

## EMPLOYMENT COMMITTEE

**THURSDAY 17 SEPTEMBER 2020**  
**5.00 PM**

**VENUE: [Peterborough City Council Youtube Page](#)**

### AGENDA

Page No

1. **Apologies for Absence**
2. **Declarations of Interest**

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification" that has been disclosed to the Solicitor to the Council.

3. **Minutes of the Meeting Held on 18 June 2020** 3 - 6
4. **Director of Resources** 7 - 26

#### **Recording of Council Meetings**

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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

#### Committee Members:

Councillors: J Holdich (Vice Chairman), M Jamil, Hemraj, W Fitzgerald, R Brown (Chairman), Yurgutene and Wiggin

Substitutes: Councillors: Hogg, Iqbal, Hussain and J Goodwin

Further information about this meeting can be obtained from Dan Kalley on telephone 01733 296334 or by email – [daniel.kalley@peterborough.gov.uk](mailto:daniel.kalley@peterborough.gov.uk)

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**MINUTES OF THE EMPLOYMENT COMMITTEE MEETING  
HELD AT 5PM ON  
18 JUNE 2020  
VIA ZOOM CONFERENCE**

**Committee Members Present:** Councillors Brown (Chairman), Holdich (Vice-Chairman), Fitzgerald, Hemraj, Jamil, Yurgutene and Wiggin.

**Officers Present:**

Karen Craig	Senior Rewards Officer
Mandy Pullen	Assistant Director HR & OD
Dan Kalley	Senior Democratic Services Officer
Lisa Brightey	Reward Advisor – Policy and Projects

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. MINUTES OF THE MEETING HELD ON 12 SEPTEMBER 2019**

The minutes of the meeting held on 12 September 2019 were agreed as a true and accurate record.

**4. REVISED EMPLOYMENT POLICIES**

The Employment Committee received a report in relation to revised employment policies.

The Assistant Director, HR & OD introduced the report and stated that the Officer Code of Conduct and Officers Gifts and Hospitality had been through the Constitution and Ethics Committee following a recommendation from the Council's auditing processes. Members were informed that these policies had been recommended for approval from the Constitution and Ethics Committee, however they needed approval from the Employment Committee before being implemented.

The Senior Rewards Advisor went through each policy separately as outlined below.

**Officer Code of Conduct**

Members were informed that that Officer Code of Conduct and Gifts and Hospitality Policy were previously contained in one single policy. The recommendation that followed the Council's audit was to separate the policy into two distinct policies, so that each had their own prominence. The content of the revised Officer Code of Conduct had not changed significantly, however the style had been updated and two new

sections added. These were on 'contact with the media' and 'employee relationships with members and political neutrality'.

### **Officer Gifts and Hospitality**

The principles within the Gifts and Hospitality Policy had not changed. The fundamental principle of this Policy being that an employee should not do anything that might give rise to the inference that they have or may have been influenced by a gift or hospitality, to show bias for or against anybody or any organisation in carrying out their duties. There had been some minor updates in terms of the Governance detailed in the document. The line manager makes the initial decision as to what constitutes a gift and then the information is submitted via a standard form to a central record which ensures that every gift or hospitality that has come into the organisation is reviewed.

### **Shared Parental Leave Policy**

This policy was regularly updated and had been reviewed to make it easier to understand. A flow chart had now been included to enable employees to see what they needed to do and when. In addition, the notice requirements around taking leave and returning to work had been clarified.

### **Menopause Policy**

This policy had been developed and driven by colleagues from Unison in order to raise awareness, inform managers and make staff feel more comfortable talking about any issues in respect of the menopause. The objective being that any associated absence would be reduced. This was a new policy that the Council had not had before.

### **Time-off Policy**

There was one overarching policy that included a number of subsets for employees in respect of various types of time off. The first change was in respect of Special Constables, the existing policy made no reference to paid time off for Special Constables to undertake their mandatory training. The new proposal would allow anyone wishing to become a Special Constable five paid days off in their first year or being a Special Constable for their mandatory training. After their first year they would be entitled to three days paid leave in order to take on any other training or duties as required.

The second change was a statutory change concerning the addition of parental bereavement leave, for which the Committee were being informed about but as it is a statutory change there was no decision to be made.

### **Maternity Scheme**

There were two key changes to the Maternity Scheme. Firstly the Council was signed up to the Armed Forces Military Covenant and under this, should a mother be unable to return to work following maternity leave due to her partner being posted to a new location within the military, and this was not known at the time of claiming the payments, any monies paid for contractual maternity leave would not need to be re-paid.

The second change was that bank holiday leave would accrue during maternity leave and would be added to annual leave accrued and taken at a later date after the maternity leave had ended.

Members of the Employment Committee debated the report and in summary a list of key points members brought forward are outlined below:

- There was potential for concern over relationships between a member of staff and a councillor and it was worth investigating to see if a similar policy would be required to cover this. Members were advised that personal relationships should be reported to directors however some members felt this did not always happen and could result in friction between work colleagues. A process may be required to avoid officers and councillors working on the same matters if in a relationship and it was agreed this would be followed up in conjunction with Democratic Services.
- Officers had asked if there were any members of staff currently working as special constables however no cases had been identified and this was not data currently collected as there had been no paid leave generally allowed.
- A social media policy was in place however changes had needed to be made due to the current pandemic situation. The council had not in the past generally accepted the use of social media apps such as Whatsapp, however had been relaxed more recently. Members were using their own devices and would therefore be switching between personal and council accounts on the one device. Blurring the lines between personal and council business was an issue when using platforms such as Facebook however the governance was in place to identify what was acceptable. Communication policy using personal and council telephones needed to be regularly reviewed and IT and Social Media Policies needed to be kept in the “real world” rather than be restricted with rules and regulations which made it impossible for usage to be flexible.
- Most employees had a council phone however some members suggested that was not necessary, which would save the council money.

## **ACTION POINTS**

The Assistant Director HR & OD agreed that the Democratic Services Team would consider how best to incorporate the need for a protocol to cover officer / councillor relationships.

IT and Democratic Services to consider a review of the use of Council equipment and social media and make any necessary recommendations.

The Employment Committee **RESOLVED** (Unanimous) to **APPROVE** the five updated and one new employment policies. (The policies are the Employee Code of Conduct, the Officer Gifts and Hospitality policy, Shared Parental Leave policy, Time Off policy, Maternity Scheme and Menopause policy).

Chairman  
5.00pm – 5.28pm

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<b>EMPLOYMENT COMMITTEE</b>	AGENDA ITEM No. 4
<b>17 SEPTEMBER 2020</b>	<b>PUBLIC REPORT</b>

Report of:	Gillian Beasley: Chief Executive	
Cabinet Member(s) responsible:	Cllr David Seaton, Cabinet Member for Finance	
Contact Officer(s):	Gillian Beasley, Chief Executive	

## DIRECTOR OF RESOURCES

R E C O M M E N D A T I O N S
<p>It is recommended that Employment Committee:</p> <ul style="list-style-type: none"> <li>• Consider the proposed job description for Director of Resources &amp; s151 Officer for approval, making any necessary proposals for changes and, if required, delegating authority to finally approve the job description to the Chief Executive in consultation with the Chairman of Employment Committee</li> <li>• Approve the remuneration band for the Director of Resources &amp; s151 Officer</li> </ul>

### 1 ORIGIN OF REPORT

- 1.1 This report arises due to the need to end the temporary arrangements that have been in place since the resignation of the Corporate Director Resources in 2017. The post has been filled on an interim basis and more recently via acting up arrangements.

### 2. PURPOSE AND REASON FOR REPORT

- 2.1 With this role being a chief officer post, the purpose of this report is to provide Employment Committee with the opportunity to share views and feedback on the job description at appendix A and be satisfied that it accurately reflects the work and the standards expected of the post holder.

### 3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	
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#### **4. BACKGROUND AND KEY ISSUES**

- 4.1 Following the resignation of the Corporate Director Resources in 2017, the role has been covered via a number of temporary assignments to allow for further consideration around the remit of role and initially to allow for a review of the senior management structure.

As part of the senior leadership review, which took place in November 2018, it was recognised that due to the challenging financial climate that both PCC and CCC were facing, it was vital that both council's retained their own Director of Resources who could also fulfil the statutory section 151 role. Whilst the post-holders at PCC and CCC are required to work closely together to share best practice and discuss the respective financial situations of each Council as they contribute to our shared services agenda, they also need to be able to act independently in each sovereign council to maintain and drive the financial strategies of both Councils.

Within the review, consideration was also given to the services that sit within the Resources directorate to ensure best fit and appropriate alignment. This resulted in the transfer of the customer contact centre service and the IT function which both moved to the Shared Director of Customer and Digital Services for PCC and CCC.

The job description has been updated to reflect key changes. Recruitment to this post has been delayed due to the focus on the budget setting process 20/21 and then more recently the impact of Covid.

It is now considered to be the right time to formalise the structure and to proceed to fill this role on a permanent basis.

#### **5. CONSULTATION**

- 5.1 Consultation around the proposal to retain the Director of Resources within PCC was undertaken with individuals affected and the Trades Unions in November 2018 and subsequently agreed by Employment Committee during December 2018.

#### **6. RECRUITMENT PROCESS**

- 6.1 Subject to approval by Employment Committee, the next steps are for this role to be advertised internally and externally.

Employment Committee have delegated powers to appoint Chief Officers and Deputy Chief Officers as enabled under the Local Authorities (Standing Orders) (England) Regulations 2001. A further Employment Committee will therefore be arranged to undertake the appointment process and for a recommendation to be made to Council for the delegation of the Section 151 duties as required under the Local Government Act 1972.

#### **7. ANTICIPATED OUTCOMES OR IMPACT**

- 7.1 Anticipated outcome is for feedback to be received on the Job Description in order that a recruitment process can progress for the role of Director of Resources & Section 151 Officer.

## **8. SALARY PAY BAND**

- 8.1 The job description has been evaluated at Hay pay band 3 which is a salary band of between £110,175 and £134,659 under the 19/20 pay scales (excluding on costs).

The size, scale and complexity of this role combined with the challenging financial climate and the need to establish a new normal following Covid, indicates the salary band for this role is set at the right level to fulfil these leadership requirements.

## **9. REASON FOR THE RECOMMENDATION**

- 9.1 Whilst temporary arrangements have provided a short-term solution, permanent recruitment now needs to be progressed to provide stability and allow consideration to be given to how the wider finance team strategically operate to support the council's business.

## **10. IMPLICATIONS**

### **Financial Implications**

#### 10.1

The job description has been updated to reflect responsibility changes in some service areas such as Contact Centre, IT Function and it has been necessary to undertake further evaluation in accordance with the Hay scheme for senior managers. There is therefore a potential salary saving of circa £30k.

## **11. Legal Implications**

- 11.1 The Chief Executive, as the Head of the Paid Service, has a duty under the section 4 of the Local Government and Housing Act 1989 to determine the staffing arrangements necessary to deliver the Council's functions.

## **12. Human Resources Implications**

- 12.1 The review has been conducted in accordance with Council policies, procedures and relevant Employment legislation.

## **13. Equalities Implications**

- 13.1 The postholder will be expected to uphold the Council's commitment to equality of opportunity and respect for diversity in how they work with Members, staff and partners and in the way they deliver services to residents that are accessible and inclusive.

## **14. BACKGROUND DOCUMENTS**

PCC's Constitution - Executive Functions:

a) delegations section 3 clause 3.6.2g: to determine changes within the management structure where these involve substantial change to the responsibilities of first and second tier posts, having regard to the proposals of the relevant Cabinet Member for the services affected and also of the Leader of the Council;

**15. APPENDICES**

- 15.1 Appendix A – Job Description Director of Resources & Section 151 Officer
- 15.2 Appendix B – Structure chart
- 15.3 Appendix C - Finance and Audit Structure Chart
- 15.4 Appendix D - Resources Structure Chart

## JOB DESCRIPTION FORM

**Job Title:** Director of Resources (s151 officer)

**Job Holder:**

**Reports to:  
(Name & Title)** Gillian Beasley  
CHIEF EXECUTIVE

### 1. Job Purpose:

- To act as the Council's Chief Finance Officer (s151 officer) and lead the delivery of high quality financial advice and support to the Council's officers and members. In addition to lead the delivery of a wide range of services through strategic partnerships, internal teams and external company appointment.
- To be a fully participating member of the Council's Corporate Management Team (CMT) driving strategy and performance and identifying, and championing the delivery of the council's vision and strategy with lead politicians, partners, community representatives, CMT colleagues, and all employees.
- To act as the Council's Proper Property Officer to be accountable for the delivery of the Council's Property Strategy and the commissioning and delivery of all property, facilities management and asset management Services.
- To ensure that the Risk is managed and mitigated through the Council Internal Audit and Risk Board

### 2. Dimensions:

#### Areas of Responsibility

- Chief Finance Officer (s151 officer) with statutory responsibilities to make arrangements for the proper administration of the whole Council's financial affairs,
- Lead internal financial adviser on all council projects, and principal sign off for external financial advice.
- Managing Director of Blue Sky Peterborough Ltd (dormant company).
- Representing the council on outside organisations such as Society of Municipal Treasurers, Unitary treasurers, East of England Finance Directors, localisation of council tax benefit steering group, public health funding group, LGA spending review group etc.
- The Council's Proper officer for property with responsibility to make arrangements for the proper administration of the whole of the Council's Property affairs.
- Joint chair of the Council's Joint Commissioning & Procurement Board.

Responsibility for contract management of the following strategic partnerships/ commercial projects:

- NPS (outsourced property function) + Council's client side corporate property function.
- Peterborough Serco Strategic Partnership contract (with Strategic Operational Direction of Contact Centre contained in the contract delivered through Director of Customer & Digital Services).
- Vivacity (outsourced Leisure services function).
- Blue Sky (dormant company)
- Empower

Additional Internal Income Generating Services:

- Register Office
- Cemeteries and crematorium

### **Financial Responsibility**

The post holder is directly responsible for a revenue and capital budget of approx **£69m** in 2020/2021 for the Resources department.

In addition, the post holder is also responsible for the whole of the Council's budget (revenue budget of **£413m** and additional capital budget of **£95m** in 2020/2021 **£508m** in total), as it is the post holder's responsibility to ensure that expenditure against it follows proper rules of financial accounting, and by advising on appropriate routes of approval for expenditure, procurement options, approval of exemptions from contract standing orders, and so on.

Management of Council's financial arrangement in relation to the COVID-19 emergency and other emergencies with significant financial impact.

### **Staff**

The staffing numbers across the teams fluctuate, and some posts are filled on a temporary basis:

- Strategic Finance: 36
- Internal Audit: 8
- Commercial functions: 7
- Registration Services & Bereavement Services: 40

### **3. Organisation:**

This role is a Tier 1 post reporting directly to the Chief Executive and the post holder is a full member of the Joint PCC and CCC Management Team.

The role has several distinct areas of operation as noted above.

See attached organisation charts of the services which sit within the remit of the Director of Resources.

The role has the following main areas of operation:

### **Financial Team Leadership Responsibilities:**

- Section 151 officer.
- Budgetary control.
- Financial planning.
- Financial accounting.
- Capital Programme Management.
- Treasury Management.
- VAT and Tax accounting.
- Insurance.
- Departmental Heads of Finance.
- Internal Audit and Risk Management
- External Audit.
- Financial Appraisal (projects & savings & reports)

### **Contractual Leadership Responsibilities:**

- SERCO contract: shared transactional services (payments, payroll, benefits, council tax, business rates, sundry debt, car parking income), customer services (call centre and one stop shop through the Director of Customer & Digital), procurement, insurance, telecommunications, business support, finance systems, external funding and business transformation.
- Peterborough Investment Partnership (PIP) - oversight
- NPS (outsourced property function) + Council's client side corporate property function. property management, commercial property portfolio
- Medesham (housing delivery vehicle) - oversight
- Financial Responsibility for long and medium term annual projects

### **Office Manager**

Personal support to Chief Financial Officer & Commercial Director

## **4. Principal Accountabilities / Responsibilities:**

- To fulfil all the statutory duties and responsibilities of the authority's s151 officer.
- To ensure the provision of high quality financial advice to officers and members to enable them to achieve corporate priorities, and in particular support to Cabinet members and CMT colleagues in this context
- To be the Council's lead financial adviser and ensure provision of timely and pragmatic financial advice which is solutions driven, and incorporates a thorough understanding and assessment of risk – particularly on a range of high profile, high risk, "cutting edge" projects
- To personally advise Council and Cabinet meetings and other meetings as required.

- To be the Proper Registrars officer.
- To act as the Council's Proper Property Officer and fulfil these legislative requirements.
- To translate the Council's strategic priorities into appropriate service plans oversee the execution, review and improvement of these plans.
- To ensure health and safety responsibilities are fulfilled.
- To lead on liaison with external auditors.
- To maintain effective liaison with relevant government departments: Ministry of Housing, Communities and Local Government, Department for Business, Energy and Industrial Strategy, Home Office etc
- To ensure an effective response is developed to national policy and legislation

### **Leadership**

- Lead the Departmental Management Team, supporting it to effectively manage the resources of the team (within budget) and ensure delivery of corporate priorities and client requirements.
- Provide inspirational leadership to a diverse, multidisciplinary workforce, driving customer focused service delivery, embedding a culture of change, continuous improvement, common professional standards and excellent people engagement and management and ensuring that the Council meets its statutory obligations in relation to all aspects of equalities legislation.
- Actively encourage innovation and creativity across the services managed, pushing boundaries to improve efficiency, provide value for money and achieve new ways of working.

### **Performance and Risk Management**

- Develop and implement performance and outcome management of the services managed and commissioned to achieve the Council's strategic priorities in terms of partnership working and collaboration, the quality of engagement with local communities and businesses, significantly increasing the Council's visibility as a strong strategic leader and catalyst for investment.
- To ensure that all areas of the service meet the customers' needs and deliver services to the highest standards (where appropriate as assessed by external auditors).
- Evaluate, review and report performance to members, stakeholders and auditors (internal and external).
- To manage risk, ensuring full compliance with the relevant legal, financial and procurement requirements and frameworks across the Council.

### **Financial Management**

- Continually review and reshape service delivery to achieve financial efficiencies and maximise opportunities for income generation, whilst maintaining the highest standards of service delivery.

## 5. Job Knowledge, Skills & Experience

### Job Knowledge

- Qualified accountant including membership of relevant CCAB bodies (as set out in Local Government Finance Act).
- Relevant professional CPD.
- Relevant leadership/management qualification.
- Thorough knowledge and understanding of local government and of statutory and governance frameworks.
- A good understanding of the contemporary public change agenda.
- Knowledge of implementing performance management systems to meet Council objectives and performance targets, whilst handling a diverse and complex workload.

### Experience

- A successful track record and background of consistent achievement as a senior manager of financial and other support services within a large and complex multi-disciplinary organisation.
- Proven track record of leading and making a contribution to strategic decision making, resource allocation and to policy formulation and delivery
- Demonstrable track record of formulating, leading and implementing change and strategies and programmes which cross service or professional boundaries through the delivery of major projects.
- Experience of delivering major complex projects that have a high degree of external facing challenge or resistance, and ensuring delivery on time and within budget and outcomes.
- Experience of successfully working with a wide range of stakeholders.
- Significant experience of transformation and strategic sourcing
- Evidence of successful multi-agency and partnership working.
- Substantial experience of managing change, motivating staff and developing effective teams working towards a positive working culture
- Demonstrable track record of effective decision making, policy formulation and project delivery.
- Evidence of personal commitment to diversity in the workplace or in the shaping of service outcomes.
- Demonstrable track record of performance management and of having established a performance-focused, problem solving culture.
- Experience of working with elected members / working in a political environment
- Experience of working at a national level.

### Skills

- Outstanding interpersonal skills with the ability to relate to a wide range of audiences in a manner that inspires respect, trust and confidence.
- An ability to relate to and win the confidence, trust and respect of Members colleagues, partners and the wider community.
- An innovator and motivator, who can provide inspirational leadership, which encourages commitment from others and promotes a positive, motivated organisational culture.
- Highly developed networking, advocacy, oral, written and presentation skills, which are clear, persuasive and influential with others.
- Excellent negotiation skills and an ability to influence outcomes through reasoning, persuasion and tact.
- Strategic and logical thinker and decision-maker able to provide practical and creative solutions to the management of partnership, corporate and directorate issues.
- High intellectual and analytical abilities; able to assimilate and analyse information quickly, identifying issues, priorities and solutions and using effective models, techniques and resources to resolve issues.
- Strong financial and budgetary awareness with the ability to manage finance and wider resources within a strong performance management culture.
- Ability to use information technology to improve service delivery and reduce costs.
- Demonstrable continuous development and improvement of own leadership and professional practice.
- Ability to lead and manage high quality, responsive and cost effective services, both directly and through partnerships where appropriate.
- Ability to communicate and secure working relationships and develop those in a way which enables service users to take a greater part in decision-making.
- Ability to work with local partners to develop joint strategies for implementing government requirements and local services.

### 6 Job Context:

The services for which the post holder is responsible play a central role in the Council – both internally and externally.

#### Internally:

#### **Finance**

Efficient and effective financial management – from annual budget setting, medium term financial planning, budgetary control and annual final accounts. Ensuring financial regulations are complied with, contracting standing orders and an effective internal audit assurance function is maintained.

**Property**

Efficient and effective management of the Council’s Property portfolio, ensuring all legislative requirements are delivered.

**Commercial Agenda**

That new sources of funding and incomes are pursued, appropriate charging policies are in place and that new forms of strategic partnerships are pursued.

**Externally**

The department is responsible for services that are vital to people’s everyday lives and that make Peterborough an attractive place to live and work:

- From cradle to the grave – registrars to bereavement services.
- Poverty – payment of benefits
- Cash collection of taxes and debts
- A vibrant city - Property services and project management.
- Businesses – prompt payment of bills to suppliers and options to become a council contractor

**7. Job Challenges:**

The post holder leads on a number of high profile projects, working with the internal teams, and external lawyers and technical experts in projects (for example the Peterborough Limited LATCo project).

All of these projects are high risk, both in terms of the political challenges, and the legal risks as they are new and untried areas.

These projects also entail high risk to the post holder personally and professionally because of the high risk of challenge, as well as reputational risk to the Council. All of these projects are under intense scrutiny both from within the Council and externally.

Operating in a political environment with 5 different political groups – this means that the post holder and the services he is responsible for need to be aware of, and take into account political considerations when giving advice, in addition to financial / governance and commercial considerations (yet remaining politically neutral at all times).

Being able to advise the Conservative administration (particularly Cabinet members) on how to achieve their priorities, yet also be able to provide advice to opposition groups as to how to challenge should they wish to do so – which is particularly relevant at budget

setting. This requires careful handling to ensure all groups maintain confidence in my impartiality.

Advising the opposition as per the Council's standing orders on Financial and property matters.

## 8 Key Relationships:

### Manager (Chief Executive)

- 1:1 meeting monthly.
- Joint CMT meeting fortnightly.
- Annual PDR and mid-year review.
- Regular e-mail, telephone and personal contact and ad hoc meetings as required.

### Direct reports

- 1:1 meetings monthly.
- Departmental management team meeting fortnightly.
- Regular e-mail, telephone, personal contact and ad hoc meetings as required. Direct access for high profile, high risk operational matters where advice and guidance are needed for service managers and for which the post holder is responsible for informing the Chief Executive.

### Other contacts

- Frequent contact from members, including out of normal working hours.
- Frequent requests for advice on a range of issues from officers across the Council (including outside normal working hours where necessary).
- Regular contact with CMT colleagues (at least 2 or 3 times a week) to support their service delivery and strategic issues.
- Regular 'ad hoc' meetings with Leader
- Regular meetings with Cabinet portfolio holders, and Shadow Cabinet portfolio holder.
- Attendance at Cabinet Policy Forums and other meetings requested by Cabinet or Cabinet members.
- Responsible to Stakeholders Committee.
- Lead officer at the Audit Committee (a Statutory Committee)
- Attendance at Scrutiny Committee meetings.
- Contacts with Local Government Association and Government Departments on Financial matters.
- Occasional contact with Peterborough's MPs on issues affecting them or their constituents.
- Representing the authority at external local and national events.

**9. Key Relationships Decision Making Authority:**

- Extensive and significant decision making authority at an operational, strategic and financial level.
- Wide ranging delegations within the Constitution, and the ability to make decisions within the Chief Executive's delegations, in her absence. The constitution particularly recognises the post holder's statutory role and contains sections on:
  - Functions of the Chief Officer and the Chief Finance Officer in particular
  - Duties to provide resources to the monitoring officer and chief finance officer
  - Functions of the Proper Property Officer
- Full ability to make decisions in relation to teams and service areas, without reference to the Chief Executive but consulting with the Chief Executive as required regarding critical and / or politically sensitive matters.
  - The role of the statutory Finance officer can be traced back in case law to 1906 – Attorney General v De Winton. It was established that the Treasurer is not merely a servant of the Council but holds a fiduciary relationship to the local taxpayers.
  - As s151 officer, the post holder is personally responsible and does not report to anyone in this capacity (the role being a statutory role, and one of the three posts every council is legally required to appoint).
  - As s151 officer the post holder has greater powers than any member of CMT (including the Chief Executive) or any member of the Council or Cabinet (including the Leader), in respect of financial matters section (114 of the Local Government Finance Act 1988). The post holder is able to stop the Council taking any action which he considers is likely to incur unlawful expenditure or lead to an unbalanced budget, but in practice this is a last resort. To avoid this draconian measure, the post holder regularly uses a range of skills to find an acceptable solution and encourage an alternative approach to ensure proposed financial actions are both lawful and within budget.
- At budget setting time the Council has to have regard to the post holder's statutory advice, particularly around the reasonable of estimates and adequacy of reserves and balances 2003 Act) as set out in the Robustness Statement

**10. Additional Information:**

**Political Restriction**

- This post is politically restricted under the Local Government and Housing Act 1989, as amended by the Local Democracy, Economic Development and Construction Act 2009 and the post holder may not have any active political role either in or outside work.

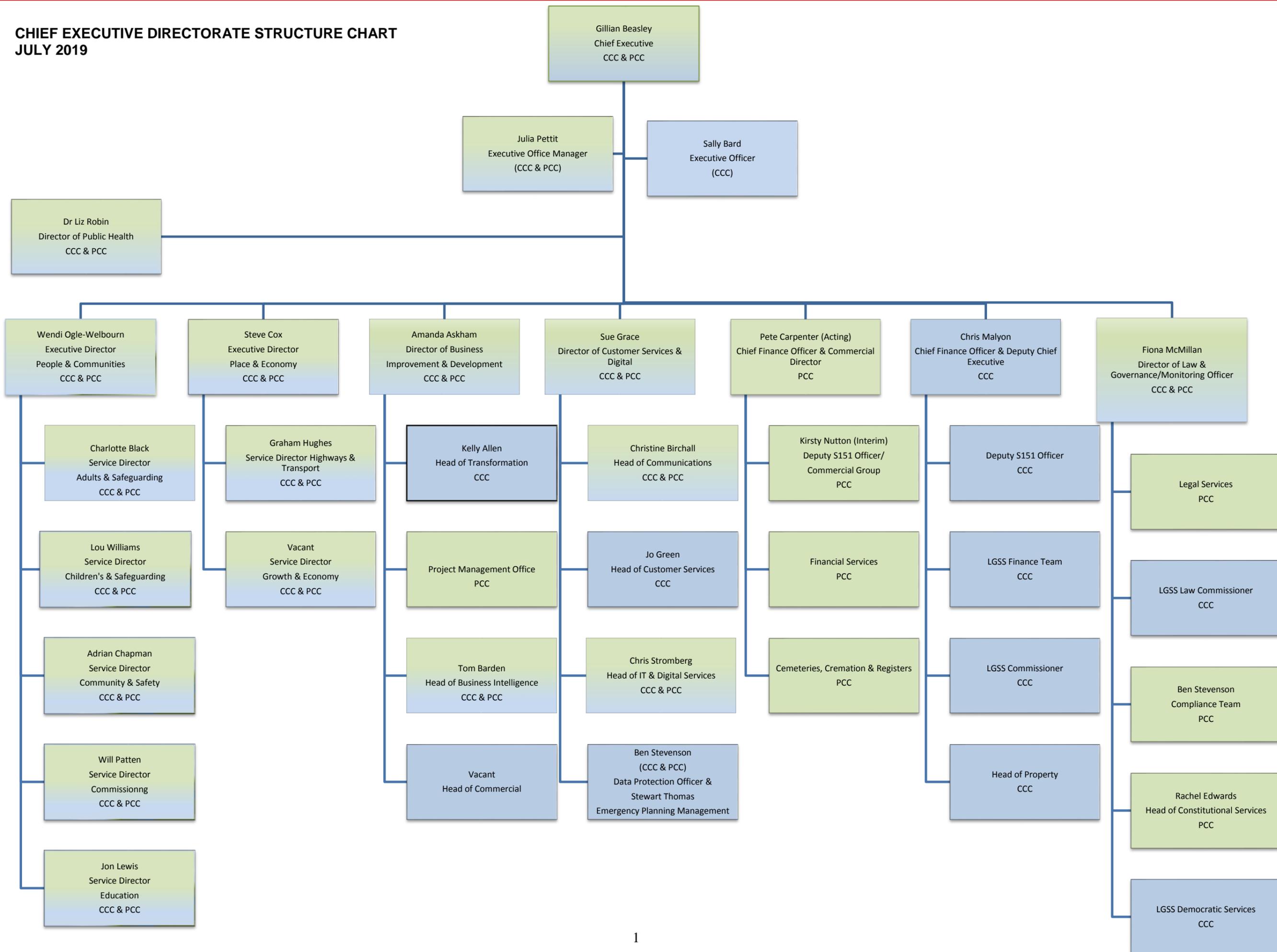
## **SIGNATURES:**

After reviewing the questionnaire sign it to confirm its accuracy

**JOB HOLDER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**LINE MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**CHIEF EXECUTIVE DIRECTORATE STRUCTURE CHART  
JULY 2019**



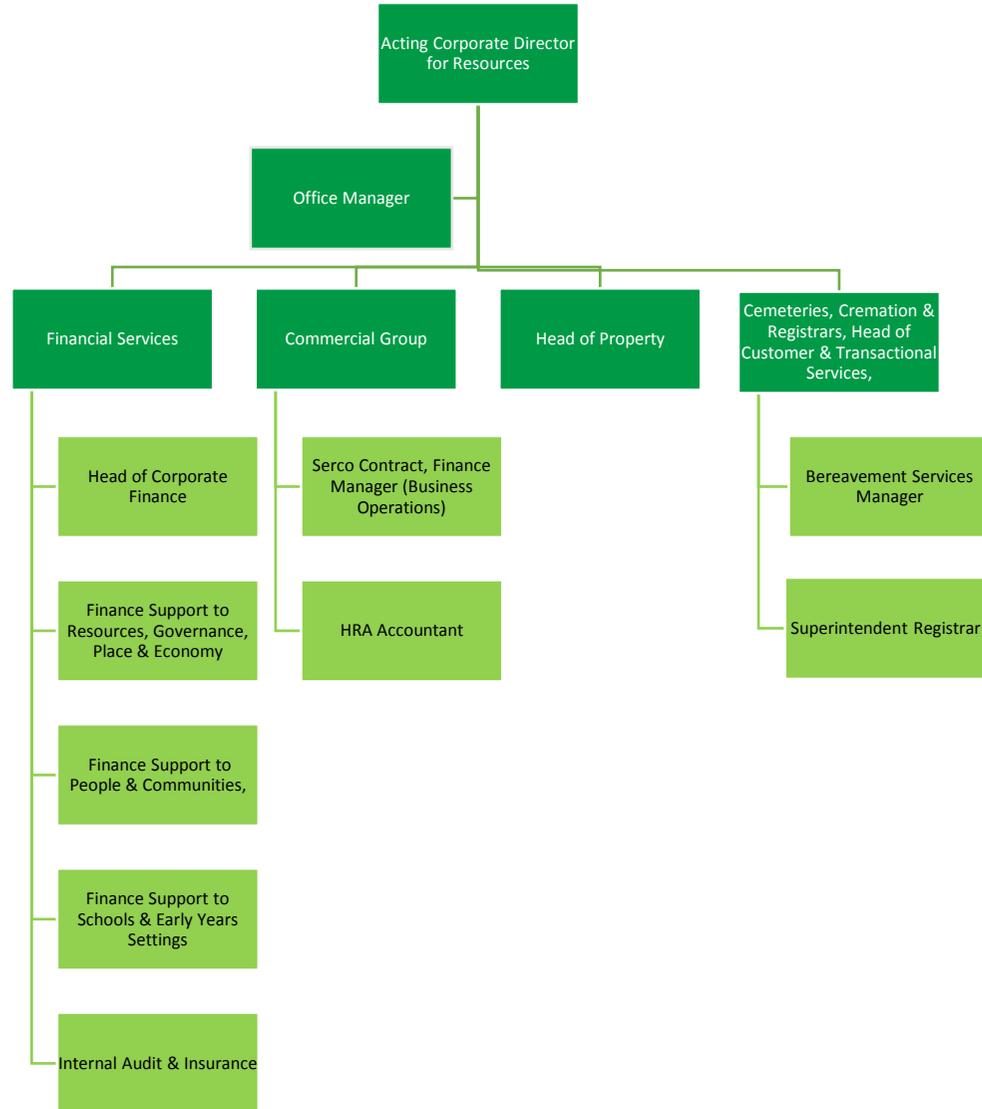
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Resources Structure Chart



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