



**NORTHAMPTON**  
BOROUGH COUNCIL

# COUNCIL

## 12 May 2008

**Agenda Status: Public**

**Department: Solicitor to the Council**

<b>Report Title</b>	<b>Senior Management Restructure Delegations to the Chief Executive</b>
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### 1. Summary

The purpose of this report is to report Cabinet's decisions in relation to its delegations to the Chief Executive and to report Cabinet's specific recommendations that Full Council delegate to the Chief Executive certain powers to enable him to implement the new Senior management structure.

### 2. Recommendations

- 2.1 Full Council note Cabinet's decision to delegate to the Chief Executive its (Cabinet's) relevant powers in relation to implementing the staff structure (recommendations 2.3 and 2.5 of appendix 1 attached).
- 2.2 Full Council note Cabinet's decision to recommend to Full Council that it delegates all its (Full Council's) relevant powers to the Chief Executive in relation to implementing the staff structure (recommendations 2.4 and 2.5).
- 2.3 Full Council delegate to the Chief Executive all Full Council's powers (non-executive powers) necessary to enable him to progress all relevant processes necessary to implement the structure.
- 2.4 Full Council requires that the above delegations are undertaken in consultation with the Leader of the Council, relevant Portfolio Holders as appropriate, the Chair of General Purposes Committee and the Leaders of the two minority groups of the Council.

### 3. Report Background

- 3.1 Cabinet considered and agreed the senior management structure on 6 May 2008. A copy of the report to Cabinet is attached at appendix 1.

- 3.2 Currently under the Constitution and the general law, decisions in relation to restructures and the detailed implementation processes are split between Cabinet and Full Council (or its sub-committees). Cabinet can make certain executive decisions in relation to the structures but cannot make decisions that require, for example the appointment of staff or the terms upon which they hold office. This means that broad staff structures can be agreed by Cabinet under its executive authority, but where detailed employment terms are concerned, for example the determination of the grades and associated documentation, these need to be agreed by Full Council or particular sub-committees, for example General Purposes or the Appointment and Appeals Committee.
- 3.3 Cabinet considered and agreed the senior management structure on 6th May 2008 (see appendix 1). Cabinet also delegated to the Chief Executive all Cabinet's powers necessary to implement the structure. Cabinet further recommended to Full Council that it delegates its (Full Council's) implementation powers to the Chief Executive. The reasons for so doing are to enable the Chief Executive to deal with the restructure as smoothly and expeditiously as possible.
- 3.4 If the delegations are agreed, the Chief Executive will have the powers to make the decisions required to implement the structure including a review of the terms and conditions of relevant staff. The decisions will, of course, be made using established consultation mechanisms, for example with staff and Unions. In addition the Chief Executive will be required to consult the various members outlined in recommendation 2.4 above.
- 3.5 For the avoidance of doubt the actual appointments of Chief Officers will not be made under delegated powers but will be made by the Appointments and Appeals Committee.

#### **4. Implications (including financial implications)**

##### **4.1 Resources and Risk**

These are covered in the body of the Cabinet report attached at appendix 1. Given the stage of the restructure it is not possible to provide further details at this stage.

##### **4.2 Legal**

The Chief Executive is the Council's Head of Paid Service, for the purposes of Section 4 of the Local Government and Housing Act 1989. As such he has statutory responsibilities to report to the Council the organisation of the Council's staff including the number and grades of staff required by the authority for the discharge of its functions. Delegations sought in this report are consistent with that duty.

##### **4.3 Other Implications**

None specifically

## 5. Background Papers

FJF File Constitution

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