

West Wiltshire District Council

Full Council

23 June 2004

Allocation of Monitoring Officer Responsibilities

1. Purpose of Report

To consider allocating monitoring officer responsibilities to the Legal and Democratic Services Manager post.

2. Background

The Council must appoint a monitoring officer under the Local Government and Housing Act 1989 to ensure the legality of Council decisions and for ethical probity under the Local Government Act 2000.

These responsibilities are personal, but are too onerous for the monitoring officer to physically be able to perform them him/herself. In practice, therefore, s/he establishes systems to ensure that the responsibilities are discharged and then supervises them closely. Clearly, this requires a great deal of time and a high degree of personal involvement.

At present, a Corporate Director, Peter Woodcock, is the monitoring officer. The level of operational involvement is inconsistent with the strategic role of Corporate Director. Indeed, in practice, much of this day to day work is carried out by staff under the direct supervision of the post that will become the Legal and Democratic Services Manager.

3. Options

Under the new management structure there are effectively 2 realistic options:

- i) Leave all responsibilities with the Director – as explained above this will result in this senior officer periodically being diverted from his primary duties.
- ii) Delegate all the responsibilities to the Legal and Democratic Services Manager – delegating these detailed operational responsibilities to a service manager is consistent with the principals underpinning the recent management restructure. It shortens and clarifies the chain of command and was part of the proposals I put before Council on the 12 May 2004.

None of the options has financial implications for the organisation, as the remuneration for these responsibilities is included within the salary scale for the new post of Legal and Democratic Services Manager.


4. Background Papers

None.

5. Recommendation

That the Legal and Democratic Services Manager be appointed as the monitoring officer under Section 5 Local Government and Housing Act 1989.

Andrew Pate
Chief Executive

 Plain English guidance given
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