

Report sponsor: Simon Riley, Strategic Director
of Corporate Resources
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Services & Deputy Monitoring Officer

Designation of Statutory Roles

Purpose

- 1.1 To address the designation of the proper officer role in respect of Registration Services.

Recommendation

- 2.1 To designate the Director of Legal, Procurement and Democratic Services and Monitoring Officer, as the Council's Proper Officer for Registration of Births, Deaths, Marriages and Civil Partnerships under the Registration Services Act 1953.
- 2.2 To authorise the Monitoring Officer to make appropriate amendments to the Scheme of Delegations within the Council Constitution.

Reason

- 3.1 To ensure compliance with the Council Constitution and Registration Services Act 1953.

Supporting information

Designation as Proper Officer for Registration of Births, Deaths, Marriages and Civil Partnerships under the Registration Services Act 1953.

- 4.1 The Proper Officer is appointed by the local authority (under the provisions of the Local Government Act 1972) to manage the registration service and has the overall responsibility for the delivery of the service. The role should be held by a senior officer in a position to make decisions and influence the provision of the local registration service at all levels.
- 4.2 The delivery of the local registration service is a shared responsibility between the local authority and the Registrar General. The Registrar General is head of the General Register Office (GRO) which is part of the Identity and Passport Service (IPS). While the Registrar General regulates the service, the Proper Officer has responsibility for the running of the service locally.

4.3 The Duties and Powers of a Proper Officer are as follows:

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))

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))

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
- 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 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

The Proper Officer also has the following responsibilities:

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

4.4 Since 2018, the Proper Officer role has been performed by the Director of Digital and Customer Management, with duties delegated to the Head of Customer Management. However, prior to this, the role had been held by the Director of Legal Services and the current arrangement was put into place as a temporary measure during a period in 2018 when the Director of Legal Services post was vacant. It is generally accepted that it is more appropriate for the Director of Legal Services to perform the Proper Officer role, due to the legislative nature of the responsibilities and the benefit of legal oversight of the service.

4.5 The recommendation to revert to the pre-2018 position, with the Director of Legal, Procurement and Democratic Services performing the role of Proper Officer, will ensure that these responsibilities are restored to this more appropriate role.

4.6 Responsibility for operational service management of the Registration Service is recommended to continue under the management of the Head of Customer Management, within the remit of the Director of Digital and Customer Management, given the customer-facing nature of the service. This joint responsibility will also facilitate an increased resilience to the leadership capacity of the service.

Public/stakeholder engagement

- 5.1 On 21st October 2021 meeting with GRO Senior Compliance Team included the proposed change of Proper Officer. Formal written notification of the date of change must be advised when agreed.
- 5.2 Any changes to the Registration Service are subject to mandatory consultation and approval by the Registrar General and the General Register Office within Central Government.

Other options

- 6.1 The Director of Digital and Customer Management remains as the Proper Officer for Registration Services; this option is not considered optimal because of the reasons previously discussed around the legislative nature of responsibilities and traditionally established most appropriate delegated authority.

Financial and value for money issues

- 7.1 There are no additional funding implications associated with this change.

Legal implications

- 8.1 Contained with Section 4 of the Report

Other significant implications

- 9.1 None directly arising.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal Finance Service Director(s)	Olu Idowu, Head of Legal Services	11 January 2022
	Magda Cisek, Principle Accountant	11 January 2022
	Emily Feenan, Director of Legal, Procurement and Democratic Services, and Monitoring Officer	11 January 2022
	Andy Brammall, Director of Digital and Customer Services	
Report sponsor	Simon Riley, Strategic Director of Corporate Resources	11 January 2022
Other(s)		

Background papers:	None.
List of appendices:	None.