

REPORT TO: Cabinet
Council

DATE: 15 April 2010
13 May 2010

SUBJECT: Constitution – Senior Management Structure

**WARDS
AFFECTED:** All

REPORT OF: Interim Head of Corporate Legal Services

**CONTACT
OFFICER:** Dave Mackey 0151 934 2032

**EXEMPT /
CONFIDENTIAL:** No

PURPOSE / SUMMARY:

To seek Members approval to amend the Council's Constitution to reflect the recent Senior Management Re-structure.

REASON WHY DECISION REQUIRED:

The Constitution must be regularly updated to reflect the Council's current structures and any new legislation.

RECOMMENDATION(S) TO COUNCIL:

- (i) That Members formally approve the amended Delegations to Officers and consequential minor changes to Portfolios.
- (ii) That the Assistant Chief Executive be formally appointed as the Council's "Scrutiny Officer" as required by Section 31 of the Local Democracy, Economic Development and Construction Act 2009.
- (iii) That the terms of reference of the Standards Committee be amended pursuant to Section 202 of the Local Government & Public Involvement in Health Act 2007.

KEY DECISION: Not applicable

FORWARD PLAN: Not applicable

IMPLEMENTATION DATE: Following the expiry of the “call-in” period for the Minutes for this meeting.

ALTERNATIVE OPTIONS:

The Constitution needs to reflect the Council’s current structure.

IMPLICATIONS:

Budget / Policy Framework: Not applicable

Financial: Not applicable

<u>CAPITAL EXPENDITURE</u>	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: Not applicable

Risk Assessment: Not applicable

Asset Management: Not applicable

CONSULTATION UNDERTAKEN / VIEWS

Not applicable.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Not applicable.

BACKGROUND:

- 1.0 As a consequence of the recent Senior Management Restructure it has been necessary to review the Constitution to ensure that appropriate titles, functions and delegations are in place. Members are asked to formally approve the attached amended delegations to Officers and consequent minor amendments to Portfolios which reflect the recent Senior Management Review.

- 2.0 **Appendix 1** sets out the current Senior Management structure. The Constitution reflects that the Chief Executive and three Strategic Directors will have a number of thematic responsibilities and service groupings as follows:-

Chief Executive

Thematic Responsibilities: <ul style="list-style-type: none">• Transformation• Intelligence• Performance Improvement• Communications	Service Groupings: <ul style="list-style-type: none">• Policy Development• Performance Improvement and Monitoring• Communications, Media, Public Relations and Advertising• Research and Intelligence• Overview & Scrutiny• Local Strategic Partnership• Democratic Services• BSF
	Corporate Services: <ul style="list-style-type: none">• Legal• Finance• Personnel• Procurement and Commissioning• Combined Client Functions

Strategic Director – Childrens Schools and Families

Thematic Responsibilities:	Service Groupings:
<ul style="list-style-type: none"> • Children and Young People • Creating a Learning Community • Safeguarding • Every Child Matters 	<ul style="list-style-type: none"> • Childrens Social Care • Childrens Trust • Schools • Early Years • Extended Schools • Youth Service • Policy 14 – 19 Strategy • Inclusion • Community Delivery • Research and Intelligence

Strategic Director – Communities

Thematic Responsibilities:	Service Groupings:
<ul style="list-style-type: none"> • Sustainable Economic Development and Enterprise • Environmental Sustainability • Strategic Asset Management 	<ul style="list-style-type: none"> • Regeneration • Economic Development • Planning • Building Control • Transportation • Neighbourhoods • Strategic Housing and Housing Market Renewal • Environmental Health • Trading Standards • Licensing • Technical Services
	<p>Operational Services</p> <ul style="list-style-type: none"> • Waste and Recycling • Street Scene • Public Conveniences • Specialist Transportation • Vehicle Fleet • Management and Maintenance • Building Cleaning • School Crossing • Catering • Security Force

Strategic Director – Social Care and Wellbeing

Thematic Responsibilities:	Service Groupings:
<ul style="list-style-type: none">• Health and Wellbeing• Creating Safer, Stronger Communities• Personalisation• Customer Strategy	<ul style="list-style-type: none">• Adult Social Care• Leisure• Culture• Libraries• Cemeteries and Crematoria• Tourism• Safer/Stronger Communities• Community Cohesion• Public Health• Health Integration

Scrutiny Officer

Section 31 of the Local Democracy, Economic Development and Construction Act 2009 requires County Councils and Single Tier Authorities to appoint a “Designated/Scrutiny Officer”. The Officer has responsibility to:-

- Promote the role of Overview & Scrutiny Committees
- Provide support for Overview & Scrutiny Committees
- Provide support and guidance to Members and Officers in relation to Overview & Scrutiny Committees

The Officer concerned may not be the Monitoring Officer, Chief Officer or Head of Paid Service. It is recommended that the Assistant Chief Executive who has operational responsibility for the Overview & Scrutiny function should be formally appointed as the “Designated/Scrutiny Officer” and the Constitution has been amended to reflect this proposed appointment.

Politically Restricted Posts

Restrictions on the political activities of Local Government employees were introduced by the Local Government and Housing Act 1989. Originally the post of Independent Adjudicator was created to consider applications from Local Authority employees seeking exemption from political restrictions in respect of their posts and to give general advice on the criteria for designation of politically restricted posts. This function has now been transferred to the Standards Committee and the terms of reference for the Standards Committee have been amended accordingly,

3.0 Summary

Members are asked to formally approve the amendments to the Council's Constitution as set out above.

Copies of the Constitution, as amended, will be circulated and made available in the offices of the Political Groups and will be circulated to all Members after the forthcoming Local Elections in May.