

**Public  
Key Decision - No**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Appointment of Monitoring Officer

**Meeting/Date:** Council – 26th March 2025

**Executive Portfolio:** Executive Leader

**Report by:** Chief Executive

**Ward(s) affected:** All

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### **Executive Summary:**

Local Authorities have a duty under the Local Government and Housing Act 1989 to designate one of their Officers as the Monitoring Officer.

The Monitoring Officer is responsible for maintaining the Constitution and providing advice on ensuring lawfulness and fairness of decision making

The LGA Corporate Peer Challenge undertaken in May 2024 recommended that the Council's approach to governance, compliance and risk be improved by providing additional capacity for the Monitoring Officer and Deputy Monitoring Officer roles.

This report seeks the Council's approval of the appointment of the new Monitoring Officer following recruitment at the Senior Officers Committee convened on 17th March 2025.

**It is**

### **RECOMMENDED**

**that the individual listed in the exempt Appendix to the report now submitted, be designated the District Council's Monitoring Officer with a start date to be confirmed following necessary employment checks.**

## **1. INTRODUCTION**

- 1.1 The Monitoring Officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. The appointment of the Monitoring Officer must be approved by the Council and the Officer to be appointed to this position must not be the Chief Finance Officer (Section 151 Officer) or the Head of Paid Service.
- 1.2 Article 12 of the Council's Constitution describes the functions of the Monitoring Officer.
- 1.3 The Council has previously designated the Head of 3C Legal Shared Service as the current Monitoring Officer.

## **2. WHY IS THIS REPORT NECESSARY?**

- 2.1 The LGA Corporate Peer Challenge undertaken in May 2024 recommended that the Council's approach to governance, compliance and risk be improved by providing additional capacity for the Monitoring Officer and Deputy Monitoring Officer roles. The senior management structure of the Council has recently been subject to a review and the result of which has created a new post of Head of Democratic Services and Monitoring Officer. The appointment of Monitoring Officer must be made by full Council following a recommendation of such appointment by the Senior Officers Committee.
- 2.1 It is a legal requirement that the Council has a Monitoring Officer in place to report on matters they believe to be illegal or amount to maladministration, to be responsible for matters relating to the conduct of Members and Officers, including investigations into allegations about the conduct of Members and to be responsible for the operation of the Council's Constitution.
- 2.2 At a meeting of the Senior Officers Committee held on 17th March 2025, Members recommended that the individual listed in the exempt Appendix be appointed as the new Head of Democratic Services and Monitoring Officer and should take on the role of Monitoring Officer on commencement of her employment with the District Council. The role of Monitoring Officer will continue to be undertaken by Tom Lewis, Head of 3C Legal Shared Service in the meantime.
- 2.3 There are no other resource, legal or other implications associated with this proposal.

## **3. REASONS FOR THE RECOMMENDED DECISIONS**

- 3.1 The Council is required by law to appoint the Statutory Officer of Monitoring Officer and to designate an Officer to act in this role on behalf of the Council. This report recommends the designation of a new Monitoring Officer.

#### **4. LIST OF APPENDICES INLCUDED**

4.1 Appendix 1 - Appointment Details

#### **BACKGROUND PAPERS**

The District Council's Constitution

#### **CONTACT OFFICER**

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