



Council

6 November 2023

Subject: Appointment of Monitoring Officer

Report by:

Chief Executive

Contact Officer:

Emma Foy
Director of Corporate Services and Section 151
Officer

Purpose / Summary:

To make an appointment to the Statutory post of Monitoring Officer for West Lindsey District Council following the successful recruitment to the permanent post of Assistant Director of People and Democratic. This post carries the designation of MO.

RECOMMENDATION(S):

It is recommended that

- (a) In accordance with the terms of Part I, 5 of the Local Government and Housing Act 1989 (as amended) and all subsequent related legislation, Ms Lisa Langdon be appointed and designated as the Council's Monitoring Officer, with immediate effect.
- (b) The Constitution be amended, as necessary, to reflect this revised appointment.

IMPLICATIONS

Legal:

The Council has a statutory duty to appoint to the position of Monitoring Officer and have a Monitoring Officer in place at all times.

Financial : FIN/102/24/SL

The role of Monitoring Officer is encompassed within the salary of the Assistant Director of People and Democratic Services. The post has been appointed within the job evaluated grade and budget for the role.

Staffing :

The recruitment was carried out in June – August 2023 in accordance with West Lindsey District Council HR policies.

Equality and Diversity including Human Rights :

Recruitment was undertaken in accordance with approved policies

Data Protection Implications :

None arising from this report.

Climate Related Risks and Opportunities :

There are no climate related risks from this report.

Section 17 Crime and Disorder Considerations :

None arising from this report.

Health Implications:

None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:

None

Risk Assessment : N/A

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Background

- 1.1 The role of Monitoring Officer is a Statutory Officer, which Council has a duty to appoint to.
- 1.2 The role of Monitoring Officer, has since 28th February been undertaken on an Interim arrangement, pending recruitment to the permanent position of Assistant Director of People and Democratic Services,
- 1.3 The selection process required the following elements:
 - Application
 - Work based assessed discussion with Management Team
 - Formal panel interview with the Chief Executive and Director of Corporate Services.
 - Meeting with the Leader and Leader of the Opposition
 - Moderation and scoring.

Ms Lisa Langdon was appointed to the position of Assistant Director of People and Democratic Services, and commenced her employment with West Lindsey District Council on 1 November.

- 1.4 The Assistant Director of People and Democratic Services, was advertised as carrying the statutory role of Monitoring Officer.
- 1.5 Following the successful recruitment, Council are asked to formally appoint and designate Ms Lisa Langdon as the Council's Monitoring Officer. Section 3 of the report sets out Ms Landon's background and relevant experience.

2. Regulations

2.1 Monitoring Officer

- 2.3.1 *Part I, section 5 of the Local Government and Housing Act 1989*
 - (i) It shall be the duty of every relevant authority –
 - (a) to designate one of their officers (to be known as “the monitoring officer”) as the officer responsible for performing the duties imposed by this section; and
 - (b) to provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow those duties to be performed;

and the officer so designated may be the head of the authority's paid service but shall not be their chief finance officer.

This was later amended in the *Local Government Act 2000 Schedule 5 (24)* as:

- 3) 1a) The officer designated under subsection (1) above by a relevant authority to which this subsection applies may not be the head of that authority's paid service
- 1b) Subsection (1a) above applies to the following relevant authorities in England and Wales –
 - (a) a county council;
 - (b) a county borough council;
 - (c) a district council;
 - (d) a London borough council;
 - (e) a Greater London Authority; and
 - (f) the Common Council of the City of London in its capacity as a local authority, police authority or post health authority.

3. Background and Relevant Experience

Lisa has almost 20 years of employment experience working for Local Authorities, is a qualified solicitor and has recently held the role of Deputy Monitoring Officer at North Lincolnshire Council.

4. Proposed Recommendations

It is recommended that

- (a) In accordance with the terms of Part I, 5 of the Local Government and Housing Act 1989 (as amended) and all subsequent related legislation, Ms Lisa Langdon be appointed and designated as the Council's Monitoring Officer with immediate effect.
- (b) The Constitution be amended, as necessary, to reflect this revised appointment.