

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO FULL COUNCIL**

Date 24 July 2019

1. **REPORT TITLE** **APPOINTMENT OF INTERIM MONITORING OFFICER**
- Submitted by:** **CHIEF EXECUTIVE**
- Portfolios:** **Corporate and Service Improvement, People & Partnerships**
- Ward(s) affected:** **All**

Purpose of the Report

To seek formal confirmation to the appointment of an Interim Monitoring Officer, until such time as a permanent appointment to the post can be made.

Recommendation

That, in accordance with s5 of the Local Government & Housing Act 1989, Council be asked to confirm the appointment of Mrs Caroline Elwood as the Council's Interim Monitoring Officer.

Reasons

To comply with the requirement of the Local Government & Housing Act 1989 that all local authorities appoint a Monitoring Officer.

1. **Background**

- 1.1 Under section 5 of the Local Government & Housing Act 1989 the Council has a statutory duty to appoint a Monitoring Officer.
- 1.2 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and the Council's arrangements for effective governance. These include:
- to report on matters he/she believes are, or are likely to be, illegal or amount to maladministration;
 - to be responsible for matters relating to the conduct of Councillors and officers; and
 - to ensure the Council's Constitution is up to date and fit for purpose.

2. **Issues**

- 2.1 The Council has been without a permanent Monitoring Officer for some little time and arrangements are in hand to recruit to the post on a permanent basis. The role was most recently undertaken on a temporary basis by an officer from the County Council but following my appointment a decision was taken with the support of all Group Leaders to appoint to the role on a full time interim basis in order to add capacity to the organisation.

2.2 Members will be aware that Mrs Elwood joined the organisation in May but members are asked to formally confirm the appointment now, which is the first ordinary Council since her appointment.

3. **Options Considered**

3.1 It would have been an option to continue with temporary support from the County Council but the appointment of a full time officer based in the council offices was considered to be beneficial.

4. **Proposal**

4.1 That in order to comply with the requirements of the Local Government & Housing Act 1989 the Council appoints an Interim Monitoring Officer.

5. **Reasons for Preferred Solution**

5.1 To increase capacity and have a presence on site.

6. **Legal and Statutory Implications**

6.1 There are no additional legal implications other than those set out in the report.

7. **Equality Impact Assessment**

7.1 No implications.

8. **Financial and Resource Implications**

8.1 Budgetary provision has been made for the appointment.

9. **Major Risks**

9.1 The Council needs to ensure that it has its three statutory officers in place to comply with legal requirements and to demonstrate good governance.

10. **Sustainability and Climate Change Implications**

10.1 No implications

11. **Key Decision Information**

11.1 This is not a key decision which requires inclusion in the Forward Plan

12. **Earlier Cabinet/ Committee Resolutions**

12.1 None directly relevant to this matter.

13. **List of Appendices**

13.1 Not applicable

14. **Background Papers**

14.1 There are no background papers for consideration/inclusion.