

EXTRAORDINARY COUNCIL – 17 MARCH 2021

PART I

5. APPOINTMENT OF DIRECTOR OF FINANCE AND S151 OFFICER AND MONITORING OFFICER

1 Summary

1.1 The reports seeks to agree appointments to the following posts:

- Section 151 Officer and Director of Finance
- Monitoring Officer

2 Details

2.1 Appointment of S151 Officer and Director of Finance

2.2 Following the promotion to CEO of the previous Director of Finance and S151 Officer, Joanne Wagstaffe, a recruitment process was undertaken in March 2021. As a result of this recruitment one candidate submitted an application and was brought forward for a formal selection process.

2.3 Formal Process

2.4 This role is shared with Watford Borough Council and therefore a joint panel of 6 Members, with each Council providing 3 Members to the panel with representation that is proportionate to their own political make up. The panel composition was as follows:

Three Rivers

- 2 Liberal Democrats and 1 Conservative representatives

Watford

- 2 Liberal Democrats and 1 Labour representatives

2.5 The joint selection panel convened on Tuesday 9 March 2021 to consider the candidate shortlisted and following a selection process, Alison Scott, currently interim Director of Finance for Three Rivers District Council and Watford Borough Council, is recommended for appointment. A similar report has also been submitted to Watford Borough Council for consideration at their Council meeting on 16 March 2021, which is expected to confirm agreement to appoint Alison Scott as S151 Officer for Watford. An update will be provided at this meeting.

2.6 The position of S151 Officer is a statutory appointment under the Local Government and Housing Act 1989. It is therefore essential to ensure the role of S151 Officer is filled on a permanent basis to ensure Three Rivers District Council complies with its statutory responsibilities.

2.7 **Appointment of Monitoring Officer**

The current Monitoring Officer, Anne Morgan, is retiring in April 2021 and as this is a statutory post a replacement is required. As a result an internal advertising campaign for an interim replacement was undertaken. This process resulted in one candidate,

James Baldwin, submitting an application for interim Solicitor to the Council and Monitoring Officer.

A selection process was undertaken on 10 March 2021, and the panel confirmed James Baldwin to the role of interim Solicitor to the Council. This is not a Chief Officer role and therefore it is not a member appointment. However the role of Monitoring Officer is a statutory post and requires approval by Council. Approval is now requested for the appointment of James Baldwin to the position of Monitoring Officer for the Council.

3 Options and Reasons for Recommendations

3.1 The recommended option is:

- to appoint a permanent S151 Officer and Director of Finance
- to appoint a permanent Monitoring Officer

4 Policy/Budget Reference and Implications

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

5 Financial Implications

5.1 The current budget for:

- The S151 Officer and Director of Finance requirements are included within existing budgets and it is confirmed the appointment recommended is within these budget levels.
- The Monitoring Officer requirements are included within the existing budget for the interim Solicitor to the Council and it is confirmed the appointment recommended is within these budget levels.

6 Legal Implications

6.1 As set out within the body of the report. The appointments of S151 Officer and Monitoring Officer are a Council appointment by virtue of the Local Authorities (Standing Orders) (England) Regulations 2001

7 Equal Opportunities Implications

7.1 Relevance Test

Has a relevance test been completed for Equality Impact?	No – the requirement is for a S151 Officer and a Monitoring Officer to replace existing posts
Did the relevance test conclude a full impact assessment was required?	N/a

7.2 Impact Assessment

No Impact Assessment required

8 Staffing Implications

8.1 A permanent S151 Officer will fulfil the Council's statutory requirement for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs.

9 The monitoring officer has the specific duty to ensure that the council, its officers and its elected members maintain the highest standard of conduct in all they do. In accordance with section 5 of the Local Government & Housing Act 1989, as amended by schedule 5, paragraph 24 of the Local Government Act 2000.

10 Environmental Implications, Community Safety, Public Health, Customer Services Centres, Communications and Website implications

10.1 None specific.

11 Risk and Health & Safety Implications

11.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

11.2 The subject of this report is covered by the Council's corporate plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this plan.

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
Appointment of S151 Officer and/or Monitoring Officer cannot be made	Three Rivers DC does not fulfil its statutory obligations	Internal arrangements will be put in place to cover the requirements of the S151 Officer and Monitoring Officer roles	Treat	4

11.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

Very Likely ----- Likelihood ----- ▼ Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
Impact Low -----► Unacceptable				

Impact Score

Likelihood Score

4 (Catastrophic)

4 (Very Likely (≥80%))

3 (Critical)

3 (Likely (21-79%))

2 (Significant)

2 (Unlikely (6-20%))

1 (Marginal)

1 (Remote (≤5%))

11.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

12 Recommendation

12.1 That Alison Scott is appointed as S151 Officer and Director of Finance for Three Rivers District Council from 1 April 2021.

12.2 That James Baldwin be appointed as Monitoring Officer commencing from 5 April 2021.

12.3 That the Head of Human Resources be given delegated authority to take any further action necessary to give effect to the contents of this report and these recommendations

Report prepared by: Terry Baldwin, Group Head of Human Resources

Data Quality

Data sources:

Good

Data checked by:

Terry Baldwin Group Head of HR

Data rating:

1	Poor	
2	Sufficient	
3	High	

Background Papers

None

APPENDICES / ATTACHMENTS

None