

## Article 12 – Officers

### Terminology

"Officers" means all employees and staff engaged by the Council to carry out its functions including those engaged under short term, agency or other non employed situations.

A "Chief Officer" is an officer designated by the Council as the administrative and executive head either (a) of a separate Directorate, or (b) of a particular service or function which in either case is regarded by the Council as important in relation to the total activities of the Council.

### 12.1 Management structure

- (a) **General.** The full Council may engage such officers as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The full Council will engage persons for the following posts, who will be designated Chief Officers:

Post	Functions and areas of responsibility
<p><b>Chief Executive (and Head of Paid Service)</b></p>	<p>Exercise all delegated authority provided to Chief Officers.</p> <p>Overall corporate management and operational responsibility (including overall management responsibility for all officers).</p> <p>Provision of professional advice to all parties in the decision making process.</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions.</p> <p>Together with the Section 151 Officer ensuring that the Council's Finances are sound.</p> <p>Representing the Council on partnership and external bodies as required by statute or the Council.</p> <p>Leading on policy development, performance and project management, Health &amp; Wellbeing Strategy.</p> <p>Public Health; Strategic financial oversight and planning; Accountancy; Internal Audit,</p>

Post	Functions and areas of responsibility
	insurance and risk; Treasury Management; Council Tax Collection; Business Rates; Transformation, Performance Management, Data and Business Intelligence; Legal and Democratic Services; Information Governance; Civic Office; Human Resources Advisory and Payroll; Organisational Development; Health and Safety; Communications and Public Relations.
<p><b>Directors</b></p> <p><b>Children and Young People's Services</b></p> <p><b>Adult Services and Wellbeing</b></p> <p><b>Regeneration and Strategy</b></p> <p><b>Public Services</b></p>	<p>All Directors contribute to the strategic and corporate management of the Authority. In addition, they have strategic responsibility for a broad area of Council provision, together with responsibility for performance monitoring and improvement of services.</p> <p>The broad areas of strategic responsibility are:-</p> <p>Statutory Director of Children's Services; Social Care for Children and Young People; Schools and Learning; School Transport.</p> <p>Statutory Director of Adult Social Services; Strategic development of health and social care integration; Social Care for Adults; All Age Disability; Integrated Health and Social Care; Commissioning; Housing Adaptations.</p> <p>Regeneration and Regional Strategy; Town Boards and Town Regeneration; Economic Growth; Tourism/Visitor Economy; Business Support; Skills; Strategic Housing; Strategic Infrastructure and Transport; Major Capital Projects, including Schools; Corporate Asset and Facilities Management and Markets; Flood Strategy and Planning; Green Economy/Sustainable Growth; Procurement; Voluntary and Community Sector Development; Planning.</p> <p>Customer Services; Welfare Reform and Benefits; Registration and Licensing; Waste; Community Safety; Enforcement and Resilience including Environmental Health; Highways Delivery; Safer, Cleaner, Greener;</p>

Post	Functions and areas of responsibility
<p><b>Public Health</b></p> <p><b>Resources and Transformation</b></p>	<p>Libraries, Museums and Arts; Theatre; Sports Services; Neighbourhood Teams; Cohesion and Equalities; Bereavement Services, Transport Services.</p> <p>Statutory Director of Public Health; Weighing and Measuring of Children; Health Check Assessment; Sexual Health Services; Public Health Advice Service; Protecting the health of the local population; Preparation of an Annual Report on the health of the local population.</p> <p>Director of Resources and Transformation with responsibility for the administration of the Council's financial affairs; Strategic Financial Management; National Non-Domestic Rates; Accountancy; Internal Audit, Insurance and Risk; Treasury Management; Council Tax Collection; Sundry Income, Transformation, Business Support, Corporate Procurement, Digital and ICT, Data and Business Intelligence; Human Resources and Organisational Development.</p>
<p><b>Assistant Directors and Heads of Service</b></p> <p><b>Chief Executive's Service</b></p> <p>- <i>Head of Legal and Democratic Services</i></p> <p><b>Children and Young People's Services</b></p> <p>- <i>Assistant Director, Early Intervention and Safeguarding</i></p>	<p>All Assistant Directors and Heads of Service have lead strategic, management and operational responsibility for the services within their control. The areas of service responsibility are:</p> <p>Solicitor to the Council and Monitoring Officer; Legal and Democratic Services; Scrutiny Support; Standards; Electoral Registration and Elections; Civic Office; Information Governance.</p> <p>Calderdale therapeutic service; Adoption; Early Intervention panels; Family intervention team; Fostering; Front Door of children's social care; Independent reviewing; Multi-agency safeguarding arrangements; Quality Assurance; Residential care; Social work locality teams; Troubled families; Youth offending service; Youth work.</p>

Post	Functions and areas of responsibility
<p>- Assistant Director, <i>Education and Inclusion</i></p>	<p>Adult Learning; Early Year's provision; Education welfare; Excluded children; Medical Needs; Schools Admissions; School funding and Forum; School improvement; Special Educational Needs – support to schools; Specialist teaching support to schools; Sufficiency &amp; places planning; Traded services to schools; Virtual School for children in care and adopted children.</p>
<p><b>Adult Services and Wellbeing</b></p> <p>- Assistant Director, <i>Commissioning and Partnerships</i></p>	<p><i>(This post is matrix managed between Adult Services and Wellbeing, Children and Young People's Serviced and Calderdale Clinical Commissioning Group)</i></p> <p>Contracting and procurement: Children's centres, Pathway, Local Transformation Plan, domestic violence; Integrated commissioning services with Health, including Special Educational Needs places; Commissioned placements for children in care; All age disability social care service, Disabled children's team.</p>
<p>- Assistant Director, <i>Social Care Operations</i></p>	<p>Gateway to Care, Community Hub, Hospital Discharge and Intermediate Care, Reablement, Support to Stay at Home, Accessible Homes Agency and Handy Person Service; Day Opportunities, Social Work Localities Teams, Palliative Care, Safeguarding, Community Care Charging, Charging Assessment, Direct Payments, Appointeeship; Sensory Service, Working Age Adult Mental Health Service, Older Peoples Mental Health, Mental Capacity and Deprivation of Liberty; Children's Disability and a range of other services providing residential and community based support to adults with mental health or learning disability needs.</p>
<p><b>Regeneration and Strategy</b></p> <p>- Assistant Director, <i>Strategic Infrastructure</i></p>	<p>Strategic Infrastructure and Transport.</p>

Post	Functions and areas of responsibility
<p>- <i>Assistant Director, Economy, Housing and Investment</i></p>	<p>Strategic Housing; Housing Advice and Homelessness; Private Sector Housing; Voluntary and Community Sector Development; Business Support; Skills; Green Economy/Sustainable Growth.</p>
<p><b>Public Services</b></p>	
<p>- <i>Assistant Director, Neighbourhoods</i></p>	<p>Community Safety; Enforcement and Resilience including Environmental Health; Waste Management; Highways Delivery; Network Management; Safer, Cleaner, Greener; Neighbourhood Teams; Cohesion and Equalities; Bereavement Services, Transport Services.</p>
<p>- <i>Assistant Director, Customer Services</i></p>	<p>Customer Services; Registration and Licensing; Benefits; Sports and Leisure Services; Theatre; Libraries; Public Halls; Museums.</p>
<p><b>Resources and Transformation</b></p>	
<p>- <i>Assistant Director, ICT and Digital</i></p>	<p>ICT infrastructure, Traded Services to Schools and Partners, IT Support to directorates and external customers; Supporting Smarter Services; Digital Strategy and Digital Transformation,</p>
<p>- <i>Head of Human Resources and Organisational Development</i></p>	<p>Human Resources; Workforce Development; Payroll Management; Corporate Health and Safety; Recruitment.</p>

(c) **Head of paid service, monitoring officer and chief finance officer.**

The Council will designate the following posts as shown:

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

Such posts will have the functions described in Article 12.2–12.4 below.

- (d) **Structure.** The head of paid service will determine and publicise a description of the overall service structure of the Council showing the management structure and deployment of officers.

## 12.2 Functions of the head of paid service

- (a) **Discharge of functions by the Council.** The Head of Paid Service will report to the Council on the manner in which the discharge of the Council's functions is coordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (b) **Restrictions on functions.** The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.
- (c) **Dispensations for Cabinet Members.** The Head of Paid Service, in consultation with the Chair of the Standards Committee and Monitoring Officer, may grant dispensations to Cabinet Members where they have declared a conflict of interest in a decision being considered by Cabinet. In cases of urgency, the Head of Paid Service may exercise this function without consultation taking place.

## 12.3 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 widely available for consultation by Members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Cabinet in relation to an executive function 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.
- (c) **Supporting the Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of

conduct through provision of support to the Standards Committee.

- (d) **Conducting investigations.** The Monitoring Officer will conduct investigations into allegations of breaches of the Code of Conduct for Members and make reports or recommendations in respect of them to the Standards Committee.
- (e) **Proper officer for access to information.** The Monitoring Officer will ensure that Cabinet decisions, together with the reasons for those decisions and relevant officer reports and background papers which are not exempt or confidential are made publicly available as soon as possible.
- (f) **Advising whether Cabinet/officer decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions of the Cabinet or officers are in accordance with the budget and policy framework.
- (g) **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 and will support and advise councillors and officers in their respective roles.
- (h) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

#### 12.4 Functions of the chief finance officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the head of paid service and the monitoring officer, the chief finance officer will report to the full Council or to the Cabinet in relation to an executive function and 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.
- (c) **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.
- (d) **Give financial information.** The chief finance officer will provide financial information to the media, members of the public and the community.

**12.5 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.

**12.6 Conduct**

Officers will comply with the Code of Conduct for Council Employees and the Conventions on Member/Officer Relations set out in Part 5 of this Constitution.

**12.7 Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in Part 4 of this Constitution.



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