

ARTICLE 12 – OFFICERS

12.01 Management Structure

(a) General

The Council engages such staff (referred to as officers) as it considers necessary to carry out its functions.

(b) Chief Officers

The Council engages persons for the following posts, who will be designated Chief Officers:

Post	Function and Areas of Responsibility
Chief Executive (and Head of Paid Service)	<ul style="list-style-type: none">• Working closely with the Leader of the Council and Cabinet to agree strategy and targets for the council• Providing leadership and direction in the achievement of the Council's strategic objectives• Managing highest level external relationships• Supporting other Directors to address specific priority issues
<u>Deputy Chief Executive and Corporate Director of Central Services</u>	Deputises for the Chief Executive / Head of Paid Service and also responsible for: <ul style="list-style-type: none">• <u>Finance</u>• <u>Procurement</u>• <u>Audit & Enforcement</u>• Democratic Services• Communications• Policy & Performance• Human Resources• Legal Services
<u>Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services</u>	<u>Deputises for the Chief Executive/Head of Paid Service and also responsible for:</u> <ul style="list-style-type: none">• <u>Transportation and Planning Policy</u>• Planning & Transportation• <u>Community Public Safety</u>

Appendix 1

	<ul style="list-style-type: none"> • Adult Education • Libraries • Culture, Sport, Leisure • Corporate Landlord • Corporate Property • Environment • Highways & Green spaces • Consumer Protection • Departmental Business Services • <u>Education</u> • <u>Youth Services</u> • <u>ICT and Business Services</u> • <u>Planning</u> • <u>Trading Standards</u> • <u>Environmental Protection</u>
<p>Corporate Director of Education & Children's Services</p>	<ul style="list-style-type: none"> • Education Services • Children's Services • Youth Services • Departmental Policy, Performance & Resources
<p>Corporate Director of Finance & Business Services</p> <p>(Also Chief Financial Officer)</p>	<ul style="list-style-type: none"> • Finance • Procurement • ICT & Business Services
<p>Corporate Director of Adult Social Care, Health and Housing</p>	<ul style="list-style-type: none"> • Adult Services • Older People's Services • Healthy Hillingdon <u>Health</u> • Departmental Performance, Resources & Commissioning • Housing Services • <u>Housing</u> • <u>Access and Assessment</u> • <u>Personalised Services</u> • <u>Commissioning and Improvement</u> • <u>Children and Families</u>

Appendix 1

(c) **Head of Paid Service, Monitoring Officer and Chief Financial Officer**

The Council designates the following posts:

Post	Designation
Chief Executive	Head of Paid Service
Borough Solicitor	Monitoring Officer
<u>Deputy Director of Finance</u> Corporate Director of Finance & Resources	Chief Finance Officer

The Monitoring Officer and the Chief Finance Officer may appoint a Deputy to carry out their functions in cases of absence or illness.

The three statutory officer posts will have the functions described in Articles 12.02-12.04 below.

(d) **Structure**

The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out in Part 7 of this Constitution.

12.02 Functions of the Head of Paid Service

(a) **Discharge of Functions by the Council**

The Head of Paid Service will report to Full Council on the manner in which the discharge of the Council's functions are co-ordinated, the number and grades of officers required for the discharge of functions and the organisation of officers.

(b) **Restrictions on Functions**

The Head of Paid Service cannot be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

12.03 Functions of the Monitoring Officer

(a) **Maintaining the Constitution**

The Monitoring Officer maintains an up-to-date version of the Constitution and ensures that it is widely available for consultation by members, staff and the public.

(b) Ensuring Lawfulness and Fairness of Decision Making

After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer reports to the Full Council or to the Cabinet in relation to an Cabinet function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report has the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) Supporting the Standards Committee

The Monitoring Officer contributes to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

(d) Receiving Reports

The Monitoring Officer receives and acts on reports made by Ethical Standards Officers and decisions of the case tribunals.

(e) Conducting Investigations

The Monitoring Officer conducts investigations into matters referred to him or her by Ethical Standards Officers and make reports or recommendations in respect of them to the Standards Committee.

(f) Proper Officer for Access to Information

The Monitoring Officer ensures that the Access to Information rules set out in this Constitution are adhered to.

(g) Advising whether Executive Decisions are within the Budget and Policy Framework

The Monitoring Officer advises whether decisions of the Cabinet are in accordance with the budget and policy framework.

(h) Providing Advice

The Monitoring Officer provides advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.

(i) Restrictions on Posts

The Monitoring Officer cannot be the Chief Finance Officer or Head of Paid Service.

12.04 Functions of the Chief Finance Officer

(a) Ensuring Lawfulness and Financial Prudence of Decision Making

After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer reports to the Full Council or to the Cabinet (in relation to a Cabinet Function) and to the Council's External Auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure or is unlawful and is likely to cause a loss or deficiency to the Council, or if the Council is about to enter an item of account unlawfully.

(b) Administration of Financial Affairs

The Chief Finance Officer has responsibility for the administration of the financial affairs of the Council.

(c) Contributing to Corporate Management

The Chief Finance Officer contributes to the corporate management of the Council through the provision of professional financial advice.

(d) Providing Advice

The Chief Finance Officer provides 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 in their respective roles.

(e) Give Financial Information

The Chief Finance Officer provides financial information to the media, members of the public and the community.

12.05 Duty to Provide Sufficient Resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in its opinion sufficient to allow their duties to be performed.

12.06 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations, in the event that such a Protocol comes into force, set out in Part 5 of this Constitution.

12.07 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in Part 4 of this Constitution and the Council's Standing Orders.