



Report to Council

4 JULY 2012

LEADER

*Councillor Nicholas
Botterill*

APPOINTMENT OF MONITORING OFFICER

**WARDS
All**

SYNOPSIS

This report provides details on the proposed appointment of an Monitoring Officer pursuant to Section 5 of the Local Government and Housing Act 1989.

CONTRIBUTORS

EDFCG
Monitoring Officer

RECOMMENDATIONS:

1. That Ms Tasnim Shawkat be appointed Monitoring Officer from 1 October 2012.

1. BACKGROUND

- 1.1 The former Assistant Director (Legal and Democratic Services) left the authority on 31 March 2012 to take up the post of Comptroller and City Solicitor at the City of London Corporation. In the interim, the Head of Litigation, Janette Mullins, was appointed as Monitoring Officer from 1 April until a new Director was appointed.
- 1.2 Following a successful recruitment exercise, Ms Tasnim Shawkat, has been appointed as Bi-Borough Director of Legal Services for the Royal Borough of Kensington and Chelsea (RBKC) and London Borough of Hammersmith and Fulham (LBHF). While Ms Tasnim Shawkat will act only as the Director of Legal Services for RBKC, it is necessary for the Council to appoint her as the officer to discharge the duties of Monitoring Officer pursuant to Section 5 of the Local Government and Housing Act 1989 for LBHF. The statutory role of the Monitoring Officer is to act as a “whistle-blower” and prepare a report to Cabinet or Council as appropriate, where she considers that an act or proposed act of the authority is unlawful or where there is a finding of maladministration by the Ombudsman. The Monitoring Officer will also discharges various functions under the Localism Act 2011 regarding making arrangements for dealing with complaints alleging a failure to comply with the Code of Conduct made against a Member or co-opted Member of the Council.
- 1.3 The Monitoring Officer has the power to appoint a deputy where he or she is unavailable or unable to act. This is a power conferred on the Monitoring Officer and not the Authority.

2. COMMENTS OF THE DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

- 2.1 These are contained in the body of the report.

3. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE AND CORPORATE GOVERNANCE

- 3.1 There are no direct financial implications.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS**

No.	Description of Background Papers	Name/Ext. of Holder of File/Copy	Department/ Location
	Council Report 29 February 2012	Kayode Adewumi	Room 133a, 1 st floor, Hammersmith Town hall.