

**Sussex & Brighton** | Strategic Authority

a Combined County Authority

<b>The Strategic Authority Board</b>		<b>Agenda Item 5</b>	
Title:		<b>Proposed Statutory Officer Structure</b>	
Date		15 April 2026	
Accountable Chief Officer:		Mark Rogers Chief Officer Devolution Programme	
Accountable Employee:		Amanda Mays Strategic Organisational Design & Development Lead	
Public Report	Yes <b>X</b>	No	The Strategic Authority is committed to transparency and accountability. Accordingly, reports and associated documentation will ordinarily be published and made publicly accessible.
Voting Arrangements:		The Board will work to progress decisions via consensus, if a vote is required then it is by simple majority	
<b>Recommendation(s)</b>			
<b>The Strategic Authority is recommended to:</b>			
<b>A</b>	<b>Note the 'overview of options' that have been considered when determining recommendations for the appointment of statutory officers</b>		
<b>B</b>	<b>Approve the appointment of Mark Rogers (currently Interim Chief Officer, Sussex &amp; Brighton Devolution Delivery Team) to the post of Chief Executive and Head of Paid Service on an interim basis.</b>		
<b>C</b>	<b>Approve the appointment of Nick Bell (currently Interim Strategic Lead for Finance, Sussex &amp; Brighton Devolution Delivery Team) to the post of Chief Finance (Section 73) Officer on an interim basis.</b>		
<b>D</b>	<b>Approve the appointment of Jodie Townsend (currently Interim Strategic Lead for Governance &amp; Assurance, Sussex &amp; Brighton Devolution Delivery Team) to the post of Monitoring Officer, on an interim basis.</b>		
<b>E</b>	<b>Note the establishment of an Appointments Panel in alignment with the proposed Constitution.</b>		
<b>F</b>	<b>To note that, in line with the proposed Constitution, the consultation on, recruitment of and appointment to roles (excluding Chief Officer and/or statutory roles) are delegated to the Interim Chief Executive and Head of Paid Service.</b>		

## 1. Purpose

1.1 A key requirement for the establishment of the Sussex & Brighton Strategic Authority (SBSA) is the appointment of appropriate statutory officers, so that it is legally compliant with the Local Government and Housing Act 1989 and other legislation. The statutory roles that the Strategic Authority (SA) is expected to appoint to are:

- Head of Paid Service (HoPS)
- Chief Finance Officer (S.73)
- Monitoring Officer (MO)
- Scrutiny Officer (SO)
- Data Protection Officer (DPO)
- Senior Information Risk Officer (SIRO)
- Combined Authority Returning Officer (CARO)

These roles are critical to safeguarding public resources, ensuring lawful decision-making, and maintaining transparency and public confidence

1.2 This report proposes the appointment of those roles necessary to support the Strategic Authority through the inaugural meeting, specifically the Head of Paid Service, Chief Finance Officer (S.73) and Monitoring Officer. Without these appointments, the Strategic Authority would be unable to discharge its statutory responsibilities.

1.3 Resourcing of the remaining statutory roles, namely Scrutiny Officer (SO), Data Protection Officer (DPO), Senior Information Risk Owner (SIRO), and the Combined Authority Returning Officer (CARO), will be progressed in due course and a further report(s) presented to the Strategic Authority Board.

## 2. Executive Summary

2.1 This report seeks approval for the interim appointment of statutory officers required to enable the Sussex & Brighton Strategic Authority (SBSA) to operate lawfully from its establishment.

2.2 The Strategic Authority must appoint a Head of Paid Service, Chief Finance Officer (Section 73), and Monitoring Officer. These roles are critical to ensuring legal compliance, sound financial management, and effective governance.

2.3 In developing this proposal, a range of options have been considered, including:

- Permanent recruitment
- Fixed-term appointments
- Secondments (via Section 113 agreements)
- Interim appointments

2.4 Having assessed these options against the Strategic Authority's current context, specifically its early stage of development, evolving organisational design, and the absence of an elected Mayor until 2028, the recommended approach is to make interim appointments.

2.5 This approach ensures:

- immediate statutory compliance and operational readiness
- continuity and momentum from members of the existing Devolution Delivery Team
- flexibility to refine roles and structures as the Strategic Authority matures
- the ability for the Strategic Authority Board and future Mayor to shape permanent senior leadership.

- 2.6 While interim arrangements may carry higher short-term costs, these are considered proportionate and justified by the need to mitigate delivery risk during the establishment phase.
- 2.7 The report therefore recommends confirming the current interim postholders into statutory roles on an interim basis, alongside establishing an Appointments Panel to oversee future fixed term and / or permanent recruitment.

### 3. Overview of Options

3.1 The Strategic Authority has considered several options for fulfilling its statutory officer requirements:

- permanent recruitment
- fixed-term contract (FTC) appointments
- secondments from constituent authorities (Section 113 agreements)
- interim appointments

#### 3.2 Permanent and fixed-term recruitment

Permanent and fixed-term appointments offer some advantages, including:

- Greater stability and continuity
- Clear long-term leadership accountability
- Potential cost efficiencies compared to interim rates

3.3 However, these options present significant risks in the current context:

- The Strategic Authority is in an early and evolving phase, with roles and structures not yet fully defined
- Limited opportunity for the future elected Mayor (from 2028) to shape the senior leadership team
- Risk of misalignment with future priorities and governance arrangements
- Recruitment and onboarding within the required timeframe would be challenging and high risk to delivery.

Premature permanent appointments may require future restructuring, creating cost and disruption.

#### 3.4 Secondments (Section 113 Agreements)

Secondments, both full and part time, were explored but are not recommended due to the following challenges:

- Existing statutory officers in constituent authorities already hold significant responsibilities
- Dual roles would create capacity and resilience risks
- Potential conflicts of interest where priorities of constituent councils and the Strategic Authority diverge
- Reduced ability to provide independent statutory advice
- The establishment phase requires intensive, dedicated input, particularly in governance and finance

For these reasons, secondments are not considered a viable or sustainable option

#### 3.5 Interim Appointments (recommended approach)

Interim appointments are recommended as the most appropriate approach at this stage.

This approach provides:

- immediate compliance with statutory requirements
- continuity and momentum, building on the experience of the current interim team
- flexibility to refine roles as organisational design and responsibilities develop
- reduced delivery risk during a critical establishment period
- the ability to transition to fixed term and permanent appointments at the appropriate time.

- 3.6 The current interim team already brings:
- established knowledge of the Sussex & Brighton Devolution Programme
  - proven delivery capability
  - existing relationships across partners.

Appointing new individuals at this stage, whether interim or fixed term, would risk slowing progress and reducing organisational effectiveness in the short term.

- 3.7 **Conclusion**  
On balance, interim appointments represent the most pragmatic and proportionate approach, ensuring that the SA can:
- operate lawfully from day one
  - maintain delivery momentum
  - retain flexibility during its formative period
  - enable a future transition to permanent leadership aligned with Board and Mayoral priorities

#### 4. Background

- 4.1 The Sussex & Brighton Strategic Authority is legally required to appoint statutory officers. These appointments must be confirmed at, or prior to, the Authority’s inaugural meeting. The period between establishment and the first Mayoral election (May 2028) represents a transitional phase, requiring a balance between stability, flexibility, and future democratic accountability. The proposed approach reflects this context by prioritising interim leadership arrangements that can support organisational set-up while allowing for future review and permanent appointments.

#### 5. Partnership & Engagement

- 5.1 The proposed appointments will advise the Sussex & Brighton Strategic Authority in its work across the whole of the Sussex & Brighton area.

#### 6. Appendices

- 6.1 There are no appendices to this report.

Board is requested to consider the following identified implications:	
<b>7. Financial Implications</b>	
7.1	The costs of the interim arrangements are reflected within the SBSA’s proposed budget model and will be financed from the Mayoral Capacity Fund. Interim arrangements may carry higher short-term day-rate costs; however, these are justified by the need to ensure statutory compliance and governance continuity during the establishment phase. These interim appointments have also been made on a part time basis, recognising the additional associated costs as well as the knowledge, skills and significant experience that those proposed have already brought to the Devolution Programme and will continue to bring.
<b>8. Legal Implications</b>	
8.1	The SBSA is required to designate one of its officers as Head of Paid Service, under Section 4 of the Local Government and Housing Act 1989. The Head of Paid Service is a statutory post with the duties set out in Section 4 (3) of the 1989 Act which include reporting (where they think it is appropriate) on the coordination of the discharge of the Authority’s functions, the number and grades of staff required, the organisation of staff and their appointment and proper management. The Head of Paid Service cannot be the same person as the Monitoring Officer.

8.2	<p>The Monitoring Officer is appointed under Section 5 Local Government and Housing Act 1989; and that Officer has personal responsibility:</p> <ul style="list-style-type: none"> <li>• to report on actual, and anticipated, illegality within the Authority</li> <li>• to report cases where the Ombudsman has found maladministration on the part of the Authority</li> <li>• to maintain the Register of Members’ Interests; and</li> <li>• to administer, assess and investigate complaints of Members’ misconduct.</li> </ul>		
8.3	<p>The Chief Finance Officer required to be appointed under Section 73 Local Government Act 1985 has responsibility for the proper administration of the Combined Authority’s affairs.</p>		
<p><b>9. Equality &amp; Diversity Implications</b></p>			
9.1	<p>No specific implications were identified in the preparation of this decision.</p>		
<p><b>10. Other Significant Implications</b> (Tick other implications provided and provide detail in box below)</p>			
Risk	Assurance Framework	Procurement	
Improvement	Environment	HR & IT	<b>X</b>
10.1	<p><b>HR:</b></p> <p>The proposals relate to interim appointments and associated employment arrangements. All future recruitment activity will comply with:</p> <ul style="list-style-type: none"> <li>• The Sussex &amp; Brighton Strategic Authority’s Constitution</li> <li>• Employment law</li> <li>• Public Sector Equality Duty</li> <li>• SBSA’s HR policies and procedures</li> </ul>		