

Committee: Council

Date: 12 July 2023

Subject: Appointment of Interim Monitoring Officer

Lead Director: Polly Cziok, Executive Director Innovation and Change

Lead member: Billy Christie, Cabinet Member Finance and Corporate Services

Contact officer: Louise Round, Managing Director South London Legal Partnership

Recommendations:

- A. That Council approve the appointment of the Head of Law, Fabiola Hickson to be designated as the Monitoring Officer from 28 July 2023 until the permanent appointee begins in post on 6 September 2023 and agrees that she be authorised to carry out any actions delegated to the Managing Director, SLLP during that time.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1. This report seeks Council approval that the Head of Law, Fabiola Hickson be appointed to the role of Monitoring Officer on an interim basis, pending the permanent recruitment to the role of Managing Director, South London Legal Partnership which includes the statutory role of Monitoring Officer.

2 DETAILS

2.1. The Council's constitution designates the post of Managing Director, South London Legal Partnership as the Council's Monitoring Officer.

2.2. The current monitoring officer Louise Round leaves the authority on 28 July 2023. The appointments committee met in May 2023 and appointed John Scarborough to the role of Managing Director, South London Legal Partnership.

2.3. John Scarborough is due to begin in post on 6 September 2023, and therefore there would be an interim period between permanent postholders where the authority would be without a Monitoring Officer.

2.4. The Council is required under Section 5 of the Local Government and Housing Act 1989 to appoint an officer to act as Monitoring Officer.

2.5. Fabiola Hickson is currently the Deputy Monitoring Officer for the authority and has been in this role for the past three years. Fabiola is a very experienced Lawyer and therefore it is considered that she is the most appropriate and experienced officer to undertake the role on an interim basis.

2.6. Should Council approve the appointment, then Byron Britton, another head of law employed in SLLP will undertake the role of Deputy Monitoring Officer (the role currently held by Fabiola Hickson) until 6 September 2023.

3 ALTERNATIVE OPTIONS

3.1. There is no legal requirement that the Monitoring Officer should be a qualified lawyer. Any suitable officer could be appointed to the role.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purposes of this report. Fabiola Hickson has been informed of the proposals.

5 TIMETABLE

5.1. Subject to the approval of Council, the role of Monitoring officer will pass to Fabiola Hickson immediately following the current postholder leaving the authority on 28 July 2023.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purposes of this report

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. The Council has a statutory responsibility under the Local Government and Housing Act 1989 to appoint a Monitoring Officer. The Monitoring Officer cannot be the Head of Paid Service (Chief Executive) or the Section 151 officer (Executive Director Finance and Digital).

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purposes of this report

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purposes of this report

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purposes of this report

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

None

12 BACKGROUND PAPERS

12.1. None