Article 10 – Employees

10.1 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

Post	Functions and areas of responsibility
Managing Director	• Governance • Education • People • Place • Commercial Services • Corporate Services • Service Improvement • West Midlands Transport • West Midlands Pension Fund • Communications
Deputy Managing Director and Strategic Director, Place	• City Economy • City Environment • Corporate Landlord • Future Space
Director of Finance	• Section 151 Officer • Audit Services • Medium Term Financial Planning • Strategic Financial Advice and Support • Technical Accounting and Reporting • Financial Modelling • Treasury Management • Agresso Business
Director of Governance	• Monitoring Officer • Human Resources • Democratic Services • Legal Services • Corporate Administration • Licencing Services
Strategic Director of People	• Children and Young People • Adult Social Care • Public Health and Well Being • Safeguarding - Adults and Children • People Directorate Commissioning • Strategic Finance

	• The Hub • Revenue and Benefits • Procurement • Customer Services • ICT Services • Digital Transformation Programme
Director of Education	• School Standards • School Planning and Resources • School Governance • School Admissions • Home to School Transport • Traded Services for Schools • Post 16 Education Pro

The Senior Management are 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 Service Directors. Service 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:

Post	Designation
Managing Director	Head of Paid Service
Director of Governance	Monitoring Officer
Director of Finance	Section 151 Officer
Director of Children's Services	Director of Children's Services

Director of Adult's Social Care	Director of Adult Services

These posts will have the functions described in Articles 10.2 – 10.4 below in addition to responsibility for the functions undertaken by the Service Group(s) which they manage.

c. 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 .

12.2 **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.

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 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 determincomplaints 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.

12.4 **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.

12.5 **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.

12.6 **Conduct**

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

12.7 **Employment**

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