 BACKGROUND**

- 1.1 The Council must make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs, under s151 of the Local Government Act 1972
- 1.2 Following Mrs Javadi's departure to Eastbourne Borough Council and Lewes District Council, Mr Simon Taylor was acting as the Interim Chief Financial Officer, pending a permanent appointment to the role. Mr Taylor has also been appointed as the Interim Chief Finance Officer to the East Suffolk Shadow Council, pending a permanent appointment to the role.
- 1.3 The Council has recently appointed Mr Taylor as the Chief Finance Officer to Suffolk Coastal District Council and to Waveney District Council, and he will take up the post on XXXXX???. Mr Taylor has been employed by SCDC since 1 November 2012 but working for SCDC and WDC under the shared arrangements which the Councils have in place.. He began his employment with SCDC in the role of Finance Manager, having worked previously for the Audit Commission.
- 1.4 Mr Taylor had already been appointed as the Interim Chief Finance Officer to the East Suffolk Shadow Council on 1 October 2018, following Mrs Javadi's departure. A report will be taken to the East Suffolk Shadow Council, concerning Mr Taylor's appointment to the role of Chief Finance Officer for the East Suffolk Council at the next meeting of the Shadow Council.

## **2 ROLE OF SECTION 151 OFFICER**

- 2.1 The rules governing the authority's financial administration are set out in the Council's Standing Orders, Contracts Procedure Rules and Financial Procedure Rules. These require, amongst other things, that the s151 Officer be responsible for many of the obligations under the rules, including, for example, arrangements for the banking and drawing of cheques in the Council's name, which must bear the name of the s151 Officer.
- 2.2 There are also other statutory requirements for the s151 Officer under:
  - s113 of the Local Government Finance Act 1988 (the "1988 Act"), in that the s151 officer must be a member of one of a number of specified accountancy bodies. Mr Taylor is a full member of one of these specified bodies, the Chartered Institute of Public Finance and Accountancy (CIPFA).
  - s114 of the 1988 Act in that the s151 Officer must make a public report in specified cases of actual or anticipated financial misconduct.
  - s2(1) of the Local Government and Housing Act 1989, the effect of which is to make the s151 Officer a statutory chief officer and, therefore, a politically restricted post.
  - s5 of the Local Government and Housing Act 1989 whereby the post of Monitoring Officer cannot also be held by the s151 Officer.
- 2.3 Mr Taylor will commence his new role with the Councils on 24 January 2019. Mr Taylor's appointment as the s151 Officer, if approved, will be added to the list of Chief Officer functions and responsibilities, set out in the Suffolk Coastal District Council and the Waveney District Council's Constitutions.

**3 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?**

3.1 The East Suffolk Business Plan expects the Council to maintain the highest financial standards. Appointing an interim officer to this role is essential to meet legislative requirements, and to maintain the support the organisation needs from Financial Services.

**4 FINANCIAL AND GOVERNANCE IMPLICATIONS**

4.1 The Chief Finance Officer (Section 151 Officer) is responsible for the overall administration of the Council's financial and legal affairs, as set out in the Council's Constitution.

**5 CONSULTATION**

5.1 Consultation is not necessary.

**6 OTHER OPTIONS CONSIDERED**

6.1 None. It is a statutory requirement of the Local Government Act 1972 and Section 5 (1) of the Local Government and Housing Act 1989 to have a Chief Finance Officer in place.

**7 REASON FOR RECOMMENDATION**

7.1 It is a statutory requirement of the Local Government Act 1972 and Section 5 (1) of the Local Government and Housing Act 1989 to have a Chief Finance Officer in place.

**RECOMMENDATION**

That Mr Simon Taylor be appointed as the officer responsible for the administration of the Council's finances under s151 of the Local Government Act 1972 with effect from 24 January 2019.

**APPENDICES – None**

**BACKGROUND PAPERS – None**