

# Full Council

12 March 2024



**Report of:** Selection Committee

**Title:** Designation of Interim Section 151 Officer

**Ward:** n/a

## Recommendation

That Full Council confirms the designation of Tony Kirkham as Interim Section 151 Officer with effect from 1 April 2024.

## Summary

The report seeks confirmation from Full Council for the designation of the candidate nominated by the Selection Committee as Interim Section 151 Officer.

## The significant issues in the report are:

- The Council's Constitution requires that the Full Council confirm the designation of the Section 151 Officer before an offer is made to the nominated candidate.

## Policy

1. The Selection Committee is responsible for recommending to the full Council the designation of an individual as the Authority's Section 151 officer.

## Consultation

2. **Internal**  
The "Executive Objections Procedure" (Annex 1 to the Officer Employment Rules within the Council's Constitution) has been followed.
3. **External**  
Not applicable.

## Context

4. The Council's staffing structure incorporates the designation of the section 151 officer within the role of Director: Finance.
5. The current Director: Finance and Section 151 Officer will be leaving Bristol City Council on 31 March 2024. A recruitment process has taken place to cover the role on an interim basis pending the recruitment for the permanent role.
6. At its meeting of 28 February 2024, the Selection Committee interviewed the candidate. The decision of the Committee was to recommend Tony Kirkham for the role of Interim Director: Finance and Section 151 Officer.
7. This report seeks confirmation of the appointment of Tony Kirkham as the Council's designated Section 151 officer in accordance with the requirements of the Council's constitution.

## Proposal

8. **That Full Council confirms the designation of Tony Kirkham as interim Section 151 Officer with effect from 1 April 2024.**

## Other Options Considered

9. None.

## Risk Assessment

10. None.

## Public Sector Equality Duties

- 11a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker

considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.
- 11b) An equality impact assessment has not been undertaken in relation to this proposal because it concerns one individual.

## **Legal and Resource Implications**

### **Legal**

Under Section 151 of the Local Government and Housing Act 1989, the authority has a statutory duty to designate one of its officers as its chief financial officer (s.151 officer). This designation is subject to confirmation by the full Council.

Advice provided by Husinara Jones, Solicitor, 29 February 2024

### **Financial**

#### **(a) Revenue**

“This role is provided for within the Council’s Revenue Budget.”

Kathryn Long (Finance Business Partner - Resources), 29 February 2024

**(b) Capital**

Not applicable.

**Land**

Not applicable.

**Personnel**

“The HR implications of the recommendation are as set out in the body of the report.”

James Brereton (Head of Human Resources), 29 February 2024

**Appendices:**

None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

None.