

# **County Council**

**1 July 2021**

## **Appointment of Proper Persons**

### **Recommendations**

1. That Council notes and reaffirms the appointment of the Assistant Director for Business and Customer Services as the Proper Officer for Registration Services as set out in the constitution and authorises the post holder to carry out the duties and powers of the Proper Officer,
2. That Council confirms the delegation, on a temporary basis and until such time as the Strategic Director for Resources determines, of the role of Proper Officer for Registration Services to the Service Manager (Universal Services) Business and Customer Services, as the Tier 3 Manager responsible for Registration Services,
3. That the Delivery Lead Governance Services be appointed Scrutiny Officer,
4. That Council authorises the Strategic Director for Resources to make any changes to the constitution necessary to implement the decisions of Council.

## **1. Executive Summary**

### **Proper Officer Registration Services**

- 1.1. The Proper Officer for Registration Services has a number of powers and duties and responsibilities under various statutes and Guidance documents.
- 1.2. The duties and powers of the Proper Officer for Registration Services are as follows:
  - 1.2.1. Registration Service Act 1953
    - to appoint registration officers (sections 6(1) and 8(1))
    - to provide and maintain district register offices (section 10(1))
    - to prepare and submit a local registration scheme (section 14(1))
  - 1.2.2. Marriage Act 1949
    - to reimburse superintendent registrars the fees paid to incumbents and authorised persons for quarterly certified copies of marriage entries (section 57(4))

1.2.3. The Marriages and Civil Partnership (Approved Premises) Regulations 2005 and Registrar General's Guidance for the Approval of Venues for Civil Marriage and Civil Partnerships

- to receive applications and renewals of approval in line with the Registrar General's Guidance 05 – Proper Officer for Registration
- to notify the Registrar General of new approved premises within their area
- to maintain a register and notify the Registrar General of updates to any approved premises

1.2.4. Local Registration Scheme

- to provide assistance to registration officers
- to provide, equip and maintain registration offices
- to determine opening hours for offices of registrars
- to transfer principal officers within or between the districts

1.3. The Responsibilities of the Proper Officer are:

- 1.3.1. to notify the Registrar General of all staffing changes including the new appointments, resignations and retirements
- 1.3.2. to notify the Registrar General of any changes to registration offices within their area
- 1.3.3. to ensure access to registration online systems is restricted to authorised users only

1.4. It is appropriate for the Proper Officer to be the person with responsibility for the service area in which Registration Services sit. That person is the Assistant Director for Business and Customer Services.

1.5. It may be necessary from time to time to delegate the role of Proper Officer for Registration Services, on occasions where for example the postholder of Proper Officer is unable for whatever reason to fulfil that role.

1.6. With this in mind and taking on board the guidance of the Chief Registrar as to fit and proper persons to undertake the role, it is proposed that the Service Manager (Universal Services) Business and Customer Services, as the Tier 3 Manager responsible for Registration Services, be approved as a suitable person to undertake the Proper Officer role on a temporary basis and until such time as the Strategic Director for Resources determines. The Service Manager has direct responsibility for the delivery of Registration Services and is best placed to fulfil the role.

1.7. Council is asked to note that the delegation will take effect immediately and is intended to continue for such period as an Interim Assistant Director for Business and Communities is in place.

## Statutory Scrutiny Officer

1.8. Under Section 9FB of the Local Government Act 2000 upper tier authorities (amongst others) are required to appoint a statutory scrutiny officer.

1.9. The role of the statutory scrutiny officer is to:

- 1.9.1. promote the role of the authority's scrutiny committee(s);
- 1.9.2. provide support to the scrutiny committee(s) and members; and
- 1.9.3. provide support and guidance to members and officers relating to the functions of the scrutiny committee(s).

1.10. The role therefore requires an understanding of how scrutiny operates, the democratic process and the legislative and governance framework surrounding scrutiny committees.

1.11 It is therefore proposed that the role of statutory scrutiny officer best sits within Democratic Services. Accordingly, it is proposed that the Delivery Lead Governance Services (being the role that manages Democratic Services and Information Governance) be appointed as statutory scrutiny officer.

## 2. Financial Considerations

As no additional posts are being created there are no direct financial implications.

## 3. Environmental Considerations

None

## 4. Timescales associated with the decision and next steps

If agreed the decision will have immediate effect.

## 5. Background papers

None

	Name	Contact Information
Report Author	Nichola Vine	nicholavine@warwickshire.gov.uk
Assistant Director	Sarah Duxbury Assistant Director Governance and Policy	
Lead Director	Rob Powell Strategic Director for Resources	
Lead Member	Portfolio Holder for	

	Customer & Transformation	
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The report was not circulated to members prior to publication.