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COMMITTEE: COUNCIL REF NO: C/18/05
DATE: 25 JULY 2018
SUBJECT: APPOINTMENT OF A REPLACEMENT
MONITORING OFFICER
PROPER OFFICER: RUSSELL WILLIAMS

Short description of report content and the decision requested:

Every local authority shall appoint a Monitoring Officer to undertake various functions as established by statute and national regulations – and as supplemented by each authority’s constitutional provisions

Helen Pluck has served as the Borough’s Monitoring Officer since 2014 in addition to her position as the Council’s Chief Operating Officer and Deputy Chief Executive.

The Council has recently appointed Ms Shirley Jarlett as its Head of People and Governance. Ms Jarlett is suitably qualified and experienced to hold the Monitoring Officer role at Ipswich Borough Council and it is proposed that she is appointed as Monitoring Officer from 1st August 2018.

List of Appendices included in this report:

None

*This report has been prepared by Russell Williams, Tel: 01473 432009,
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This report was prepared after consultation with:

- Ms Jarlett – Proposed Monitoring Officer
- Mrs Pluck – Current Monitoring Officer
- Mr J Chance – Head of Finance and Revenues Section 151 Officer

The following policies form a context to this report:

(all relevant policies must also be referred to in the body of the report)

Building a Better Ipswich 2017

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(papers relied on to write the report but which are not published and do not contain exempt information)

1. None

OTHER HELPFUL PAPERS

(papers which the report author considers might be helpful – this might include published material)

1. None

1. Introduction

- 1.1 Every local authority needs to have an appointed Monitoring Officer to undertake certain specified functions. The statutory provisions are set out in Section 5 of the Local Government Act 1989. They are:
- To personally report on matters he/she believes are, or are likely to be, illegal or amount to maladministration.
 - To be responsible for matters relating to the conduct of Councillors.
 - To be responsible for the review and operation of the Council's Constitution
 - To carry out the internal review function in respect of freedom of information requests

Ipswich Borough Council also delegates a number of additional non-statutory functions to its monitoring officer under its constitution.

- 1.2 In terms of who can fulfil the Monitoring Officer role, there is no requirement that the office holder must have any form of professional qualification. In practice, it is often a council's senior lawyer who fulfils the role.
- 1.3 The only limitation is that the role cannot be held by either the Head of Paid Service (in the case of the Borough Council – the Chief Executive) or the Chief Finance Officer / Section 151 Officer (in the case of the Borough Council – the Head of Finance and Revenues).

2. Proposal

- 2.1. Mrs Helen Pluck has been the Council's Monitoring Officer since 2014 when the previous Monitoring Officer retired. Mrs Pluck agreed to be appointed to this role as there were no other suitably senior or experienced officers within the Council at the time. Mrs Pluck has ably fulfilled this role, but now that there is a suitably experienced and senior alternative, she has volunteered to stand down as Monitoring Officer.
- 2.2 It is proposed that Shirley Jarlett be appointed as the Council's Monitoring Officer. Ms Jarlett is an experienced Monitoring Officer in other local government bodies and is a highly experienced local government solicitor. She has been the Council's Head of People and Governance since April 2018.
- 2.3 The provisions for remuneration associated with the Monitoring Officer role were established at Human Resources Committee on 27th November 2013 (report reference HR/13/31). This means that Ms Jarlett will receive an additional payment of £1000 per year in recompense for the additional responsibility of being the Council's statutory Monitoring Officer.

- 2.4 If the Council is minded to appoint Ms Jarlett, it is envisaged that she will, thereafter, appoint one or more deputies – these are personal appointments rather than ones made by Council.

3. Relevant Policies

- 3.1 The appointment (or replacement) of the Monitoring Officer is a mandatory appointment that has to be approved by the Council.

4. Consultations

- 4.1 Consultation has been carried out with existing and proposed role holders as well as with the holders of the other principal statutory posts.

5. Recommendations

- 5.1 That Ms Shirley Jarlett be appointed as the Council's Monitoring Officer in accordance with the requirements of Section 5 of the Local Government Act 1989, and in accordance with the Council's constitution, to replace Mrs Helen Pluck with effect from 1st August 2018.**