

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Council

**DATE:** 28<sup>th</sup> November 2017

**CONTACT OFFICER:** Roger Parkin, Interim Chief Executive  
**(For all enquiries)** (01753) 875207

**WARD(S):** All

### **PART I** **FOR DECISION**

#### **APPOINTMENT OF MONITORING OFFICER**

##### **1 Purpose of Report**

This report seeks the appointment of the Council's Monitoring Officer.

##### **2 Recommendation**

The Council is requested to resolve:

- (a) That Sushil Thobani, Service Lead (Governance), be appointed as the Council's Monitoring Officer with effect from 1<sup>st</sup> December 2017.
- (b) That Article 12 of the Council's Constitution be amended accordingly.
- (c) That Linda Walker be thanked for her services and assistance in dealing with Monitoring Officer matters.

##### **3 Slough Joint Wellbeing Strategy Priorities**

The Monitoring Officer, along with the Head of Paid Service and the Section 151 Officer combine to form the Council's Statutory Officer functions. These roles are key to ensuring lawfulness, fairness, probity and general good governance that support the council in achieving its aims. It is important that they work effectively together yet maintain appropriate independence and that the roles are undertaken by adequately skilled and experienced staff supported by appropriate resources.

##### **4 Other Implications**

###### **(a) Financial**

None. The Monitoring Officer role attracts an additional annual allowance of £3,500.

###### **(b) Human Rights Act and Other Legal Implications**

The appointment of a Monitoring Officer is a statutory requirement under Section 5, Local Government & Housing Act 1989. The Council has the right to designate and appoint the Monitoring Officer and to give three months notice to the Monitoring Officer if it wishes to redesignate the post.

## 5 **Supporting Information**

- 5.1 At its meeting on 27<sup>th</sup> September 2016 the Council appointed Linda Walker as the Council's Interim Monitoring Officer with effect from 29<sup>th</sup> September 2016 until further notice. Linda Walker has a track record working in local government legal services both within local authorities and in the private sector and had been appointed by the Council as Interim Monitoring Officer on 22<sup>nd</sup> September 2015 until 25<sup>th</sup> November 2015.
- 5.2 The Council's Monitoring Officer has a number of functions which are defined within the Council's Constitution. These include; ensuring lawfulness and fairness of decision making, supporting the Audit and Corporate Governance Committee, receiving reports, conducting investigations, ensuring access to information, advising whether executive decisions are within the budget and policy framework and maintaining the Constitution.
- 5.3 The Council is committed to appointing permanent officers to the statutory officer roles and the Council is requested to appoint Sushil Thobani, the Council's Service Lead (Governance) as the Council's Monitoring Officer with effect from 1<sup>st</sup> December 2017. Once appointed, the Monitoring Officer will make suitable arrangements in appointing a Deputy Monitoring Officer as soon as possible.
- 5.4 The designation of the Monitoring Officer is subject to no well founded objection being received from any member of the Cabinet. Members of the Cabinet have been informed of the recommended appointment and no objection has been received.
- 5.5 Linda Walker will complete current matters and ensure a proper handover.
- 5.6 This appointment will require Article 12 of the Council's Constitution to be amended accordingly.

## 6 **Conclusion**

The role of the Monitoring Officer is an important element in the Council's structure and processes. The arrangements outlined in this report will ensure that the functions continue to be discharged appropriately by a permanent member of staff.

## 7 **Background Papers**

None.