

SOUTH YORKSHIRE PENSIONS AUTHORITY

16 March 2017

Report of the Deputy Clerk

SECTION 73 LOCAL GOVERNMENT ACT 1985 APPOINTMENT OF STATUTORY OFFICER (CHIEF FINANCE OFFICER)

1 Matter for consideration

To advise the Authority of the requirement to appoint a statutory officer to be responsible for the proper administration of the financial affairs of the Authority as required by Section 73 of the Local Government Act 1985 to reflect revised arrangements for the organisation of core functions within Barnsley MBC with effect from 1st April 2017.

2 Recommendations

- i) **Note the report and approve the appointment of Mr Neil Copley, Service Director for Finance from Barnsley MBC, as its Statutory Finance Officer with effect from 1st April 2017.**
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3 Background Information

- 3.1 In accordance with Section 73 of the Local Government Act 1985 and Section 113 of the Local Government Finance Act 1988 there is a statutory requirement on the Authority to designate one of its officers to be responsible for the proper administration of its financial affairs; a Chief Finance Officer. The individual is required to be a suitably qualified accountant holding a CCAB recognised professional accountancy qualification.
- 3.2 It is one of three roles, the others being the Head of Paid Service and the Monitoring Officer. For South Yorkshire Pensions Authority, these roles are fulfilled by the Interim Fund Director and Barnsley MBC's Director of Legal and Governance respectively. These roles should remain distinct and separate.
- 3.3 Barnsley MBC is responsible for the provision of professional core services to the Authority under an established agreement made in 1986 between the Authority and the four District Councils in South Yorkshire. This is supported by a service level agreement which is periodically reviewed by the Authority. The delivery of these services is overseen by the Chief Executive of Barnsley MBC who is appointed as Clerk to the Authority.
- 3.4 The statutory officer required to be appointed under Section 73 of the Local Government Act 1985 has the following key responsibilities:
- To ensure lawfulness and financial prudence of decision making;
 - To be responsible for the administration of financial affairs;
 - To be responsible for provision of professional financial advice;
 - Setting a balanced budget;
 - Budget monitoring;
 - Final accounts sign off;
 - Responsible for internal audit work; reviewing reports, attending Corporate Planning and Governance Board and managing the Head of Internal Audit;
 - Receipt of all government notifications, responsibility for returns;
 - Authorisation of treasury management decisions;

- All formal financial related decision making with guidance form the Clerk.

- 3.5 The current statutory Chief Finance Officer is the Director of Finance, Property and Information Services with Barnsley MBC. Barnsley has reconfigured its Core Services and the Director of Finance is due to retire from the Council on 31st March 2017. The statutory responsibilities for the finance function at Barnsley MBC are to be assumed by Mr Neil Copley, Service Director for Finance. The Director of Legal and Governance is to assume the role of Director of Core services with overall responsibility for core functions. The Director will continue to act as Monitoring Officer to Barnsley MBC and to the Authority.
- 3.6 The Authority is therefore recommended to appoint Mr Neil Copley as its Statutory Finance Officer as required by Section 73 of the Local Government Act 1985 with effect from 1st April 2017.

4 Implications

- 4.1 Financial
None
- 4.2 Legal
It is a legal requirement for the Pensions Authority to have a designated Statutory Finance Officer under Section 73 of the Local Government Act 1985. Not having a statutory officer in place would be unlawful.
- 4.3 Diversity
None
- 4.4 Risk
Not having a statutory officer in place, in addition to being unlawful, could also put the financial affairs of the Authority at risk.

M McCarthy
Deputy Clerk

Background papers used in the preparation of this report are available for inspection at the South Yorkshire Pensions Authority.

Other sources and references: None.