

**Article 11 – Employees**

**11.1 Management structure**

**a. General.**

The Council may engage such employees as it considers necessary to carry out its functions.

**b. Senior Management**

The Council will engage persons for the following posts, who will be designated Senior Managers and Chief Officers (for the purposes of Part 3 of the Constitution).

<b>Post</b>	<b>Functions and areas of responsibility</b>
Chief Executive	Vision 2030 Council Plan Our Council Programme Financial Strategy Corporate Governance Assurance Framework Positioning the City Inward Investment Regional and Sub-Regional Work Stakeholder Engagement Framework Black Country Transport West Midlands Pension Fund
Deputy Chief Executive	Oversight and assurance of services: <ul style="list-style-type: none"> <li>• Voluntary and Community Sector Officer</li> <li>• Champion</li> <li>• Resettlement Programme</li> <li>• Wolverhampton for Everyone</li> <li>• Corporate Parenting</li> <li>• Safer Wolverhampton Partnership</li> </ul> Interim responsibilities: <ul style="list-style-type: none"> <li>• WV Living Ltd.</li> <li>• Housing Growth &amp; Development</li> <li>• W2W Housing Growth</li> <li>• City Assets &amp; Facilities</li> <li>• One Public Estate</li> <li>• Our Assets Programme</li> </ul>

**Article 11 – Employees**

Director of Finance	Section 151 Officer Audit Services Strategic Financial Advice and Support Revenues and Benefits The Hub Financial and Investment Strategy Procurement Services Commercial Services
Chief Operating Officer	Monitoring Officer Democracy Legal Services Equality and Diversity Electoral Registration Elections and Referenda Information Governance Councillor Support Mayoral Support Business Support Programme Projects & Programmes Business Improvement Executive Support Health, Safety and Wellbeing Strategic Lead Human Resources

## Article 11 – Employees

Executive Director of Families	Assessment and Support Planning for Adults Adult Safeguarding/Multi Agency Safeguarding Hub Adult Care Provision Better Care/Integrated Working with Health Principal Social Worker Community Financial Support Adults Commissioning Approved Mental Health Practitioners and Assessments Independent Living Services Carers Support Adults Improvement Children in Need and Child Protection Disabled Children and Young People Multi Agency Safeguarding Hub and Duty Team Children & Young People in Care Youth Offending Early Intervention Education Psychology Specialist Support Safeguarding Children’s Commissioning Child Transformation Work Children’s Partnership Boards Schools Improvement School Organisation and Admissions Early Years Inclusion Support Post 16 Education
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The Senior Management are all members of the Council’s Strategic Executive Board and share responsibility for proper governance; effective performance and financial management; the improvement of services and the achievement of Value-for-Money.

The Strategic Executive Board is supported by Directors. Directors provide operational leadership across all service areas and are accountable to the Strategic Executive Board for delivery.

The Director for Pensions arranges for the Council’s responsibilities to manage the West Midlands Authorities Pension Fund to be discharged. This includes the investment and general management of the fund and to provide services to the West Midlands Combined Authority.

The Black Country Service Director - City Assets works with the transport teams across each of the four local authorities to ensure a joined-up approach aimed at increasing the region’s capability to bid for

funding and developing the capacity for effective regeneration and economic development from future projects and schemes.

**c. Statutory Posts**

The Council will designate the following statutory posts as shown below:

<b>Post</b>	<b>Designation</b>
Chief Executive	Head of Paid Service
Chief Operating Officer	Monitoring Officer
Director of Finance	Section 151 Officer
Executive Director of Families	Director of Children’s Services and Director of Adult Services

These posts will have the functions described in Articles 11.2 – 11.4 below in addition to responsibility for the functions undertaken by the Service Group(s) which they manage.

The Head of Paid Service will determine and publicise a description of the overall structure of the Council showing the Management structure and deployment of employees. [Link to senior management structure](#) .

**11.2 Functions of the Head of Paid Service**

**a. Discharge of functions by the Council**

The Head of Paid Service will report to Full Council on the manner in which the discharge of the Council’s functions is co-ordinated, the number and grade of employees required for the discharge of functions and the organisation of employees.

**b. Restrictions on functions**

The Head of Paid Service may not be the Monitoring Officer but may hold the post of Section 151 Officer if a qualified accountant.

**11.3 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 inspection by Councillors, employees and the public.

**b. Ensuring lawfulness and fairness of decision making**

After consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the Full Council or to the Cabinet in relation to a Cabinet 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. Receiving Reports**

The Monitoring Officer will receive, assess, refer and determine complaints that Councillors have not complied with the Code of Conduct.

**e. Conducting investigations**

The Standards Committee or the Monitoring Officer will conduct investigations into matters referred by Ethical Standards Officers and make reports or recommendations in respect of them to the Standards Committee.

**f. Proper Officer for access to information**

The Monitoring Officer will ensure that Cabinet decisions, together with the reasons for those decisions and relevant reports and background papers are made publicly available as soon as possible.

**g. Advising whether Cabinet decisions are within the budget and policy framework**

The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the budget and policy framework.

**h. 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.

**i. Restrictions on posts**

The Monitoring Officer cannot be the Section 151 Officer or the Head of Paid Service.

**11.4 Functions of the Section 151 Officer**

**a. Ensuring lawfulness and financial prudence of decision making**

After consulting with the Head of Paid Service and the Monitoring Officer, the Section 151 Officer will report to the Full Council or to the Cabinet in relation to a Cabinet function and the Council's External Auditor if it is considered 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 Section 151 Officer will have responsibility for the administration of the financial affairs of the Council.

**c. Contributing to corporate management**

The Section 151 Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

**d. Providing advice**

The Section 151 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 employees in their respective roles.

**11.5 Duty to Provide Sufficient Resources to the Monitoring Officer and Section 151 Officer**

The Council will provide the Monitoring Officer and Section 151 Officer with such employees, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

**11.6 Functions of the officer appointed as the Director of Children's Services**

a. The Director of Children's Services is appointed for the purpose of the Council's functions referred to in Section 18 of the Children act 2004 as follows: -

i. Social services – the Council's social services functions within the meaning of the Local Authorities Social Services Act 1970, as they relate to children and young people leaving care;

## **Article 11 – Employees**

- ii. Health services – any health-related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999, so far as they relate to children;
- iii. Inter-agency co-operation – the Council's functions in its capacity as children's service authority under Part 2 of the Children Act 2004; and
- iv. Children Act 1989 – functions conferred under Sections 23C to 24D (and not falling under sub-article (i) above).

### **11.7 Functions of the officer appointed as the Director of Adult Social Services**

- a. Section 6(1) of the Local Authorities Social Services Act 1970 requires the Council to appoint an officer known as the Director of Adult Social Services, for the purposes of their adult social services functions.
- b. The Council is required to secure the provision of adequate staff for assisting them in the exercise of their functions.
- c. The functions for which the officer is responsible are those contained in Schedule 1 to the Local Authorities Social Services Act 1970 other than those functions for which the Director of Children's Services is responsible under Section 18 of the Children Act 2004.

### **11.8 Conduct**

Employees will comply with the Employees' Code of Conduct and the Protocol on Councillor/Employee Relationships set out in Part 5.

### **11.9 Employment**

The recruitment, selection and dismissal of employees will comply with the Employee Employment Procedure Rules set out in Part 4.