

# Gloucester City Council

<b>Meeting:</b>	<b>Council</b>	<b>Date:</b>	<b>23 March 2023</b>
<b>Subject:</b>	<b>Designation of interim Chief Finance Officer (S151 Officer)</b>		
<b>Report Of:</b>	<b>Head of Paid Service</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Jon McGinty, Managing Director</b>		
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<b>Appendices:</b>	<b>None</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To appoint an interim S151 Officer, in accordance with Section 151 of the Local Government Act 1972.

### 2.0 Recommendations

- 2.1 Council is asked to **RESOLVE** that Greg Maw, Financial Services Manager, be designated the Council's interim Chief Finance Officer (S151 Officer) until such time as a permanent appointment is made, in accordance with section 151 of the Local Government Act 1972, with effect from 1 April for a period of up to 6 months but no more than 12 months.

### 3.0 Background and Key Issues

- 3.1 Section 151 of the Local Government Act 1972 requires the council to make arrangements for the "proper administration of (its) financial affairs" and to "secure that one of their officers has responsibility for the administration of those affairs" through the appointment of what is known as a Chief Finance Officer to advise the council. The Chief Finance Officer is also known as the S151 Officer and this terminology will be used throughout this report.
- 3.2 The S151 Officer is required by law to be a qualified accountant and a member of one of the professional bodies as outlined in the Local Government Finance Act 1988. The legislative framework requires that either the S151 Officer is a direct employee of the council or that the S151 Officer is an employee of another council under a formal shared service arrangement.
- 3.3 Following the retirement of the current S151 Officer, Jon Topping, on 31<sup>st</sup> March 2023, it is necessary to appoint a replacement to ensure the council complies with legislation and to ensure continuity. The Head of Paid Service is considering what senior management structure will best meet the needs of the Council going forward and will seek to recruit a permanent S151 Officer shortly. If this post is at Director

level, then Members will be involved in the appointment process through the Senior Appointments Committee, prior to any recommendation to Council. Appointments below Director level are the responsibility of the Head of Paid Service, though the decision to designate a S151 Officer will remain with Council.

- 3.4 Greg Maw is currently the Council's Financial Services Manager and Deputy S151 Officer and is the most suitable internal candidate to fill the S151 Officer role on an interim basis until a permanent appointment can be made.

#### **4.0 Social Value Considerations**

- 4.1 Not applicable

#### **5.0 Environmental Implications**

- 5.1 Not applicable

#### **6.0 Alternative Options Considered**

- 6.1 The Council has a statutory duty to make the appointment and there is insufficient time to advertise and appoint to a permanent position before the current Section 151 Officers retire. Greg Maw is suitably qualified and experienced to undertake this role on an interim basis until a permanent appointment can be made.

- 6.2 No other options have been identified.

#### **7.0 Reasons for Recommendations**

- 7.1 To meet the statutory requirements to appoint a S151 Officer for the City Council.

#### **8.0 Future Work and Conclusions**

- 8.1 The recommended designation will be an interim one, subject to review within the next twelve months, to enable the Head of Paid Service to consider the future shape of leadership arrangements at the City Council and recruit as necessary, and the S151 Officer function will be part of that review.

#### **9.0 Financial Implications**

- 9.1 Any temporary additional responsibility allowance or acting up allowance to be paid to the interim S151 Officer will be covered by the savings generated from the vacant S151 Officer post.

(Financial Services have been consulted in the preparation this report.)

#### **10.0 Legal Implications**

- 10.1 Under Section 151 of the Local Government Act 1972 the Council has a duty to make arrangements for the proper administration of their financial affairs and appoint a Section 151 Officer. The Section 151 Officer must lead on the Council's financial functions and ensure that they are fit for purpose. The Section 151 Officer must be professionally qualified and suitably experienced.

10.2 Under Section 113 of the Local Government Finance Act 1988 the Section 151 Officer must also be a member of a recognised accountancy body.

(One Legal have been consulted in the preparation this report.)

### **11.0 Risk & Opportunity Management Implications**

11.1 If a S151 Officer is not in post, the Council would be in breach of Section 151 of the Local Government Act 1972.

### **12.0 People Impact Assessment (PIA) and Safeguarding:**

12.1 None.

### **13.0 Community Safety Implications**

13.1 None

### **14.0 Staffing & Trade Union Implications**

14.1 The Local Government Act 1972 requires the person designated as S151 Officer to be employed by the Council either directly or under a formal shared services agreement with another council.

**Background Documents:** None