

Article 11 – Officers

11.1 Management Structure

11.1.1 In January 2012 the Council agreed (pursuant to Section 113 of the Local Government Act 1972) a joint senior management structure with South Bucks District Council which involves sharing a Chief Executive, Director of Resources and Director of Services and Heads of Services. Each Council retains its own sovereignty over its own Constitution and elected members.

11.1.2 The Council jointly with South Bucks District Council will appoint the following officers who shall be designated as Chief Officers:

Post	Summary of Responsibilities
<p>Chief Executive</p>	<p><u>Corporate and Advisory Role</u></p> <p>To lead the Corporate Management Team and assume overall responsibility for corporate and operational management of the Council including the provision of impartial professional advice to all parts of the political management structures.</p> <p><u>Service Role</u></p> <p>Direct operational management responsibility for the following service areas:</p> <ul style="list-style-type: none"> • Human Resources • Communications, Policy and Performance • Electoral Registration Officer • Returning Officer for the Council (and Deputy Returning Officer so far as national elections are concerned) <p><u>External Role</u></p> <p>Representing the Council on partnership and external bodies.</p>
<p>Director of Resources</p>	<p><u>Corporate and Advisory Role</u></p> <p>To serve as a member of the Corporate Management Team and contribute to the corporate management of the Council including the provision of impartial professional advice to all parts of the political management structure.</p> <p><u>Service Role</u></p> <ul style="list-style-type: none"> • Finance and Audit • Customer Services • Legal and Democratic Services • Business Support

	<ul style="list-style-type: none"> • Senior Information Risk Owner <p><u>External Role</u> Representing the Council on partnership and external bodies.</p>
Director of Services	<p><u>Corporate and Advisory Role</u> To serve as a member of the Corporate Management Team and contribute to the corporate management of the Council including the provision of impartial professional advice to all parts of the political management structure.</p> <p><u>Service Role</u> Operational management responsibility for the following service areas:</p> <ul style="list-style-type: none"> • Sustainable Development • Healthy Communities • Environment <p><u>External Role</u> Representing the Council on partnership and external bodies.</p>

11.1.3 The Council may appoint such other officers as it considers necessary to carry out its functions or those delegated to it by another local authority.

11.1.4 The Council will also designate jointly with South Bucks District Council the statutory posts identified in the left hand column of the following table to the officers or one of the officers who for the time being hold the posts identified in the right hand column:

Designated Post	Officer
Head of Paid Service	Chief Executive
Chief Finance Officer	Director of Resources
Monitoring Officer	Head of Legal and Democratic Services,

11.1.5 The Head of Paid Service will determine and publicise in Section A of Part 7 of this Constitution the departmental structure of the Council.

11.2 Functions of the Head of Paid Service

11.2.1 To report to full Council or Joint Staffing Committee, or if a matter relates to a Cabinet Function, to the Cabinet or Joint Committee as necessary on the manner in which the discharge of the Council's functions is co-ordinated, the number and grades of officers required for the discharge of functions and the organisation of officers.

11.3 Functions of the Chief Finance Officer

- 11.3.1 Following consultation with the Head of Paid Service and the Monitoring Officer, to report to full Council or the Cabinet (as the case may be) or to the Council's external auditor, if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully;
- 11.3.2 To be responsible for the administration of the financial affairs of the Council;
- 11.3.3 To contribute to the corporate management of the Council, in particular through the provision of professional financial advice;
- 11.3.4 To advise whether Cabinet Decisions are within the Budget and Policy Framework; and
- 11.3.5 To provide advice to all members of the Council as required on financial propriety and probity issues.

11.4 Functions of the Monitoring Officer

- 11.4.1 To maintain an up-to-date version of the Constitution and ensure that it is available for inspection during normal office hours by Members, officers and the public.
- 11.4.2 Following consultation with the Head of Paid Service and Chief Finance Officer, to report to full Council or, if a matter relates to a Cabinet Function, to the Cabinet if he/she considers that any proposal, decision or omission would give rise to unlawfulness or maladministration.
- 11.4.3 To contribute to the promotion and maintenance of high standards of conduct by providing support to the Audit and Standards Committee.
- 11.4.4 To receive and act on complaints that Members have breached the Code of Conduct in accordance with the Council's adopted Complaints Procedure.
- 11.4.5 To maintain and make available for inspection by members of the public the following registers:
 - 1) The Registers of pecuniary and other interests for members of Chiltern District Council;
 - 2) The Registers of Members pecuniary and other interests for the Town and Parish Councils established in the District.
- 11.4.6 To hold and make available for inspection by members of the public the written summary of the decisions on whether to refer complaints for investigation under the Council's adopted Complaints Procedure.
- 11.4.7 To conduct or cause to be conducted investigations into written complaints:

- 1) alleging a breach of any local or non-statutory Codes or Protocols from time to time adopted by the Council governing the conduct of elected and co-opted members; and
- 2) to make or cause to be made reports or recommendations in respect of them to the Audit and Standards Committee in accordance with the Council's adopted Complaints Procedure.

11.4.8 To report to the Appeals and Complaints Committee the decisions of the Local Government Ombudsman that resulted in a finding of maladministration.

11.4.9 To ensure that Cabinet Decisions, together with the reasons for those decisions and relevant officer reports and background papers are made available for public inspection in accordance with the Access to Information Rules set out in Section D of Part 4 of this Constitution.

11.4.10 To advise whether Cabinet Decisions are within the Budget and Policy Framework.

11.4.11 To provide advice to all members of the Council as required on:

- 1) the terms of this Constitution;
- 2) the adopted Code of Conduct for Elected and Co-opted Members and any other Codes or Protocols governing the conduct of elected and co-opted members;
- 3) pecuniary, personal and prejudicial interests; and
- 4) vires, propriety and probity issues.

11.5 Duty to provide sufficient resources to the Chief Finance Officer and Monitoring Officer

11.5.1 The Council will provide the Chief Finance Officer and the Monitoring Officer with such officers, accommodation and other resources as are in their opinion sufficient to perform their duties.

11.6 Appointments

11.6.1 All appointments will be on merit. The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in Section H of Part 4 of this Constitution.

11.7 Conduct

11.7.1 Officers will comply with the Protocol on Officer/Member Relations and the Officers' Code of Conduct set out in Sections D and E of Part 5 of this Constitution.