

REPORT TO: FULL COUNCIL

DATE: 18 DECEMBER 2018

TITLE: APPOINTMENT OF MONITORING OFFICER

LEAD OFFICER: BRIAN KEANE, MANAGING DIRECTOR
(01279) 446004

RECOMMENDED that:

- A** Simon Hill is appointed on a permanent basis as the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 (as amended) with effect from 2 January 2019.

BACKGROUND

1. Under Section 5 of the Local Government and Housing Act 1989 (as amended), the Council has a duty to appoint a Monitoring Officer. At Full Council on 2 November 2017, Brian Keane, the then Head of Governance was appointed Acting Managing Director. Jane Greer, Head of Community Wellbeing, was designated as the Council's Monitoring Officer until a permanent Managing Director was appointed.
2. On 1 February 2018, Brian Keane was appointed as the Council's permanent Managing Director. This meant the position of Head of Governance remained vacant. Therefore, Full Council also agreed that Jane Greer would remain as Monitoring Officer until a permanent Head of Governance was appointed.
3. Following a recruitment process, the Council has appointed Simon Hill as its permanent Head of Governance. He is due to start this role on 2 January 2019.

ISSUES/PROPOSALS

4. The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and 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 in the Council's Constitution at (Part 2 (Article 11.6)).
5. Neither the Head of Paid Service nor the Section 151 Officer can hold the position of Monitoring Officer. Whoever is appointed must ensure that the Council receives the correct and appropriate advice on the lawfulness of its decision making.

6. Simon Hill has held various senior posts at Epping Forest District Council between including:
 - a) Senior Democratic Services Officer, 1997-2014;
 - b) Assistant Director Governance and Performance Management, 2014 – September 2018; and
 - c) Service Director Governance and Member Services, September 2018 to present day.
7. He has been the Monitoring Officer at Epping Forest District Council since February 2018. Prior to that he was Deputy Monitoring Officer for four years dealing with:
 - a) Initial assessments;
 - b) Liaison with complainants and councillors subject to complaints; preparing reports advising on appropriate remedies;
 - c) Conducting or commissioning investigations; and
 - d) Supporting the Standards Committee, including being the Lead Officer.
8. He has provided Officer and Member training on the Code of Conduct, including introducing and updating a planning protocol to assist Councillors in their decision making.

IMPLICATIONS

Place (Includes Sustainability)

None specific.

Author: Andrew Bramidge, Project Director – Enterprise Zone and Interim Head of Planning on behalf of Graeme Bloomer, Head of Place

Finance (Includes ICT)

None specific.

Author: Simon Freeman, Head of Finance

Housing

As contained within the report.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

None specific.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

As contained within the report.

Author: Brian Keane, Managing Director

Appendices

None.

Background Papers

None.

Glossary of terms/abbreviations used

None.