



# Borough of Telford and Wrekin

## Full Council

Thursday 23 January 2025

### Designation of Permanent s151 Officer

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<b>Cabinet Member:</b>	Cllr Lee Carter – Leader of the Council
<b>Lead Officer:</b>	David Sidaway – Chief Executive
<b>Service Area:</b>	Finance, People & I.D.T.
<b>Report Author:</b>	Hannah Preece – HR & OD Service Delivery Manager
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<b>Wards Affected:</b>	All Wards
<b>Key Decision:</b>	Not Key Decision
<b>Forward Plan:</b>	Not Applicable
<b>Report considered by:</b>	Personnel Committee – Thursday 9 January 2025

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#### 1.0 Recommendations for decision/noting:

It is recommended that Council:-

- 1.1 Accepts and approves the recommendation from Personnel Committee to designate the Director: Finance, People & IDT, Michelle Brockway, as the Council's s.151 Officer.

#### 2.0 Purpose of Report

- 2.1 The purpose of this report is to designate the Council's Director: Finance, People & IDT as the Council's statutory s.151 Officer as required under the Local Government Act 1972 and the Local Government and Housing Act 1989.

#### 3.0 Background

- 3.1 Both the Local Government Act 1972 and the Local Government and Housing Act 1989 require the Council to appoint a section 151 Officer to be responsible for the

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proper administration of its financial affairs. The term s151 Officer refers to the role and duties of the 'Responsible Financial Officer' as defined by CIPFA.

- 3.2 Section 113 of the Local Government Finance Act 1998 further requires that the officer appointed as Chief Finance Officer ('CFO') be a member of a specified accountancy body.
- 3.3 The role of the CFO / s151 Officer, lies at the heart of an effective and well-governed local authority. Their overriding duty is to fulfil the statutory responsibilities attached to the position in a manner which enhances the overall reputation and good governance of the Council. There are responsibilities which are the sole responsibility of the CFO including the closing of accounts, finalising budget preparations, audit opinions and sound financial management.
- 3.4 Whilst Personnel Committee have delegated responsibility to undertake a recruitment exercise, in respect of the roles of Head of Paid Service, s151 Officer and Monitoring Officer, they are appointments which must be made by Full Council.

### **4.0 Summary of main proposals**

- 4.1 Personnel Committee, as delegated in the Council's Constitution, undertook a competitive process to recruit to the role of Director: Finance, People and IDT with that role also expected to fulfil the role of s.151 Officer. Following the robust interview process, the Personnel Committee agreed to the appointment of Michelle Brockway as the Director: Finance, People and IDT. Full Council is asked to designate her as the Council's s.151 Officer. The Council's Monitoring Officer has followed the objections process set out within the Council's Employment Procedure Rules and has confirmed that no objections have been raised by Cabinet.
- 4.2 Members will be aware that the Council's former s151 Officer retired from the Council and from October 2023, Michelle Brockway has undertaken the role of s.151 Officer on an interim basis.
- 4.3 Michelle Brockway is suitably qualified for the role as a practising ACCA accountant. The Personnel Committee was satisfied that she had demonstrated her ability and suitability for the role during the period of interim cover as s.151 Officer and delivered to an extremely high standard whilst the Council, like the rest of the local government sector, has faced challenging financial times.

### **5.0 Alternative Options**

- 5.1 It is a legal requirement that the Council designates one of its officers as s.151 Officer. Whilst the Council could choose not to appoint permanently to the role, given there has been a recruitment exercise and a recommendation to Full Council to make the appointment, a failure to do so may put the Council at risk of not fulfilling its statutory obligations in the future.

**6.0 Key Risks**

6.1 By appointing to the role, the Council ensures that it is meeting its statutory obligations.

**7.0 Council Priorities**

7.1 The recommendations in this report covers all Council priorities. The s.151 Officer is a key role and a legal requirement.

**8.0 Financial Implications**

8.1 The proposals in this report can be met from within existing budgets.

**9.0 Legal and HR Implications**

9.1 The legal and HR implications are as set out in this report. By confirming the appointment, Full Council will be ensuring the Council is meeting its statutory obligations.

**10.0 Background Papers**

None

**11.0 Appendices**

None

**12.0 Report Sign Off**

<b>Signed off by</b>	<b>Date sent</b>	<b>Date signed off</b>	<b>Initials</b>
Legal	13/01/2025	13/01/2025	ACL
Finance	15/01/2025	15/01/2025	PH