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| <b>Committee(s):</b> Ordinary Council  | <b>Date:</b> 27 July 2022  |
| <b>Subject:</b> Appointment of Statutory Officer   | <b>Wards Affected:</b> All |
| <b>Report of:</b> Jonathan Stephenson, Chief Executive   | <b>Public</b>              |
| <b>Report Author/s:</b><br>Name: Jonathan Stephenson; Chief Executive<br>Telephone: 01277 312500<br>E-mail: jonathan.stephenson@brentwood.gov.uk | <b>For Decision</b>        |

### Summary

The Council must appoint a Monitoring Officer under s5 Local Government and Housing Act 1989. Ms Amanda Julian, who currently undertakes the role is retiring from the Council on the 31 July 2022. Therefore, the Council needs to appoint one of its officers as the Monitoring Officer in the interim while the process to recruit a replacement is undertaken.

Subject to the appointment of a permanent Monitoring Officer it is recommended that Steve Summers acts as the statutory position of Interim Monitoring Officer.

#### **Members are asked to:**

- R1. Confirm the appointment of Steve Summers as Interim Monitoring Officer with effect from the 1 August 2022 until the appointment of a permanent Monitoring Officer.**

### Main Report

#### **1. Introduction and Background**

- 1.1 At the Extraordinary Council on 26 January 2022, it was agreed to proceed with appointing Jonathan Stephenson as the Joint Head of Service for the Council and Rochford District Council (RDC).
- 1.2 It was also agreed to the restructure of both the Tier 2 and Tier 3 management structures.

#### **2. Issue, Options and Analysis of Options**

- 2.1 Following approval at the Extraordinary Council an internal recruitment process was carried out to the new posts within the Tier 3 structure.

- 2.2 As a result of the internal process the Council will now undertake a future process to recruit to a number of roles at Tier 3. One of which was the Monitoring Officer role.
- 2.3 Members will also note the proposed appointment of the Joint Strategic Directors as set out in Agenda Item No.12 of this agenda.
- 2.4 Pending the appointment of a permanent Monitoring Officer, it is recommended that Steve Summers acts as the statutory position of Interim Monitoring Officer.
- 2.5 The Monitoring Officer may appoint such deputies as necessary for the conduct of the duties provided by the Acts.

### **3. Reasons for Recommendation**

- 3.1 The Council is required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as its Monitoring Officer, to discharge statutory responsibilities relating to the Council's Constitution and arrangements for effective governance. The appointment must be approved by full Council.

### **4. Consultation**

- 4.1 Group Leaders have been consulted on behalf of all Members.

### **5. References to Corporate Plan**

- 5.1 To provide an effective and efficient Council it is important to have transparency in decision making and high standards of behaviour ensured.

### **6. Implications**

#### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Corporate Director of Resources**

**Tel & Email 01277 312500 /**

**[jacqueline.vanmellaerts@brentwood.gov.uk](mailto:jacqueline.vanmellaerts@brentwood.gov.uk)**

There are no known financial implications of making this interim appointment at the time of reviewing this report.

## **Legal Implications**

**Name & Title: Amanda Julian Corporate Director (Law & Governance) and Monitoring Officer.**

**Tel & Email 01277 312500 / amanda.julian@brentwood.gov.uk**

The recommendations within this report are lawful and within the Council's powers and duties. The Council has statutory obligations within an existing legal framework for the appointment of Council officers to a number of specified posts. The recommendations will support the Council in securing compliance with those statutory duties and the effective management of the Council's functions.

The Council has statutory duties under Section 5 of the Local Government and Housing Act 1989, to appoint an officer as Monitoring Officer.

The appointment of the statutory role of Monitoring Officer may only be made by full Council.

The Council must follow the procedures set down in the Constitution for the external recruitment of its Monitoring Officer, regarding advertising the post and interviewing candidates.

## **Other Implications**

None.

### **7. Background Papers**

none

### **8. Appendices to this report**

none

## **Report Author Contact Details:**

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