



SECTION 6

6.1 OFFICERS

6.11 The CJC may engage such staff (referred to as Officers or member of staff) as it considers necessary to carry out its functions.

6.12 The CJC will designate the following posts: Chief Executive; Monitoring Officer and Chief Finance Officer. In this Section reference to “Chief Officer” means a Chief Officer within the meaning of the Local Authorities (Standing Orders)(Wales) Regulations 2006.

6.2 FUNCTIONS OF THE CHIEF EXECUTIVE

6.21 Discharge of Functions by the CJC. Regulation 3 of the Corporate Joint Committees (General)(No.2)(Wales) Regulations 2021 imposes a duty on the CJC to appoint a Chief Executive. The Chief Executive will report to the CJC on the manner in which the discharge of the CJC’s functions is co-ordinated, the number and grade of staff required for the discharge of functions, the organisation of the CJC’s staff and the appointment and proper management of the CJC’s staff.

6.22 The Chief Executive must keep the following matters under review:

- (i) The manner in which the exercise by the CJC of its different functions is co-ordinated;
- (ii) The CJC’s arrangements in relation to– (A) financial planning, (B) asset management, and (C) risk management;
- (iii) the number and grades of staff required by the CJC for the exercise of its functions;
- (iv) the organisation of the CJC’s staff;
- (v) the appointment of the CJC’s staff; and
- (vi) the arrangements for the management of the CJC’s staff (including arrangements for training and development).

6.23 If the Chief Executive considers it appropriate to do so, they must make a report to the CJC setting out their approach to these matters. As soon as possible after preparing a report, the Chief Executive must arrange for a report to be sent to each Member of the CJC.



6.2.4 The Chief Executive may not be the Monitoring Officer.

6.3 FUNCTIONS OF THE MONITORING OFFICER

6.3.1 These are set out in section 5 of the Local Government and Housing Act 1989 as amended.

6.3.2 The Monitoring Officer designated by the CJC under s.5 of the 1989 Act must provide support and advice to-

- the CJC in relations to its meetings
- any sub-committee of the CJC
- each member of the CJC in carrying out their role
- each person appointed to a sub-committee of the CJC in carrying out their role.

6.3.3 The Monitoring Officer will maintain an up-to-date version of the Constitution.

6.3.4 Ensuring Lawfulness and Fairness of Decision Making. After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will report to the CJC in relation to any function if they consider 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.

6.3.5 Supporting the Standards Sub-Committee. The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Sub-Committee.

6.3.6 Receiving Reports. The Monitoring Officer will receive and act on reports made by the Public Services Ombudsman for Wales and decisions of the Adjudication Panel for Wales.

6.3.7 Conducting Investigations. The Monitoring Officer will conduct investigations into matters referred by the Public Services Ombudsman for Wales and make reports or recommendations in respect of them to the Standards Committee.

6.3.8 Advising whether decisions are within the Budget and Policy Framework. The Monitoring Officer will, in conjunction with the Chief Finance Officer, advise whether decisions of the CJC are in accordance with the Budget and Policy Framework.

6.3.9 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 the Members.



6.3.10 Restrictions on Posts. The Monitoring Officer cannot be the Chief Finance Officer or the Chief Executive.

6.4 FUNCTIONS OF THE CHIEF FINANCE OFFICER

6.4.1 These are set out in section 151 of the Local Government Act 1972.

6.4.2 Ensuring Lawfulness and Financial Prudence of Decision Making. After consulting with the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the CJC and the CJC's external auditor if they consider 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 CJC is about to enter an item of account unlawfully.

6.4.3 Administration of Financial Affairs. The Chief Finance Officer will have responsibility for the administration of the financial affairs of the CJC.

6.4.4 Contributing to Corporate Management. The Chief Finance Officer will contribute to the corporate management of the CJC, in particular through the provision of professional financial advice.

6.4.5 Providing Advice. The Chief Finance 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 Members and will support and advise Members and Officers in their respective roles.

6.4.6 Give Financial Information. The Chief Finance Officer will provide financial information to the media, members of the public and the community.

6.4.7 Advising whether Decisions of the CJC are within the Budget and Policy Framework. The Chief Finance Officer will, in conjunction with the Monitoring Officer, advise whether decisions of the CJC are in accordance with the Budget and Policy Framework.

6.4.8 Restrictions on Posts (a) The Chief Finance Officer cannot be the Monitoring Officer (b) The Chief Finance Officer must be a member of one or more of the following professional bodies:

- the Institute of Chartered Accountants in England and Wales;
- the Chartered Association of Certified Accountants;
- the Chartered Institute of Public Finance and Accountancy;



- the Chartered Institute of Management Accountants; or
 - any other body of accountants established in the United Kingdom and for the time being approved by the Welsh Ministers for this purpose.
- 6.4.9 Duty to Provide Sufficient Resources to the Chief Executive, Monitoring Officer and Chief Finance Officer.
- 6.4.10 The CJC will provide the Chief Executive, the Monitoring Officer and the Chief Finance Officer with such staff, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.
- 6.4.11 Conduct Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Sections [] this Constitution.
- 6.4.12 Employment. The recruitment, selection and dismissal of Officers will comply with the Officer Employment Rules set out below.
- 6.4.13 Remuneration of Chief Officers. The CJC will determine the level and any change in the level of the remuneration to be paid to Chief Officers. Remuneration is defined in accordance with Section 43(3) of the Localism Act 2011.