

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Head of Corporate Organisation	Report Number: N92
To: Babergh Council Mid Suffolk Council	Date of meeting: 17 December 2013 19 December 2013

DESIGNATION OF THE MONITORING OFFICER ROLE

1. Purpose of Report

- 1.1 To confirm the appointment and designation of the Authority's Monitoring Officer as required by section 5 of the Local Government and Housing Act 1989 (as amended).

2. Recommendations

- 2.1 That following an external recruitment process, Esther Thornton, the successful candidate for the role of Corporate Manager – Legal and Monitoring Officer be appointed and designated as the Babergh District Council's Monitoring Officer with effect from 6 January 2014

3. Financial Implications

- 3.1 None directly arising from this report.

4. Risk Management

- 4.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
The Council must appoint a Monitoring Officer to undertake the statutory role as set out in Section 5 of the Local Government and Housing Act 1989 and associated and subsequent legislation.	Low	High	Appointment and designation of the Monitoring Officer in accordance with the legislation and statutory provisions.

5. Consultations

None.

6. Equality Analysis

- 6.1 The recruitment and selection procedures were carried out in accordance with the existing Human Resources policies and procedures to ensure compliance with the equalities legislation.

7. Shared Service / Partnership Implications

- 7.1 It is proposed that the same person is appointed Monitoring Officer for both Councils.

8. Key Information

- 8.1 In accordance with Section 5 of the Local Government and Housing Act 1989, the Council must appoint an officer to be its designated Monitoring Officer to ensure the lawfulness of Council decision making.
- 8.2 The appointment of the Monitoring Officer must be made by the Full Council and the officer to be appointed to this position must not be the Chief Finance Officer (Section 151 Officer) or the Head of Paid Service.
- 8.3 The post holder for the Corporate Manager – Legal and Monitoring Officer will be the designated Monitoring Officer. Consequently the appointed officer for the vacant Corporate Manager – Legal and Monitoring Officer post is being recommended to this Council meeting as the officer for designation as the Authority's Monitoring Officer.
- 8.4 An appointment was not made after an internal recruitment exercise. An external recruitment process was then carried for a new Corporate Manager – Legal and Monitoring Officer. Members of the Joint Appointments Panel (including the Council Leader) took part in this process.
- 8.5 The external appointment process for the role consisted of a two stage recruitment approach which included officer panel interviews; an independently assessed technical assessment, critical reasoning and psychometric testing, a live Monitoring Officer exercise with the Joint Appointments Committee members and a presentation to the Chief Executive.

9. Appendices

None.

10. Background Papers

None.

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