

## **COUNCIL – 31 MAY 2016**

### **APPOINTMENT OF CHIEF FINANCE OFFICER (SECTION 151 OFFICER)**

#### **REPORT OF CHIEF EXECUTIVE**

#### **WARDS AFFECTED: ALL WARDS**

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Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

#### 1. PURPOSE OF REPORT

- 1.1 To advise Council of the need to appoint a new Section 151 Officer and to secure approval for the recommended appointee. It is brought to the Council as an urgent item to ensure that there is a designated Section 151 Officer, for the reasons set out in Section 3.3 of the report.

#### 2. RECOMMENDATION

- 2.1 That Council approves the appointment of Ashley Wilson to the statutory role of Section 151 Officer for Hinckley & Bosworth Borough Council.

#### 3. BACKGROUND TO THE REPORT

- 3.1 In accordance with Local Government Act 1972, there is a statutory requirement on the authority to designate a Section 151 Officer, who is required to be a suitably qualified individual, holding a CCAB recognised professional accountancy qualification. It is one of three such statutory roles; the others being Head of Paid Service and Monitoring Officer. At this Council those roles are fulfilled by the Chief Executive and Chief Officer (Corporate Governance and Housing Repairs) – Steve Atkinson and Julie Kenny respectively. The roles should remain distinct and separate.

- 3.2 In simple terms, the Section 151 Officer has three main responsibilities:

- To ensure lawfulness and financial prudence of decision making;
- To be responsible for the administration of financial affairs;
- To be responsible for the provision of professional financial advice.

- 3.3 At the time of writing, the Section 151 Officer for Hinckley & Bosworth Borough Council is Sanjiv Kohli. However, in the last few days, Sanjiv has indicated his intention to leave the Council's service as of 31 May 2016. As the next Council meeting is not until 12 July, creating a considerable gap between Sanjiv's leaving and the formal appointment of his replacement, the matter is being brought to this meeting.

- 3.4 Having consulted senior management colleagues and recognising that the current deputy Section 151 Officer is on maternity leave, my recommendation is that the role of Section 151 Officer should be performed by Ashley Wilson, who is acting as the Interim Head of Finance. Ashley has been acting in the capacity of Deputy Section 151 Officer for more than six months and has proved to be an excellent officer in that time.

- 3.5 Ashley will be required to appoint a suitable qualified and experienced Deputy Section 151 Officer but it is expected this will be undertaken by a Section 151 Officer from another District Council locally, as part of a partnership arrangement.

4. FINANCIAL IMPLICATIONS [IB]

4.1 There are no financial implications arising directly from this report.

5. LEGAL IMPLICATIONS [ST]

5.1 The requirement for the appointment to the statutory post has been dealt with in Paragraph 3 above. There are no further legal implications to report.

6. CORPORATE PLAN IMPLICATIONS

6.1 This report has implications for an overall aim of being 'a Borough to be Proud of' and our value of being 'a confident and capable Council'.

7. CONSULTATION

7.1 Members of the Strategic Leadership Board and Corporate Operations Board have been consulted.

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Not having a Section 151 Officer in place could put the financial affairs of the Council at risk.	Adopting the recommendation in the report.	Chief Executive

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 This report and the decision made by the Council will have an effect on all the Council's activities, wherever they are undertaken.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

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Background papers: None

Contact Officer: Steve Atkinson

Executive Member: Councillor Hall