


Haringey Council

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| Report for: | Council Meeting 28 th February 2012 | Item Number: | |
| Title: | Appointment of Statutory Officers | | |
| Report Authorised by: | Chief Executive |  | |
| Lead Officer: | Clifford Hart, Democratic Services Manager, Local Democracy and Member Services Tel: 0208 489 2920 | | |
| Ward(s) affected: N/A | Report for Non Key Decisions: | | |

1. Describe the issue under consideration

1.1 To consider the appointment of the statutory officers of Monitoring Officer and Interim Section 151 Officer/Chief Financial Officer.

2. Recommendations

2.1 That the appointment of Bernie Ryan as Head of Legal Services and Monitoring Officer with effect from 2 December 2011 be noted.

2.2 That Kevin Bartle be appointed to the role of Interim Section 151 Officer/Chief Financial officer for the period of 10th March 2012 to 16th September 2012 while Julie Parker is away from the work place.



3. Background information

Monitoring Officer

- 4.1 On 2 December 2011 Bernie Ryan was appointed as Head of Legal Services and Monitoring Officer. Prior to that Mr Ryan had been performing the role of Acting Head of Legal Services and Monitoring Officer. He was appointed to the Monitoring Officer role by Council on 23 May 2011 until the permanent recruitment to the post of Head of Legal Services and Monitoring Officer. He had been Acting Head of Legal Services since 18 April 2011.
- 4.2 The 1989 Local Government and Housing Act states that a duty of the authority is to designate one of their officers (to be known as "monitoring officer") as the officer responsible for performing the duties imposed by section 5 of the Act.
- 4.3 Section 5A (10) goes on to state that "The duties of an authority's monitoring officer under this section shall be performed by him personally or, where he is unable to act owing to absence or illness, personally by such member of his staff as he has for the time being nominated as his deputy for the purposes of this section."
- 4.4 The constitution at Part 2 Article 12 identifies the Monitoring Officer as one of three key statutory posts that the Authority must appoint.

Interim Section 151 Officer/Chief Financial Officer

- 4.5 Section 151 of the Local Government Act 1972 provides that a local authority must have an officer who is responsible for the proper administration of their financial affairs.
- 4.6 The council's Constitution Article 12.01(C) in part 2 requires the council to 'designate' the Chief Financial Officer post.
- 4.7 The council's Section 151 Officer/Chief Financial Officer, Julie Parker, is to be on 6 months leave (mostly unpaid) from 10th March 2012 to 16th September 2012 and it is therefore appropriate that she nominates a person responsible for the proper administration of the financial affairs of the council between these dates and the responsibility reverts back to Julie Parker on her return.
- 4.8 It is recommended that Kevin Bartle the current Deputy Section 151 is nominated as the Interim Section 151 Officer/Chief Financial Officer for the period 10 March 2012 to 16 September 2012 .



4. Comments of the Chief Finance Officer and financial implications

5.1 Both these appointments can be contained within the agreed budget.

5. Head of Legal Services and legal implications

6.1 The Council must by law appoint a single officer with overall responsibility for performing the duties imposed by section 5 of the 1989 Local Government and Housing Act.

6.2 Under Section 151 of the Local Government Act 1972 the council must appoint an officer to have personal responsibility for the administration of the council's financial affairs. That officer must have the appropriate professional qualification. In the council's constitution the Section 151 Officer is described as the Chief Financial Officer.

6. Equalities and Community Cohesion Comments

7.1 There are no equality issues arising from this report.

7. Head of Procurement Comments

8.1 There are no procurement issues arising from this report.

8. Policy Implication

9.1 There are no policy issues arising from the report.

9. Local Government (Access to Information) Act 1985

10.1 The following papers have been used in the preparation of this report and can be inspected at River Park House, 225 High Road Wood Green, London, N22 8HQ by contacting Clifford Hart on 020 8489 2920.

10.2 Report to Council 23rd Mar 2011.