

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive and Council
Date:	Executive 20 April 2015 Council 14 May 2015
Subject:	Chief Executive – Authority to Change Scheme of Delegation
Portfolio Holder(s):	Alwyn Rowlands
Head of Service:	Lynn Ball – Head of Function (Council Business)/Monitoring Officer
Report Author: Tel: E-mail:	Awena Walkden – Solicitor (Corporate Governance) Ext. 2563 apxce@anglesey.gov.uk
Local Members:	N/A

A –Recommendation/s and reason/s
<p>The Executive recommends to Council that:</p> <ol style="list-style-type: none"> 1. Council amend the Constitution to enable the Chief Executive to make structural changes to the Scheme of Delegation to Officers without going through the Executive and full Council. 2. Council authorises the Monitoring Officer to implement the change by adding a new paragraph to the Scheme of Delegation in line with Appendix 1, and thereafter to implement any relevant decisions of the Chief Executive. <p><u>Issues</u></p> <ol style="list-style-type: none"> 3. Under the current wording of the Constitution, at Article 15.2.1, any changes to the Constitution must be approved by the full Council after consideration by the Executive. 4. This process is slow and bureaucratic, so it is recommended that flexibility be introduced by allowing the Chief Executive to make some amendments to the Scheme of Delegation to Officers without taking a full report to the Executive and Council; thereby authorising the Chief Executive to amend the Scheme of Delegation at Part 3.5 and Part 7. 5. Heads of Service already have authority to restructure their own Services, provided that the restructure remains within budget and complies with HR policies and legal requirements. 6. This proposed amendment would allow the Chief Executive authority to restructure the posts of the Heads of Service, Heads of Function, Directors and Deputy Chief

Executive without going to full Council – such changes would involve transfer of roles and responsibilities from one party to another, changes in responsibilities and changes to job titles. It would not include decisions outside budget and would be subject to compliance with HR Policies and legal requirements.

7. In exercising this power the Chief Executive would consult with the relevant parties affected, having first consulted with the Head of Profession (HR) and the relevant Portfolio Holder(s).

B – What other options did you consider and why did you reject them and/or opt for this option?

Maintain the status quo. The reasons against this are described in Section A of this Report.

C – Why is this a decision for the Executive?

The implementation of the Recommendations will result in Constitutional changes which can only be approved by the full Council after consideration by the Executive.

CH – Is this decision consistent with policy approved by the full Council?

Yes

D – Is this decision within the budget approved by the Council?

Yes

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	Initiated by the Deputy Chief Executive and agreed by the Chief Executive
2	Finance / Section 151 (mandatory)	Any adjustments that have the effect of changing the delegation to the S151 Officer needs to be a decision of full Council and this needs to be made clearer. The S151 Officer has confirmed that the proposed changes set out in Appendix 1 address his concerns.

3	Legal / Monitoring Officer (mandatory)	Joint author of Report so comments are included here
4	Human Resources (HR)	Required consultation and other HR processes to be followed regarding any proposed restructures.
5	Property	
6	Information Communication Technology (ICT)	
7	Scrutiny	
8	Local Members	
9	Any external bodies / other/s	Approved in principle by the Group Leaders for a decision by Council

E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	
6	Outcome Agreements	
7	Other	

F - Appendices:
Suggested amendment to the Scheme of Delegation

FF - Background papers (please contact the author of the Report for any further information):

3.5.2.11 Bydd gan y Prif Weithredwr awdurdod i ddiwygio teitlau swyddi, a meysydd cyfrifoldeb yr Uwch Dîm Arweinyddiaeth, Penaethiaid Swyddogaeth a'r Penaethiaid Gwasanaeth fel y bydd ef / hi yn ei ystyried yn angenrheidiol er mwyn darparu swyddogaethau'r Cyngor, blaenoriaethau gweledigaeth ac o ganlyniad i ad-drefnu staff, mewn ymgynghoriad â'r Swyddog Adran 151, Swyddog Monitro, Pennaeth Proffesiwn / AD a'r Deilydd(ion) Portffolio perthnasol. Bydd unrhyw newidiadau o'r fath o fewn cyllideb ac yn cydymffurfio â pholisïau a phrosesau AD y Cyngor. I osgoi amheuaeth, rhaid cyfeirio unrhyw newidiadau arfaethedig all gael effaith andwyol ar allu'r Swyddog Adran 151 neu'r Swyddog Monitro i wneud eu rolau statudol yn effeithiol i'r Cyngor llawn ar gyfer eu cymeradwyo lle bo'r Swyddog Adran 151 neu'r Swyddog Monitro yn gofyn am hynny.

3.5.2.11 The Chief Executive shall have authority to amend the job titles, and areas of responsibility of the Senior Leadership Team, the Heads of Function and the Heads of Service as he/she considers necessary to deliver the Council's functions, vision, priorities and as a consequence of staff reorganisation, in consultation with the s.151 Officer, Monitoring Officer, Head of Profession (HR) and the relevant Portfolio Holder(s). Any such changes will be within budget and compliant with the Council's HR policies and processes. For the avoidance of doubt, any proposed changes that may have an adverse impact on the S.151 Officer's or the Monitoring Officer's ability to carry out their statutory roles effectively must be referred to full council for approval where the S151 Officer or Monitoring Officer so requests.