

By: Director of Governance & Law

To: Personnel Committee – 18 May 2011

Subject: **STATUTORY AND PROPER OFFICERS OF KENT COUNTY COUNCIL**

Classification: Unrestricted

Summary: **This report invites the Committee to endorse a number of revisions to the schedule of statutory and proper officers of Kent County Council following the implementation of Change to Keep Succeeding, and to recommend the revised schedule to the County Council for approval**

1. This report reviews the position of the statutory and proper officers within the authority following the implementation of Change to Keep Succeeding. Under the terms of the Constitution, responsibility for recommending to the Council the designation of individual officers as statutory and proper officers rests with the Personnel Committee. The designations were last reviewed in April 2010.
2. The Local Government Act 1972 and other legislation require local authorities to make specific statutory appointments and designate proper officers to carry out particular roles and carry specific responsibilities.
3. Prior to the passing of the 1972 Act, it was the practice in Acts of Parliament to name, by reference to a post, a specific officer of the council to deal with particular activities or to undertake a specific function on the council's behalf. However, in order to leave councils free to decide for themselves who should be responsible for particular tasks, the 1972 Act abandoned this concept. Instead, numerous references are made now in legislation to the term 'proper officer' who is, in fact, the officer designated by the Council to carry out a particular task. The officer can, of course, be a different officer for different purposes.
4. **RECOMMENDATION**

That the Personnel Committee agrees to recommend to the County Council the designation of individual officers as statutory and proper officers of the Kent County Council as set out in the attached table.

Geoff Wild
Director of Governance & Law

Background Documents: The Constitution and reports submitted to the County Council on 1 April 2010