

# Officers

## 1. Management Structure

- (a) The full Council may engage staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) The Council will engage persons for the following chief officer posts:

<b>Post</b>	<b>Principal Areas of Service</b>
Chief Executive	Head of the Council's paid service; overall corporate management and promotion of the Council's strategic objectives.
Assistant Chief Executive	Strategic partnerships and the sustainable community strategy; Transformation Programme; media and communications; performance management; Human Resources information and communications technology; Oxfordshire Customer Services.
Director of Finance	Corporate financial management and administration; internal audit; procurement.
Director of Law and Governance	Legal services and advice; support for councillors and the democratic process; governance; information governance.
Director for Public Health) <sup>1</sup>	Promoting the health of the local population; commissioning public health services; health improvement; planning for public health incidents; monitoring uptake of screening/immunisations.

*1 The Director of Public Health is also the designated Chief Medical Adviser for the provision of emergency medical advice to the Council for the purposes of the Mental Health Act 1983*

<b>Post</b>	<b>Principal Areas of Service</b>
Director for Adult Services <sup>2</sup>	Adult social services; residential and nursing care; supported living; intermediate care; home support; assessment and re-ablement; occupational therapy; sensory impairment; mental health; carers services; translation and interpretation; adult learning; community safety; consumer protection and animal welfare; gypsy and traveller service; emergency planning.
Director for Children's Services <sup>3</sup>	Children's services; early years and childcare; family support; fostering and adoption; looked-after children; residential and leaving care; asylum seekers; child protection; school performance; resourcing and support for schools; school governor support; school admissions; school transport (policy); special educational needs; behaviour support; teenage pregnancy; drugs and alcohol; youth service; youth justice
Strategic Director Communities and Chief Fire Officer	Fire and rescue services; and trading standards and areas of service managed by: <ul style="list-style-type: none"> <li>• Director for Infrastructure Operations</li> <li>• Director for Planning and Place</li> <li>•</li> </ul>
Director for Infrastructure Operations	Highways; network management; road safety and travel planning; transport development control; mainstream school and special needs transport; bus services; countryside and rights of way services; archaeological service; economic development; environmental and climate change policies; cultural services; libraries; heritage services and museums; music service; the arts; estates and valuation; property services; corporate security.

2. Full title: Director for Social & Community Services and Director of Adult Social Services

3.. Full title: Director for Children, Education & Families and Director of Children's Services

<b>Post</b>	<b>Principal Areas of Service</b>
Director for Planning and Place	Development plans and developer funding; strategic development schemes; spatial and minerals and waste planning; waste management

- (c) **Head of Paid Service, Monitoring Officer and Chief Finance Officer**  
The Council will designate officers to perform these statutorily prescribed roles as follows:

<b>Designation</b>	<b>Officer</b>
Head of the Council's Paid Service	Chief Executive
Monitoring Officer	Director for Law and Governance
Chief Finance Officer	Director of Finance

The duties associated with these designations are set out in paragraphs 2 - 4 below.

- (d) For the avoidance of doubt, the officers under (b) and (c) are also to be regarded as Directors for the purposes of this Constitution, in addition to any specific duties and delegations attaching to their posts.

## 2. Functions of the Chief Executive

- (a) **Discharge of functions by the Council.** The Chief Executive will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restrictions on functions.** The Chief Executive may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

## 3. Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available to councillors, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will report to the full Council or, in the case of an executive function, to the Cabinet, if he or she considers that any

proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.<sup>1</sup>

- (c) **Supporting the Audit & Governance Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support and advice to the Audit & Governance Committee.
- (d) **Receiving complaints.** The Monitoring Officer will receive and act on complaints about Councillor conduct.
- (e) **Reviewing complaints.** The Monitoring Officer will review complaints in accordance with the Council's arrangements for dealing with member complaints.
- (f) **Proper officer for access to information.** The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the budget and policy framework.
- (h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (i) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Chief Executive.
- (j) **Issue of Guidance.** The Monitoring Officer will issue guidance from time to time on the discharge of the above functions.

#### 4. Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the full Council or, in the case of an executive function, to the Cabinet, and to the Council's external auditor, if he or 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.
- (b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.<sup>2</sup>

<sup>1</sup> Section 5 of the Local Government & Housing Act 1989

<sup>2</sup> Section 151 of the Local Government Act 1972

- (c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- (d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Giving financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

## 5. **Duty to Provide Sufficient Resources to the Monitoring Officer and Chief Finance Officer**

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

## 6. **Deployment and Management of Staff in General**

- (a) The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out at Part 8.4 of this Constitution.
- (b) The Head of Paid Service will determine and publicise a description of the overall structure of the paid service of the Council showing the management structure and deployment of officers. This is set out at Part 7.1 of this Constitution.

## 7. **Powers Exercisable by Officers**

Officers may exercise functions of the Council, the Cabinet and committees of the Council to the extent and subject to the conditions specified in the Officer Delegations set out in Part 7 of this Constitution.

## 8. **Sub-Delegation to Designated Officers**

The Chief Executive's, Directors' and other officers' powers conferred by this Section and its Appendices, including any proper officer functions, may be exercised by other officers designated in writing by the Chief Executive, relevant Director or other officer, either generally or in specific circumstances.

## 9. **Conduct of Officers**

Officers will comply with the Officers' Code of Conduct and the Protocol on Member/Officer Relations.