



Full Council	Tuesday, 21 December 2021	Matter for Information and Decision
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Report Title: **Appointment of Director / Section 151 Officer**

Report Author(s): **Dave Gill (Head of Law & Democracy/Deputy Monitoring Officer)**

Purpose of Report:	To obtain approval for the appointment of a Director / Section 151 Officer.
Report Summary:	The Council is required to appoint formally the statutory position of Section 151 Officer under Section 151 of the Local Government Act 1972. Subject to approval, the Constitution will be updated to reflect the powers delegated to the new Director.
Recommendation(s):	A. That the appointment of Tracy Bingham as the Council's Director / Section 151 Officer be confirmed with effect from 31 January 2022; and B. That the Monitoring Officer arrange for the Constitution to be reviewed and amended as appropriate.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Anne Court (Head of Paid Service / Chief Executive) (0116) 257 2681 stephen.hinds@oadby-wigston.gov.uk David Gill (Head of Law & Democracy / Monitoring Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk
Corporate Objectives:	Not applicable.
Vision and Values:	Not applicable.
Report Implications:-	
Legal:	The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972.
Financial:	The Section 151 Officer is responsible for the sound administration of the Council's financial affairs.
Corporate Risk Management:	Regulatory Governance (CR6) Organisational / Transformational Change (CR8)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.

Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	The Constitution of the Council
Appendices:	None.

1. Background

- 1.1 In accordance with the Local Government Act 1972, there is a requirement on the Authority to designate three Statutory Officers: Head of Paid Service, Monitoring Officer and Section 151 Officer / Chief Finance Officer.
- 1.2 The latter is required to be a suitably qualified individual. The Section 151 Officer, along with the Head of Paid Service and the Monitoring Officer combine to form the Council's Statutory Officer functions. These roles are key to ensuring lawfulness, fairness, probity and general good governance that support the Council in achieving its aims. It is important that they work effectively together yet maintain appropriate independence.
- 1.3 Since the departure of the Deputy Chief Executive in March 2021, the role of Section 151 Officer has been performed on an interim basis by the Head of Finance.
- 1.4 On 11 October 2021, an Appointments Panel was convened to interview shortlisted candidates for the vacant Director post. As a result of this process, Tracy Bingham was successfully appointed to the role, and is due to commence employment with the authority on 31 January 2022.
- 1.4 It is a requirement under the Council's Constitution that appointments to the three statutory posts (Head of Paid Service, Section 151 Officer and Monitoring Officer) are confirmed by the relevant Committee.
- 1.4 Tracy Bingham possesses the necessary experience, expertise and professional qualifications to undertake the statutory role of Section 151 Officer and it is recommended that Council formally confirms her appointment.

2. The Role and Duties of the Section 151 Officer

- 2.1 According to the Chartered Institute of Public Finance and Accountancy (CIPFA), there are five key areas critical to the achievement of a Chief Finance Officer's statutory responsibilities:
- maintaining strong financial management underpinned by effective financial controls;
 - contributing to corporate management and leadership;
 - supporting and advising democratically elected representatives;
 - supporting and advising Officers in their operational roles; and
 - leading and managing an effective and responsive financial service.

3. Other Implications

- 3.1 Once approved, the Council's Constitution will be reviewed by the Monitoring Officer and amended as appropriate to ensure the power to deal with financial matters that are the statutory responsibility of the Section 151 Officer are accurately referred to in the Constitution.