

## Part A

**Report to:** Council

**Date of meeting:** Tuesday, 28 January 2020

**Report author:** Group Head of Democracy and Governance

**Title:** Appointment of Interim S151 Officer

### 1.0 Summary

- 1.1 Council is asked to appoint Alison Scott, the current Head of Finance, as the Interim Section 151 Officer and Chief Finance Officer (CFO) for Watford Borough Council. Alison will remain a Three Rivers employee but will be seconded to Watford for the purposes of her role as S151 Officer.
- 1.2 A similar report was taken to a Three Rivers District Council Extraordinary Council meeting on 21 January 2020 recommending that they make this Interim appointment as the role is currently shared between the two Council's.

### 2.0 Risks

#### 2.1

| Nature of risk  | Consequence  | Suggested Control Measures  | Response<br>(treat, tolerate, terminate or transfer) | Risk Rating<br>(combination of severity and likelihood) |
|---|--|---|--|---|
| Appointment of Section 151 Officer/CFO is not agreed. | Three Rivers DC and Watford BC do not fulfil their statutory obligations | Internal arrangements will be put in place to cover the requirements of the Section 151 Officer/CFO | Treat  | 4   |

### 3.0 Recommendations

- 3.1 That with effect from 3 February 2020 Alison Scott becomes the S151 and Chief Financial Officer for Watford Borough Council

- 3.2 That the current agreement between Three Rivers District Council and Watford Borough Council under S113 of the Local Government Act 1972 sharing the position of S151 Officer and CFO be amended to reflect the change of post holder.

**Further information:**

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**4.0 Detailed proposal**

- 4.1 The council's current joint S151 officer and CFO has been appointed to the position of Chief Executive of Three Rivers District Council. She takes up her new role on 3 February 2020.
- 4.2 Council is asked to agree the interim appointment of Alison Scott currently Head of Finance for the Three Rivers and Watford Shared Finance Service from 3 February 2020 until a permanent appointment to the role can be made. Officers are not recommending that there should be any change to the arrangement of a shared S151 Officer and CFO post.
- 4.3 The Section 151 Officer/CFO is responsible for the proper administration of the Council's financial affairs, under the Local Government Act 1972. All Local Authorities must assign Section 151/CFO duties to one named Officer who must be suitably qualified. The Section 151 Officer/CFO is required by law to be a suitably qualified individual holding a recognised professional accountancy qualification.
- 4.4 It is currently proposed to take a joint report to the two councils in March to set up a joint member appointment panel to appoint to a permanent S151/CFO

**5.0 Implications**

**5.1 Financial**

- 5.1.1 The Shared Director of Finance comments that the post is a Three Rivers employee but Watford pays Three Rivers a 50% contribution towards the salary

**5.2 Legal Issues (Monitoring Officer)**

- 5.2.1 The Group Head of Democracy and Governance comments that under section 151 of the Local Government Act 1972 each council is required to make arrangements

for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs. The post holder therefore needs to be an officer of both councils. It is intended that the post holder will be a Three Rivers employee. As this is already the existing arrangement the Councils have a formal agreement under section 113 of the Local Government Act 1972 whereby the post holder's services are provided to Watford. Under this provision an employee whose services are used by another local authority will be deemed to be an employee of that local authority for the purposes of discharging any of that authority's functions. This agreement will need to be amended to reflect the new post holder.

### **5.3 Equalities, Human Rights and Data Protection**

- 5.3.1 Having had regard to the council's obligations under s149, it is considered as this is an interim measure there are no equalities implications. A full recruitment will be undertaken in due course.

Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report.

### **5.4 Staffing**

- 5.4.1 There will need to be some backfilling within the Finance Team as a result of the appointment.

### **5.5 Accommodation**

- 5.5.1 No implications

### **5.6 Community Safety/Crime and Disorder**

- 5.6.1 No implications

### **5.7 Sustainability**

- 5.7.1 No implications

### **Background papers**

No papers were used in the preparation of this report.