

MEETING:	Employment panel
MEETING DATE:	11 September 2015
TITLE OF REPORT:	Designation of post as statutory officer (monitoring officer)
REPORT BY:	Director economy communities and corporate

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

County-wide

Purpose

To recommend to Council the designation of a specific post to discharge the functions of monitoring officer.

Recommendations

THAT:

- (a) **It be recommended to Council that the post of deputy solicitor to the council people and regulatory be designated monitoring officer for an interim period of up to nine months from the date of approval.**

Alternative Options

- 1 Another post is designated to fulfil these functions; this is not recommended having regard to the skills and experience necessary.
- 2 Secure the services of an interim monitoring officer; this is not recommended given the additional costs which would be incurred.

Reasons for Recommendations

- 3 To meet statutory requirements.

Key Considerations

- 4 The economy, communities and corporate directorate is in the process of reducing its senior management structure from five posts to three. Following consultation with affected staff the current monitoring officer, the assistant director governance requested voluntary redundancy. This request has been approved.
- 5 It is a legal requirement for the council to designate a post as monitoring officer and, pending completion of the restructure process, it is therefore necessary for an alternative post to be designated as monitoring officer for an interim period to fulfil this statutory function. A further report on the substantive designation of a post as monitoring officer will be brought to the employment panel to consider in due course.

Community Impact

- 6 The function supports the maintenance and enhancement of robust governance across the council.

Equality and Human Rights

- 7 The council's policies in relation to job evaluation, recruitment and selection pay full regard to the public sector equality duty.

Financial Implications

- 8 The interim arrangement proposed would attract a 5% salary enhancement in line with the council's honorarium policy. This cost is contained within existing budgets.

Legal Implications

- 9 Section 5 of the Local Government & Housing Act 1989 imposes a duty on the council to designate one of its officers as monitoring officer; this may not be the head of paid service or director of resources (section 151 officer).

Risk Management

- 10 The designation of a post to fulfil this function mitigates the risk to the council of failing to comply with statutory requirements and helps to maintain effective and robust governance.

Consultees

- 11 Relevant officers in posts as named.

Appendices

- None

Background Papers

- None identified.