

Committee: Council

Date: 18 September 2019

Wards: All

Subject: Appointment of Monitoring Officer

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison, Deputy Leader and Cabinet Member for Finance

Contact officer: Julia Regan, Head of Democracy Services

Recommendations:

- A. That the Head of Shared Legal Services, Fiona Thomsen, be designated as Monitoring Officer from 7th October 2019 until a permanent appointment of the Assistant Director of Corporate Governance is made and the appointment of the new Monitoring Officer is confirmed by Council.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The report seeks Council's approval that the Head of Shared Legal Services, Fiona Thomsen, be designated, to the role of Monitoring Officer as of 7th October 2019 on an interim basis, pending the permanent recruitment to the post of Assistant Director of Corporate Governance, which includes the statutory role of Monitoring Officer.
- 1.2. The Council is required under section 5 of the Local Government and Housing Act 1989 to appoint an officer to act as Monitoring Officer.

2 DETAILS

- 2.1. Part 3(F) of the Constitution states that the Monitoring Officer is the Assistant Director of Corporate Governance. Paul Evans, the current Assistant Director of Corporate Governance and Monitoring Officer leaves the employment of the Council on 4 October 2019.
- 2.2. Upon Mr Evans departure, Fiona Thomsen will be acting as interim Assistant Director of Corporate Governance whilst a permanent recruitment to the post is made.
- 2.3. Ms Thomsen is an experienced Local Government solicitor and has been Deputy Monitoring Officer for Merton for 10 years. She was also Interim Monitoring Officer in 2008. It is considered that she is the most suitably qualified and experienced officer to undertake the role of Monitoring Officer.

3 ALTERNATIVE OPTIONS

- 3.1. There is no legal requirement that the Monitoring officer should be a qualified lawyer. Any suitable employee of the Council may be appointed to this role subject to the provision of that appropriate legislation (See section 7)

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purpose of this report

5 TIMETABLE

5.1. Subject to the approval of Council, the role of the Monitoring Officer will pass to the new Assistant Director of Corporate Governance upon the appointment of the Council.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purpose of this report

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. The Council is required by the Local Government and Housing Act 1989 to appoint a Monitoring Officer. The Monitoring Officer may not be the Head of Paid Service (the Chief Executive) or the Section 151 Officer (the Director of Corporate Services)

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purpose of this report

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purpose of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purpose of this report

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

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12 BACKGROUND PAPERS

12.1. None