

GOVERNANCE COMMITTEE

20 SEPTEMBER 2012

REPORT OF THE CHIEF EXECUTIVE

THE ROLE OF THE MONITORING OFFICER

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider the allocation of the role of the Monitoring Officer following the advice of the current incumbent that she wishes to relinquish the role in light of her changed duties.

2.0 RECOMMENDATIONS

2.1 It is recommended that:-

Members consider the options open to them and elect a course of action to enable the Council to fill the statutory role of the Monitoring Officer.

3.0 KEY ISSUES

- 3.1 At its meeting on 27 June 2012, this Committee considered a report upon the role of the Monitoring Officer. This report fulfilled a request by Full Council that this role be reviewed. At that meeting the decision of the Members was to make no change to the current arrangements.
- 3.2 Since that meeting, the current incumbent of the role has pursued a variety of new duties under the "Turning Tanker" proposals. She is leading at a strategic level the shift in emphasis of the Council to its Place based priorities. In order to meet Member requirements she has considered the pressures and duties of this revised role and advised that she does not consider she can sustain the statutory role with this increased focus and greater co-ordination of the Council's Place Based project. The Officer took this role as additional duties and has received no remuneration for this. Therefore, it is suggested to Members that they should respect the wishes of the Officer and look for an alternative measure to meet the statutory duties in the appointment of a Monitoring Officer.
- 3.3 A report to the previous meeting is attached at Appendix 1. It is suggested that all the options with the exception of "do nothing" are still relevant and should be considered by the Committee. The Chief Executive has spoken with the Solicitor to the Council in her capacity as Head of Service at Harborough District Council and she advised that the options relevant to that Council remain on the table. However, since the consideration of that report a further option has emerged.
- 3.4 The Head of Communications following a request that she consider this role, has indicated that she would be willing to take on the additional duties should Members consider that appropriate. The post holder was previously the Deputy Monitoring Officer under the original Standards regime. She therefore has experience in fulfilling many of the aspects of the role. Also, with the revised approach to ethics and probity, her other skills and experience would be much more relevant than under the previous arrangements. She also manages

Democratic Services and Members Services and there is a synergy with this role and the duties of the Monitoring Officer with respect to Council procedures and oversight of the Constitution. Finally, the Solicitor to the Council has confirmed that she would be willing to retain the role of the Deputy Monitoring Officer for this Council without any change to the existing arrangement. This point is as previously advised to Members.

3.5 Members are requested to consider this option as Option Five in the context of those set out in Appendix 1.

4.0 POLICY AND CORPORATE IMPLICATIONS

4.1 There are no particular policy and corporate implications arising from this report.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

5.1 The financial implications for Option Two, Three and Four remain as stated previously in the report attached at Appendix 1. With respect to Option Five it is proposed to Members that as the Officer will be taking on a statutory duty, that the Grade for the post be the same as that of the Chief Finance Officer whose role is also fulfilling a statutory duty. In a full financial year this would mean an increase of £2,814. This will be accommodated within existing budget for this financial year should members be minded to accept Option Five.

5.2 The other implications are as set out in the Report at attached Appendix 1 and are not therefore repeated within this report.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 There are no particular Legal implications arising from this report.

7.0 COMMUNITY SAFETY

7.1 There are no specific community safety aspects to this report.

8.0 EQUALITIES

8.1 There are no equalities issues arising from this report.

9.0 RISKS

9.1 There are no risks arising from this report.

10.0 CLIMATE CHANGE

10.1 There are no climate change implications relating to this report.

11.0 **CONSULTATION**

11.1 The Leaders of the three Political Groups were advised the request of the current Monitoring Officer and are aware of this further report to this Committee.

12.0 **WARDS AFFECTED**

12.1 The role of the Monitoring Officer can affect any and/or all Wards depending upon the issue.

Contact Officer Lynn Aisbett, Chief Executive
Date: 14 September 2012

Appendices : Appendix 1

Background Papers: None

Reference: X: Committee, Council & Sub Committees/Governance Committee/2012-13/200912