

Projects; Environment and Neighbourhood Services; Finance and Corporate Services; ; Legal and Procurement; Customer and Community Engagement; Strategy, Partnerships and Improvement; Children and Families

- **Corporate Strategy** means the document adopted by the Council setting out the Council's vision, values and key commitments for the next four years.
- **Council Functions** are those functions of the Authority which cannot be exercised by the Executive. These functions may be carried out by the Full Council, a Council Committee, Council Sub-Committee, Joint Committee of the Council, officers or any other person authorised by the Full Council to carry out Council functions. Council Functions cannot be carried out by the Executive.
- **Day** means a clear working day unless it is clear from another part or section of this Constitution that a different or alternative meaning is intended for the purposes of that part or section.
- **Delegated Powers** are powers to make decisions which are delegated by a decision making body to another decision making body or decision maker, such as an officer.
- **Deputy Mayor** means a councillor, not being a member of the Executive, appointed by the Mayor to act as his or her deputy. In the absence of the Mayor, the Deputy Mayor will perform the functions of Mayor except that the Deputy Mayor will only chair a Full Council meeting, in the absence of the Mayor, if chosen to do so by the members of Full Council at that meeting.
- The Director of Public Health (DPH) is the officer appointed by the Council pursuant to National Health Service Act 2006 S73A. The DPH has the responsibilities and duties prescribed by statute, most particularly write the annual report on health of the local population, to improve public health, to carry out public protection and improvement functions delegated to the DPH by the Secretary of State, to plan and respond to emergencies that present a risk to public health
- The **Executive** is the part of the Council which is responsible for implementing the Council's Policy Framework and Budget. The Executive is made up of the Leader and nine other councillors chosen by the Leader. The Executive will carry out all of the Authority's functions which are delegated to it by the Leader and that are not the responsibility of any other part of the Authority, whether by law or under the Constitution.
- **Executive Arrangements** are defined in section 10 of the Local Government Act 2000 as arrangements by a local authority-
 - (a) for and in connection with the creation and operation of an Executive of the authority; and
 - (b) under which certain functions of the authority are the responsibility of the Executive.
- **Executive Committees** are committees set up by the Executive or by the Leader and to which the Executive or the Leader has allocated Executive

<p>Director of Regeneration and Major Projects</p>	<p>Regeneration, urban renewal, economic development, building new education facilities, statutory land use, planning, development and building control, street naming and numbering, strategic transport planning, housing regeneration, affordable housing development, corporate property, facilities and premises management, Civic Centre Programme. All permanent and temporary housing, including temporary accommodation for asylum seekers, right to buy management, private sector housing services (including related environmental health functions), liaison and transactions with Housing Associations and homelessness and housing strategy.</p>
<p>Director of Environment and Neighbourhood Services</p>	<p>Arts, Libraries, museums, archives, environment, environmental health (other than in relation to private sector housing), highways and emergency operations, Brent transport services, transportation, streetcare, refuse and street cleansing, parks, parking and open spaces, cemeteries and mortuary, , licensing, street trading, trading standards, health and safety, contaminated land, accident prevention and emergency planning, waste management and recycling, street lighting, CCTV monitoring, pollution control, food safety, pest control, land charges, , , sport and leisure, leisure centres, London 2012.</p>
<p>Director of Strategy, Partnerships and Improvement</p>	<p>Policy development, strategic planning, improvement and efficiency programme, performance, partnership working, community safety, overview and scrutiny, complaints, liaison with the Ombudsman.</p>
<p>Director of Customer and Community Engagement</p>	<p>Media relations, internal and external communications, consultation with residents and other service users including Area Consultative forums, ward working and festivals, design and corporate identity, filming in the Borough, translation, interpretation, development of corporate diversity policies and advice on diversity policies and procedure, One Stop Shops, call centre, nationality service, Registrar of Births, Deaths and Marriages, and Mayor's Office.</p>
<p>Director of Legal and Procurement</p>	<p>Legal services, elections, member services, committee services, Standards Committee, Freedom of Information Act Section 36 determinations,, corporate procurement.</p>

Head of Paid Service, Monitoring Officer and Chief Finance Officer and other Statutory Chief Officer posts

13.3 The Council has made the following designations:

Post	Designation
Chief Executive	Head of Paid Service
Director of Legal and Procurement	Monitoring Officer
Director of Finance and Corporate Services	Chief Finance Officer
Director of Children and Families	Director of Children's Services
Director of Adult Social Services	Director of Adult Social Services
<u>Director of Public Health</u>	<u>Director of Public Health</u>

Structure

13.4 The Chief Executive determines and publicises a description of the overall departmental structure of the Council showing the management structure and deployment of officers.

Functions of the Monitoring Officer

13.5 (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 inspection by councillors, officers 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 Full Council or to the Executive in relation to an executive function, if he or she considers that any proposal, decision or omission has, may or would give rise to unlawfulness or to any maladministration which has been investigated by the Ombudsman. 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 matters referred to him or her by the Standards Committee and make reports or recommendations in respect of them to the Standards Committee.

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

13.8 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.

Functions of the Director of Public Health

- 13.9 (a) to write the annual report on the health of the local population
(b) to take steps to improve public health
(c) to plan for and respond to emergencies which present a risk to public health
(d) to carry out such public health functions or health protection functions as the Secretary of State may delegate or specify in regulations
(e) to co-operate with the police, probation service and prison service in accordance with the local authority's duties under Section 325 of the Criminal Justice Act 2003
(f) to be responsible for the Council's public health response under the Licensing Act 2003

Conduct

13.910 Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in the Constitution.

STANDING ORDERS RELATING TO STAFF**74. Declaration by Candidates**

- (a) The Assistant Director, People and Management will draw up a statement requiring any candidate for appointment as an officer to disclose any relationship to a councillor or employee of the Council.
- (b) No candidate related to a councillor or a Chief Officer or the partner of such a person should be appointed without the authority of the Chief Executive.

75. Seeking Support for Appointment

- (a) Any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council shall be disqualified and wording to this effect shall be included in any recruitment information.
- (b) No councillor will seek support for any person for any appointment with the Council nor give a written reference or testimonial for any person for any appointment with the Council.

76. Appointment and Dismissal of Staff not Covered by Standing Order 77 or Standing Order 82 (Director of Public Health)

- (a) Appointment and dismissal of, and taking disciplinary action against, a person appointed to or holding a paid office or employment under the Council (as defined by the Local Authorities (Standing Orders) (England) Regulations 2001) must be discharged, on behalf of the Council, by the Chief Executive or his or her nominee and may not be discharged by councillors. This is subject to paragraph (c) below and except in the case of the posts mentioned in Standing Order 77b) or in the case of a person appointed in pursuance of section 9 of the Local Government and Housing Act 1989 (assistants for political groups).
- (b) The persons who have been nominated by the Chief Executive pursuant to paragraph (a) above are those listed in Paragraph 2.4 of Part 4 of the Constitution and persons authorised by them to act on their behalf.
- (c) Members will not be involved in the dismissal of any officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, or in accordance with Standing Orders 79 or 80 or where the dismissal is required to be made by members by virtue of any legislative provision or any term or condition of any contract of employment.
- (d) In the case of the appointment or dismissal of the Assistant Director, People and Development the acts required under these Standing Orders Relating to Staff to be done by the Assistant Director, People and Development shall instead be done by the Chief Executive or a person nominated by him or her for that purpose.

77. Appointments to Senior Management Posts

- (a) The Assistant Director, People and Development shall be consulted on all appointments to posts covered by this Standing Order.
- (b) This Standing Order shall apply to the posts of:-
 - (i) the Chief Executive;

Management may proceed to give notice of the dismissal to the employee.

- (e) In the case of the dismissal of the Chief Executive the proposed dismissal must be approved at a meeting of Full Council before notice of dismissal is given.

80. Staff Appeals Against Dismissal

Appeals by members of staff against dismissal for misconduct shall be heard by the Staff Appeals Sub-Committees.

81. Political Assistants

An appointment of an assistant to a political group pursuant to section 9 of the Local Government and Housing Act 1989 shall be made in accordance with the wishes of that political group and in accordance with the provisions of that Act and any other applicable legislative provision.

The provisions include:

- (i) There shall be no more than one political assistant for each group that qualifies.
- (ii) Where a group does not qualify the group is prohibited from being allocated a political assistant.
- (iii) Parties must have at least 10% of the membership of the authority to qualify for a political assistant.
- (iv) On application of the rules the Labour Group and Liberal Democratic Group are allocated political assistants.

82. Appointment and Dismissal of the Director of Public Health

- (a) The arrangements for the appointment of the Director of Public Health are set out in the National Health Service Act 2006 Section 73A (as amended by the Health and Social Care Act 2012). The Council must have regard to the statutory guidance issued concerning the recruitment and appointment processes
- (b) The Local Authority must act jointly with the Secretary of State in the appointment of a Director of Public Health
- (c) Before terminating the appointment of the Director of Public Health the Local Authority must consult the Secretary of State

and Directions) Regulations	petitions.	
Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	All references to the proper officer.	Democratic Services Manager unless otherwise specified in the Regulations or the Constitution.
Local Authorities (Conduct of Referendums) (England) Regulations 2001	All references to the proper officer.	Chief Executive
Public Health (Control of Diseases) Act 1984 and the Public Health (Infectious Diseases) Regulations 1988	All references to the proper officer	Director of Environment and Neighbourhood Services
Section 36 FOIA 2000	Qualified person for decision on exempt information not to be disclosed	Director of Legal and Procurement
Regulation 4 LASSNHSCR 2009	All references to the responsible person	Director of Adult Social Services
Local Democracy, Economic Development and Construction Act 2009 S31	To provide and support to overview and scrutiny committees	Director of Strategy, Partnerships and Improvement
<u>National Health Service Act 2006 S73A</u>	<u>Director of Public Health</u>	<u>Director of Public Health</u>
Generally *	Any other proper officer function not otherwise designated.	Chief Executive