

REPORT

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Councillor Wren : Leader of the Council

APPOINTMENT OF MONITORING OFFICER

1. Report Summary:

To recommend that Council approve changes to the Constitution to designate the post of Head of Legal & Property Services as the Council's Monitoring Officer.

2. Background:

2.1 The Council's Legal Services Manager leaves the Council on 30th November.

2.2 The post of Legal Services Manager is designated in Article 12 of the Constitution as the Monitoring Officer.

2.3 Under Part 4 of the Constitution the responsibility for the appointment of the Monitoring Officer rests with the Chief Executive as Head of Paid Service. Subject to Council approving the proposed changes to the Constitution I intend to appoint the Head of Legal & Property Services as the Monitoring Officer when the Legal Services Manager leaves the Council.

2.4 Best practice is that no appointment of the Monitoring Officer should be made contrary to any material or well-founded objection from the Leader of the Council. The Constitution currently does not make this clear and a change is required to the Constitution if it is to accurately reflect best practice.

3. Recommendations:

3.1 Council approves an amendment to Article 12 part c of the Constitution designating the Head of Legal & Property Services as the Monitoring Officer.

3.2 Council approves an amendment to Part 4 of the Constitution that the Head of Paid Service or his/her nominee shall not appoint nor dismiss the Monitoring Officer, when acting in such capacity, contrary to any material or well founded objection from the Leader of the Council.

3.3 It is noted that the Leader of the Council does not have any objection to the appointment of the Head of Legal & Property Services as the Monitoring Officer.

4. Background Papers : None

5. Implications.

- **Key decision** : no
- **Financial** : the post carries an annual payment for performing the role, which is contained within the existing budget.
- **Legal** : the Council is required by law to secure that one of its Officers has responsibility for the lawfulness of its actions
- **Human Rights** : none
- **Personnel** : included in the report
- **Community Safety** : n/a
- **Environmental** : n/a
- **Council's Core Values** : providing excellent service.
- **Wards affected** : none