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**Subject:** CHANGES TO THE CHIEF OFFICER STRUCTURE

**Meeting and Date:** Governance – 29 September 2022

Council – 19 October 2022

**Report of:** Nadeem Aziz, Head of Paid Service

**Classification:** Unrestricted

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**Purpose of the report:** This report seeks approval for changes to the functions and responsibilities of the Council’s Chief Officers following the appointment of the third Strategic Director.

If Council approves the initial redistribution of Chief Officer functions and responsibilities Council is asked to approve the changes to the Scheme of Officer Delegations (Council Functions). The Leader will separately be asked to approve changes to the Scheme of Officer Delegations (Executive Functions).

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**Recommendation:**

**Governance Committee:** That Governance Committee recommend to Council that the proposed changes to Article 12 and the Scheme of Officer Delegations be approved and incorporated into the Council’s Constitution version 24A (subject to Council’s agreement to (1) below)

**Council:**

That:

1. Council approves the re-distribution of functions between the Chief Officers who form the Council’s Corporate Management Team.
  2. Council approves resultant changes to Article 12 and the Scheme of Officer Delegations (Council Functions) as outlined in the Appendices
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**1. Summary**

1.1 In May 2021, Council received a report which identified the need for a new Strategic Director post within the existing management team structure of the Council and sought approval from the Council for the creation of this post. Internal recruitment to this post has now been successful and it is now necessary for the Council to reallocate the functions amongst the members of Corporate Management Team.

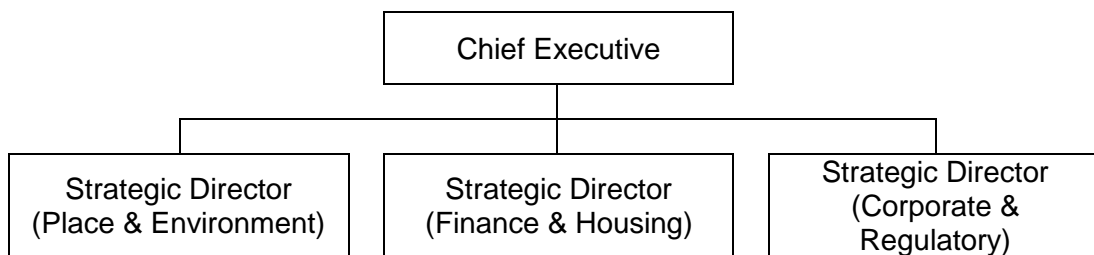
1.2 Article 12 of the Constitution, identifies the Council’s Chief Officers. Section 4 of Local Government and Housing Act 1989, (which defines the functions of the Head of Paid Service) is reflected in the Council’s Constitution. Article 12.02 This requires the Head of Paid Service to report to the full Council on the number and grade of staff required by the authority to discharge the Council’s functions. Any change to the distribution of Chief Officer functions and responsibilities requires Council approval.

## 2. Introduction and Background

- 2.1 Following the decision taken by Council in May 2021 to appoint a third strategic director, two rounds of recruitment took place. The first round, both internal and external was not successful. The second round, which was internal only was successful and the appointment has now been made. As a result of this it is necessary to reallocate functions amongst the Council's Chief Officers and make changes to the Constitution to reflect the addition of the third strategic director.

### Allocation of Functions

- 2.2 It is proposed that these are the Council's Chief Officers as identified in Article 12 of the Council's Constitution with the allocation of functions below:



Post	Functions and areas of responsibility
Chief Executive (and Head of Paid Service)	Change management/Transformation Civic Functions Development of partnership and joint working arrangements Leadership and strategic direction and management Member/Officer relationships Policy development Provision of external focus Community Services, Safety and CCTV Digital Services/EKS ICT
Strategic Director (Finance & Housing) (Section 151 Officer)	Financial management and budgetary control Accountancy Client Officer for East Kent Audit Partnership Client Officer for EKS/Civica Housing Management Housing Needs Procurement Property Investment Housing Investment
Strategic Director (Place & Environment)	Planning & Development Building Control Leisure Services Regeneration & Tourism Inward Investment Museums & Heritage Natural Environment Parks and Open Spaces Property and Corporate Assets Transport and Parking Waste Services

<b>Post</b>	<b>Functions and areas of responsibility</b>
Strategic Director (Corporate & Regulatory)	Corporate Governance Communications and funding Democratic and Corporate Services Legal Electoral Services Human Resources & Payroll Regulatory Services Port Health

- 2.3 As a result of these changes and the appointment of the new Strategic Director (Corporate & Regulatory), it is no longer felt to be practical for the postholder to retain her role as Deputy Monitoring Officer and Louise May intends to relinquish this role. As the Monitoring Officer is required to appoint his own Deputy, Harvey Rudd now intends to appoint Daniel Thorman, the Council's Principal Planning Solicitor, to act as his Deputy.

### **Changes to the Constitution**

- 2.4 The resultant proposed changes to the Constitution are attached at Appendices 1, 2 and 3.
- 2.5 Appendix 1 shows the proposed necessary changes to Article 12 of the Constitution to identify the additional Director as a Chief Officer. It also details the full breakdown of areas of responsibility for each of the four Chief Officers of the Council.
- 2.6 Appendix 2 shows the necessary changes to the Scheme of Officer Delegations, to reflect the amended allocation of functions and job title changes of the Chief Officers. The Leader will be asked to approve the Scheme of Officer Delegations insofar as they relate to Executive Functions.
- 2.7 Appendix 3 shows the necessary changes made to the Proper Officer Functions within the Council's Constitution.

### **3. Identification of Options**

- 3.1 As Head of Paid Service I have recommended the redistribution of functions following the appointment of the additional Director post. It is recognised that the new allocation of functions results in changes to the Head of Service structure and line management reporting for some service teams. The structure below chief officer level will be determined by me in accordance with Article 12 of the Constitution.
- 3.2 Therefore the options for the Council are:
- (a) To agree the reallocation of functions amongst the Council's Chief Officers and subsequent changes to the Constitution
  - (b) Request that the Head of Paid Service looks at other options

#### 4. **Evaluation of Options**

- 4.1 The preferred option is shown at 3.2(a). This is felt to properly align the Council's functions following the appointment of the additional director.

#### 5. **Corporate Implications**

- 5.1 Comment from the Section 151 Officer (linked to the MTFP): The s.151 Officer has been consulted and has no further comment to make.
- 5.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 5.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149> (RB)

#### 6. **Appendices**

Appendix 1: Amendment to Article 12 Constitution

Appendix 2: Amendment to the Scheme of Officer Delegations (Council Functions) as a result of the reallocation of functions.

Appendix 3: Amendment to Proper Officer Functions

Appendix 4: Senior Management Organisation Structure

#### 7. **Background Papers**

Constitution of this Council

Local Government and Housing Act 1989

Contact Officer: Nadeem Aziz, Head of Paid Service