

Report to	Standards Committee
Date of meeting	26 th July 2024
Lead Member / Officer	Gary Williams, Monitoring Officer
Report author	Gary Williams, Monitoring Officer
Title	Deputy Monitoring Officer Arrangements

1. What is the report about?

- 1.1. The report is about the arrangements being put in place to provide Deputy Monitoring Officer capacity following recent staffing changes within Corporate Support Services: People

2. What is the reason for making this report?

- 2.1. To inform the Committee of the new arrangements for Deputy Monitoring officer support to the Monitoring Officer and the Standards Committee.

3. What are the Recommendations?

- 3.1. That the Committee notes the new Deputy Monitoring Officer arrangements.

4. Report details

- 4.1. A Monitoring Officer is the statutory officer responsible for the legal governance of a local authority. The majority of the role is set out under section 5 of the 1989 Local Government and Housing Act. The Monitoring Officer has a legal duty to ensure the Council complies with its statutory obligations and applies its codes of conduct. This includes investigating and reporting on anything the authority does that has the potential to be an illegal action or any action that might count as maladministration. The legislation also requires the appointment of a deputy to support the monitoring function.

4.2. Historically, in Denbighshire, the role of Deputy Monitoring Officer has been undertaken by the Legal Services Manager. However, going forward with the reduction of 1 senior manager in the Legal Department, it is unlikely that one person will have the capacity to act as Deputy Monitoring Officer. The previous few months have also highlighted the risk of reliance on one role and the lack of resilience that this provides the organisation.

4.3. It is proposed that there will be 3 Deputy Monitoring Officers – 1 for Conduct and 2 for Governance & Lawfulness.

4.4. The role of Deputy Monitoring Officer (Conduct) will be carried out by the Head of Corporate Support Services: People). The role of Deputy Monitoring Officer (Governance and Lawfulness) will be carried out by the Legal Services Manager and the Legal Services Team Leader. While these roles will nominally be responsible for matters relating to Conduct and Governance respectively, the Monitoring Officer and Deputies will work together as a team in respect of all aspects of the monitoring role.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

5.1. The existence of a resilient team to provide support to the Monitoring Officer will strengthen support for the organisation in respect of the Corporate Plan theme 'A well-run, high performing Council'.

6. What will it cost and how will it affect other services?

6.1. There are no direct costs associated with this report.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. An assessment is not needed for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. There have been consultations with the relevant post holders.

9. Chief Finance Officer Statement

9.1. Legislation requires the Council put in place arrangements for a Deputy Monitoring Officer. The arrangements as set out within the report ensure adequate cover is in place without any additional cost to the Council.

10. What risks are there and is there anything we can do to reduce them?

10.1. There is a risk that without adequate support to the Monitoring Officer there will be insufficient capacity to discharge all of the relevant duties and responsibilities.

11. Power to make the decision

11.1. There is no decision required.