PURPOSE OF REPORT:

To seek approval for the establishment of and appointment to the post of GMCA Deputy Monitoring Officer within the GMCA structure.

SUMMARY:

The key changes are:

- Establishment of the post of Deputy Monitoring Officer as a permanent role within the Greater Manchester Combined Authority at a salary of £67,183.
- Assimilation of the Deputy Clerk and GMFRS Authority Solicitor, (TUPE transferred from Greater Manchester Fire and Rescue Service) into this role.

FINANCIAL IMPLICATIONS:

An additional spend of £4,232 per annum.

The role of Deputy Clerk and Authority Solicitor will be deleted from the GMCA/GMFRS structure. The proposals ensure that the skills available to the GMCA are being effectively utilised to meet the changed requirements arising out of transition in a positive way.

RECOMMENDATIONS:

To approve establishment of a permanent role of Deputy Monitoring Officer within the GMCA organisational structure and agree that the Deputy Clerk and GMFRS Authority Solicitor be assimilated into this role.

CONTACT OFFICERS:

Name: Liz Treacy
Position: Monitoring Officer
Email: liz.treacy@greatermanchester-ca.gov.uk

Name: Andrew Lightfoot
Position: Deputy Chief Executive
Email: andrew.lightfoot@greatermanchester-ca.gov.uk

Name: Mallicka Mandal
Position: HR Transition Lead
Email: mallicka.mandal@greatermanchester-ca.gov.uk
1. **BACKGROUND**

1.1. Members will recall that at the Combined Authority meeting in April 2013 they were asked to approve the appointment of Liz Treacy, City Solicitor of Manchester City Council, as the GMCA’s Monitoring Officer, from 16 May 2013, following the retirement of the then Monitoring Officer.

1.2. The Deputy Monitoring Officer role was previously fulfilled by an officer from Manchester City Council who reported directly to the GMCA/MCC Monitoring Officer, Liz Treacy. This role was employed by Manchester City Council at a salary of £67,183 per annum.

2. **DEPUTY MONITORING OFFICER**

2.1. Following the retirement of the previous Deputy Monitoring Officer, the Deputy Clerk and GMFRS Authority Solicitor, has acted into this role and is paid an uplift to £67,183 (pro-rata) for a period of 3 months in recognition of the additional responsibilities (from her substantive salary of £62,951.28).

2.2. This report seeks permission to formalise the post Deputy Monitoring Officer as a full-time permanent post within the GMCA on the salary of £67,183 on NJC terms and conditions. A role profile for this post is attached for information at Appendix 1.

2.3. It is recommended that the Deputy Clerk and Monitoring Officer for GMFRS, is assimilated into this role. The anticipated commencement date would be from 1 November 2017.

2.4. In determining an appropriate salary for this role, the GMCA have sought advice from North West Employers’ Organisation, who have conducted a benchmarking exercise and recommended the appropriate rate for the role, having taken into account the responsibilities and accountabilities as set out in the role profile along with internal salary relativities.

2.5. The Deputy Monitoring Officer role is an integral part of the GMCA legal structure. The role is responsible for providing a comprehensive legal advisory service to the GMCA, its committees and officers over the whole range of its current functions.

2.6. The Deputy Monitoring Officer will take the lead on managing the legal service level agreement with Manchester City Council. Additionally, she will also lead on Fire, Policing and Crime and Scrutiny matters and will attend Fire Committee, Policing and Crime Panel and Scrutiny meetings. Whilst the Monitoring Officer will have ultimate responsibility for the GMCA Legal Services, the Deputy Monitoring Officer will deputise as needed.

3. **CONCLUSION**

The Committee is requested to consider and agree the recommendations in the front of this report.
DEPUTY MONITORING OFFICER
Greater Manchester Combined Authority

Role Profile

<table>
<thead>
<tr>
<th>Job Title:</th>
<th>Deputy Monitoring Officer</th>
<th>Date:</th>
<th>July 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Line:</td>
<td>Liz Treacy, Monitoring Officer</td>
<td>Salary:</td>
<td>£67,183</td>
</tr>
<tr>
<td>Team:</td>
<td>Legal Services</td>
<td>Business Area:</td>
<td>GMCA</td>
</tr>
</tbody>
</table>

JOB PURPOSE

To advise and respond to all requests for legal advice relevant to the functions and activities of the Greater Manchester Combined Authority.

Key Accountabilities:
- Deputy Monitoring Officer, GMCA (a combined authority of the 10 GM districts)
- Lead legal adviser on matters relating to Fire and Policing and Crime functions of the Mayor
- Accountable to the Chief Executive, Monitoring Officer and elected members of GMCA.
- Accountable also to the Chief Fire Officer

DIMENSIONS

- Liaising with internal and external customer groups and strategic partners; Senior Managers and staff within GMCA, Senior Managers from across GM’s public sector and stakeholders/partners.
- Senior officers and members within GMCA, including Chief Executives, chief officers, chief legal officers and leading Members.
- Senior officials in government departments, in particular, DCLG, DFT, DFE, DWP, and representatives of the Welsh and Scottish governments.
- Senior private sector lawyers
- Officer colleagues

KEY RESPONSIBILITIES
1. To provide a comprehensive legal advice service to the GMCA, its committees and officers over the whole range of its current functions, principally Fire, Police and Democratic Services.

2. To play a major role in governance involving a range of organisations, including the Government.

3. To ensure the legality of all decisions made by the Greater Manchester Combined Authority (GMCA) and to provide legal advice, expertise and representation to the Authority and its Senior Managers.

4. To act as the Deputy Monitoring Officer and, in conjunction with the Monitoring Officer to exercise overall responsibility for the execution of democratic processes.

5. To lead on the management of the legal services service level agreement with Manchester City Council.

6. To proactively advise and respond to all requests for legal advice on employment law, procurement law, public and administrative law, Data Protection and Information Law, Health and Safety Law, Civil Litigation and Criminal law in its application to the GMCA.

7. To arrange representation for the GMCA in respect of hearings and charges brought in the Magistrates Court.

8. To defend claims in the civil courts and tribunals against the GMCA for breach of statutory duty, contract, negligence (including applications for judicial review); and unfair dismissal and preparation of appropriate pleadings; witness statements and bundles of documents where appropriate and to arrange for counsel to be instructed to appear on behalf of the Authority.

9. To draft and review contracts, agreements and other official documentation, for and on behalf of the GMCA, ensuring the Authority is legally compliant and responds effectively to changes in legislation.

10. To monitor and manage expenditure within relevant cost centres.

11. To undertake such other duties as may be reasonably assigned from time to time as are compatible with the above roles.

12. To deputise for the Monitoring Officer as needed.

**KNOWLEDGE, SKILLS AND EXPERIENCE**

- A sophisticated understanding of complex governance arrangements across a number of statutory bodies, including the means of legal delegation between different legal entities.
- Detailed knowledge and understanding of Local Government and Fire and Police legislation and its application within the GMCA.
- In depth knowledge of democratic governance and decision-making including the constitution of the GMCA including the financial regulations, officer delegations, conduct of Members and officers and lawful decision-making.
- Excellent relationship building with internal and external stakeholders including Senior Government officials, Chief Executive’s and Leaders.
- A qualified lawyer of several years standing and experience of all areas of local government law and public sector law.
- Legal knowledge which is both wide and specialist.
- Experience of managing the provision of legal services.
- Detailed knowledge of local government and other public sector structures.
- Understanding of the national and local policy context for local government.
• Ability to represent GMCA effectively in a variety of forums.
• Political understanding and sensitivity.
• Ability to think strategically and laterally.
• Analytical skills.
• Creative ability to solve legal problems and find innovative solutions.
• Ability to stand firm with strong resistance when legal advice might not be appreciated, whilst always seeking to find an alternative solution to the issue.
• Intellectual rigour with attention to detail.
• Communication skills both in writing and orally with a range of audiences.
• Commercial understanding.
• Ability to work collaboratively.
• Ability to draft complex legal documents.