

Report sponsor: Strategic Director of Corporate Resources
Report author: Head of Democracy

Designation of Monitoring Officer

Purpose

- 1.1 Following a recruitment process for the role of Acting Director of Legal, Procurement and Democratic Services in December 2018, Emily Feenan, a Principal Lawyer in Legal Services, was selected and appointed to the position. The process involved the Cabinet Member for Governance and Licensing, Chief Executive and the Strategic Director for Corporate Resources and the Interim Monitoring Officer.
- 1.2 Emily commenced the duties of Acting Director Legal, Procurement and Democratic Services on Monday 7 January 2018. It is anticipated that the holder of the director post will also perform the duties of Monitoring Officer, and Chief Legal Officer. This designation requires a decision of Council.

Recommendation

- 2.1 To designate the Acting Director Legal, Procurement and Democratic Services as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

Reason

- 3.1 Every local authority is required to appoint a suitable person to act as Monitoring Officer.

Supporting information

- 4.1 The role of Monitoring Officer has been designated to Glen O'Connell since 19 March 2018. Glen has been fulfilling the duties on an interim basis, working two days in the office and providing support and advice when required outside of these two working days.
- 4.2 It was proposed that the role would be permanently filled following an external advertisement, but no appointment was made following an Appointments Panel recruitment process.
- 4.3 Emily Feenan applied for the role as Acting Director after it was internally advertised in December 2018. Emily joined the authority in 2010 having previously worked in private practice for DLA Piper UK LLA. She became Principal Lawyer in 2013.

- 4.4 Following a technical interview undertaken by the Strategic Director and Interim Monitoring Officer, Emily was then interviewed by the Chief Executive and then the Cabinet Member for Governance and Licensing with the Strategic Director.

Public/stakeholder engagement

- 5.1 For a permanent appointment to a director post, a full Appointments Panel involving between three and five members would make the appointment and recommendation of Monitoring Officer designation to Council. The appointment as Director would also be subject to consultation with members of the Council Cabinet.
- 5.2 It is custom and common practice not to take these steps for acting or interim appointments, although they would be required in the event that an acting or interim appointment was later made permanent.

Other options

- 6.1 To not make the Monitoring Officer designation. As Emily Feenan has been appointed to the director role and Council has previously agreed that this role, or its equivalent, would be Monitoring Officer, this is not recommended. As stated below, the council has a legal obligation to designate an officer to act as Monitoring Officer.

Financial and value for money issues

- 7.1 The role attracts a salary of between £71,839 and £84,887. The salary funding already exists within corporate budgets.

Legal implications

- 8.1 All local authorities must have a Monitoring Officer, designated under Section 5 of the Local Government and Housing Act 1989.

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Glen O'Connell, Interim Monitoring Officer	9 January 2019
Finance	Don McLure, Strategic Director of Corporate Resources	11 December 2018
Service Director(s)	None	
Report sponsor	Don McLure, Strategic Director of Corporate Resources	11 December 2018
Other(s)	None	

Background papers:	None
List of appendices:	None