



REPORT OF:	CHIEF EXECUTIVE
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TO:	EMPLOYMENT COMMITTEE
DATE:	19 October 2017

WARD (S) AFFECTED:	None
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SUBJECT:	APPOINTMENT OF MONITORING OFFICER
RECOMMENDATION: That in accordance with Section 5 of the Local Government and Housing Act 1989, Mr Gavin Handford, be confirmed as the Council's Monitoring Officer.	
REASONS FOR RECOMMENDATIONS: To comply with the requirements of the Local Government & Housing Act 1989 (as amended).	
EXECUTIVE SUMMARY: This report invites the Council to appoint a Monitoring Officer in accordance with statutory requirements.	

The above recommendation is subject to agreement of Council

STATUTORY POWERS

1. Under Section 5 of the Local Government & Housing Act 1989 (as amended), the Council has a duty to appoint a Monitoring Officer. Neither the Head of Paid Service nor the Chief Finance Officer can hold the position of Monitoring Officer.
2. The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and our arrangements for effective governance. These duties include maintaining the Constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct. A full list of the Monitoring Officer's responsibilities and delegated powers is included within the Councils' Constitution.
3. Article 13(b) of the Constitution provides that it is the responsibility of full Council to designate the Monitoring Officer. Employment Procedure Rules state that the appointment should be on the recommendation of the Employment Committee.

BACKGROUND

4. On 13 April 2017 the Council approved a recommendation of the Employment Committee and appointed Mr Gavin Handford as Interim Monitoring Officer for a period of six months.
5. This period is drawing to an end and the Employment Committee is therefore requested to make a further recommendation on the appointment of the Monitoring Officer.
6. Prior to the appointment of Mr Handford, the Council had operated with a Legal Services partnership with Spelthorne BC. This included a shared Monitoring Officer. However, the shared service ceased on 31 March 2017 and Reigate & Banstead reverted to a separate service, with Mr Handford as the Head of Service.
7. Mr Handford has extensive experience supporting Members and Corporate Governance, including
 - Interim Monitoring Officer since April 2017
 - Deputy Monitoring Officer at Reigate & Banstead since Autumn 2013, providing regular training and reports on all range of matters
 - Head of Service with responsibility for Democratic Services and Member support
 - Extensive knowledge of the Constitution and legal framework supporting Council decision making
8. During the interim appointment, Mr Handford has provided advice and guidance on a range of matters, including decision making, code of conduct and Member training and development. The legal services team has been reviewed and strengthened to ensure the Council has the professional advice and support it requires across a range of legal areas. Feedback from clients across the Council has been very positive.
9. It is therefore recommended that Mr Handford be appointed as the Council's permanent Monitoring Officer with immediate effect.

OPTIONS

10. The options are either:
 - to appoint Mr. Gavin Handford as the Monitoring Officer - this is the recommended option; or
 - to extend the appointment of Mr Handford as Interim Monitoring Officer; or
 - to appoint another Officer of the Council - this is not recommended as there are advantages to appointing the Head of Service with responsibility for legal and democratic services as Monitoring Officer.

LEGAL IMPLICATIONS

11. There are no additional legal implications other than those set out in the report.

FINANCIAL IMPLICATIONS

12. There are no financial implications arising from the report.

EQUALITIES IMPLICATIONS

13. There are no specific equalities implications arising from this report.

CONSULTATION

14. The Leader and Deputy Leader of the Council have been consulted on this report.

POLICY FRAMEWORK

15. There are no policy implications.

Background Papers: None