

Agenda Item No:	<b>13</b>	
Committee:	<b>Council</b>	
Date:	<b>19 July 2018</b>	
Report Title:	<b>Appointment of Acting Monitoring Officer and Notification of Acting Deputy Monitoring Officer</b>	

## **1 Purpose / Summary**

- To approve the appointment of Amy Brown, Senior Solicitor, Peterborough City Council as the Council's Acting Monitoring Officer, with effect from 31 August 2018, to cover a period of maternity leave.
- To note the appointment of Anna Goodall, Head of Governance and Customer Services, as Acting Deputy Monitoring Officer for the Council, with effect from 31 August 2018 during the period in which Amy Brown is Acting Monitoring Officer.

## **2 Key issues**

- The Monitoring Officer is a statutory appointment pursuant to Section 5 of the Local Government and Housing Act 1989. The officer may not be the Head of Paid Service or the Chief Finance Officer.
- In general terms, the duties of the Monitoring Officer is to report to the authority any proposal, decision or omission by the authority which have given rise to or is likely to give rise to contravention of any law, any code of practice or of any maladministration or injustice.
- Carol Pilson, Corporate Director is the Council's Monitoring Officer and will be commencing a period of maternity leave from 31 August 2018. To ensure adequate coverage for the Monitoring Officer role it is suggested Amy Brown, Senior Solicitor, Peterborough City Council fulfils the role of Acting Monitoring Officer during this period of maternity leave.
- Amy is currently Deputy Monitoring Officer at Peterborough City Council and therefore has a wide range of knowledge and experience of governance, code of conduct and constitutional matters. Amy has regularly supported FDC through the service level agreement we have with Peterborough City Council for the provision of legal advice therefore Amy is already familiar with the organisation, its culture and its aims and objectives. Amy will be on site at FDC offices 3 days per week but will operate flexibly to meet the needs of the Council.
- Further to section 2.3 of Article 12 of the Constitution the Monitoring Officer may designate another officer to deputise in their absence. During the period, Amy Brown is the Council's Acting Monitoring Officer (if agreed); Carol Pilson has designated Anna Goodall, Head of Governance and Customer Services as Acting Deputy Monitoring Officer for the Council. Fiona McMillan will continue as Deputy Monitoring Officer as notified to Council in February 2018. This is to ensure the effective delivery of the Monitoring Officer functions should any conflicts of interest arise.

### 3 Recommendations

- For Council to approve the appointment of Amy Brown, Senior Solicitor, Peterborough City Council as the Acting Monitoring Officer for the Council, with effect from 31 August 2018, to cover a period of maternity leave. These arrangements will come into effect from 31 August 2018, unless the maternity leave date is required to commence before this point, which will require these arrangements to commence with immediate effect.
- To approve that Fenland District Council enter into a Section 113 (of the Local Government Act 1972) agreement for the Acting Monitoring Officer to be able to carry out their duties.
- For Council to note the appointment of Anna Goodall, Head of Governance and Customer Services, as Acting Deputy Monitoring Officer for the Council with effect from 31 August 2018 (or earlier as outlined above) during the period in which Amy Brown is Acting Monitoring Officer.

Wards Affected	ALL
Forward Plan Reference	N/A
Portfolio Holder	Cllr Chris Seaton, Leader of the Council
Report Originator	Paul Medd, Chief Executive Carol Pilson, Corporate Director and Monitoring Officer
Contact Officers	Paul Medd, Chief Executive 01354 622202, <a href="mailto:paulmedd@fenland.gov.uk">paulmedd@fenland.gov.uk</a> Carol Pilson, Corporate Director and Monitoring Officer 01354 622360, <a href="mailto:cpilson@fenland.gov.uk">cpilson@fenland.gov.uk</a>
Background Papers	Section 5 Local Government and Housing Act 1989 Functions and Responsibilities (Amendment) Regs 2001 Constitution