

## BRECKLAND DISTRICT COUNCIL

**Report of:** Maxine O'Mahony, Executive Director Strategy & Governance

**To:** Council 19 January 2017

**Author:** Mark Stinson, Executive Manager Governance

**Subject:** Appointment of new S151 and Executive Director of Commercialisation

**Purpose:** To inform Full Council of the appointment of the S151 Officer and Executive Director of Commercialisation

### **Recommendation(s):**

That Christine Marshall is confirmed as the Section 151 Officer and Executive Director of Commercialisation for Breckland District Council and South Holland District Council.

### **1.0 BACKGROUND**

- 1.1** The Authority has a statutory obligation to designate three statutory officers: Head of Paid Service and Monitoring Officer (under sections 4 and 5 of the Local Government and Housing Act 1989 respectively) and Section 151 Officer/Chief Finance Officer (under s151 of the Local Government Act 1972). 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 accountability, lawfulness, fairness, probity and general good governance that support the council in achieving its aims. Typical arrangements in local authorities are for the Chief Executive to be Head of Paid Service whilst the other statutory roles are occupied at either Director, or, where there is no suitably qualified Director, the role is undertaken at Assistant Director level.
- 1.2** A thorough recruitment process was undertaken in collaboration with Gatenby-Sanderson Executive Agency which resulted in four candidates attending the Assessment Days on 6<sup>th</sup> and 7<sup>th</sup> October 2016.
- 1.3** Assessment day one consisted of individual technical interviews held by the Chief Executive, Luke Judd, and the Chief Executive and S151 of Gt Yarmouth Borough Council. The panel shortlisted the final applicants for Assessment Day 2 with the Joint Appointments Panel.
- 1.4** Assessment Day two consisted of an individual CEO and Director Meet and Greet which included a scenario and behavioural based interview. Followed by a Meet and Greet lunch with members of the Joint Appointments Panel and individual presentations delivered by the two final candidates.
- 1.5** The Assessment Day ended with a deliberation session among the joint appointments panel and conclusion that Christine Marshall would be appointed as the S151 Officer and Executive Director of Commercialisation.

### **2.0 OPTIONS**

The Councils must appoint a Section 151 Officer to support the Council's structure to ensure continued financial probity at the most senior level of the organisation

### **3.0 REASONS FOR RECOMMENDATION(S)**

- 3.1 The Constitution designates the shared Executive Director as the Chief Finance Officer (Section 151 Officer).
- 3.2 The Council must act in a timely manner to take all appropriate steps to designate an alternative individual in good time to ensure a smooth handover.
- 3.3 The role of the Section 151 Officer is an important element in the Council's structure and processes. The arrangements outlined in this paper will ensure that the functions continue to be discharged appropriately.

#### 4.0 **EXPECTED BENEFITS**

- 4.1 Compliance with a statutory requirement.

#### 5.0 **IMPLICATIONS**

##### 5.1 **Constitution & Legal**

- 5.1.1 The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972. Section 113 of the Local Government Finance Act 1988 requires that the officer appointed as Section 151 Officer shall be a member of one of the following bodies:

- (a) the Institute of Chartered Accountants in England and Wales,
- (b) the Institute of Chartered Accountants of Scotland,
- (c) the Chartered Association of Certified Accountants,
- (d) the Chartered Institute of Public Finance and Accountancy,
- (e) the Institute of Chartered Accountants in Ireland,
- (f) the Chartered Institute of Management Accountants, and
- (g) any other body of accountants established in the United Kingdom and for the time being approved by the Secretary of State for the purposes of this section.

- 5.1.2 The Council's constitution does not impose any additional restrictions on the appointment of the Section 151 Officer, requiring an appointee simply to be suitably qualified.

##### 5.2 **Risk Management**

- 5.2.1 The appointment of the Shared Executive Director as Section 151 Officer will provide resilience and increased capacity across the finance functions.

##### **Stakeholders / Consultation / Timescales**

- 5.2.1 The recommendations in this report have been subject to consultation with the Leaders of the Councils and portfolio holders.

#### 6.0 **WARDS/COMMUNITIES AFFECTED**

- 6.1 None

#### 7.0 **ACRONYMS**

- 7.1 **CIPFA** - Chartered Institute of Public Finance and Accountancy.

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Background papers:- [See The Committee Report Guide for guidance on how to complete this section](#)

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**Lead Contact Officer**

Name and Post: Mark Stinson, Executive Manager Governance  
Telephone Number: 07899061277  
Email: mark.stinson@breckland-sholland.gov.uk

**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**