


<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">FULL COUNCIL</p> <p style="text-align: center;">22 March 2017</p>	
<p>APPOINTMENT OF THE MONITORING OFFICER</p>	
<p>Report of the Leader of the Council - Councillor Stephen Cowan</p>	
<p>Open Report</p>	
<p>Classification: For Decision Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Nigel Pallace, Chief Executive</p>	
<p>Report Author: Kayode Adewumi, Head of Governance and Scrutiny</p>	<p>Contact Details: Tel: 020 8753 2499 E-mail: kayode.adewumi@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report seeks the appointment of the Council’s Monitoring Officer on an interim basis.

2. RECOMMENDATIONS

- 2.1. That Rhian Davies be appointed as the Council’s interim Monitoring Officer from 22nd March 2017.
- 2.2. That the amendments to the Officers’ Scheme of delegation to reflect the role and responsibilities of the Monitoring Officer attached as appendix A, be approved.

3. REASONS FOR DECISION

- 3.1 Section 5 of the Local Government and Housing Act 1989, as amended by Schedule 5, paragraph 24 of the Local Government Act 2000, requires each Council to appoint a Monitoring Officer. The officer may *not* be the Head of the Paid Service or the Chief Finance Officer. There is no other restriction to who can be appointed to this position.

4. INTRODUCTION AND BACKGROUND

- 4.1. The Cabinet agreed on 1st December 2014 that it would work towards establishing its own Monitoring Officer rather than require one person to act as the Monitoring Officer for two or more Councils.
- 4.2. It is appropriate now to appoint an interim Monitoring Officer dedicated to LBHF and to enhance the role.

5. PROPOSALS AND ISSUES

- 5.1 In order to meet its statutory obligations under Section 5 of the Local Government and Housing Act 1989, as amended by Schedule 5, paragraph 24 of the by the Local Government Act 2000, the Council must appoint one of its officers as Monitoring Officer.
- 5.2 It is proposed that Rhian Davies, currently Chief Solicitor (Litigation and Social Care), be appointed as the interim Monitoring Officer to replace Tasnim Shawkat, who will continue as the Director of Law. This interim appointment is pending a permanent appointment. Rhian Davies will report to the Chief Executive of LBHF in her role as the interim Monitoring Officer.
- 5.3 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. The Monitoring Officer has the specific duty to ensure that the Council, its Officers and its Elected Councillors and Co-opted Members maintain the highest standards of conduct.

6. EQUALITY IMPLICATIONS

- 6.1 There are no equality implications for this report.
- 6.2 Implications completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499)

7. LEGAL IMPLICATIONS

- 7.1 It is important to note that the Local Government Act 2000 requires the Council to have a Monitoring Officer.
- 7.2 Implications verified by: Tasnim Shawkat, Director of Law (020 8753 2700).

8. FINANCIAL AND RESOURCES IMPLICATIONS

- 8.1 There are no significant financial implications other than a nominal payment to be made for the statutory role. This is to be determined by the Head of Paid Service and will be contained within existing Legal budgets.

8.2 Implications completed by: Hitesh Jolapara Strategic Finance Director (020 8753 2501).

9. RISK MANAGEMENT

9.1 There are no risk management implications for this report.

9.1 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499).

10. PROCUREMENT AND IT STRATEGY IMPLICATIONS

10.1 There are no procurement or IT strategy implications.

10.2 Implications verified/completed by: Kayode Adewumi, Head of Governance and Scrutiny (020 8753 2499).

**LOCAL GOVERNMENT ACT 2000
BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

None.