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# Appointment of the Council's Monitoring Officer

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<b>Committee considering report:</b>	Personnel Committee on 21 October 2016
<b>Portfolio Member:</b>	Councillor James Fredrickson
<b>Date Portfolio Member agreed report:</b>	22 September 2016
<b>Report Author:</b>	Robert O'Reilly
<b>Forward Plan Ref:</b>	PC3178

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## 1. Purpose of the Report

- 1.1 To invite the Personnel Committee to appoint an interim Monitoring Officer for West Berkshire Council with effect from 1 November 2016.

## 2. Recommendation

- 2.1 That the Personnel Committee ratify the recommendation from Councillor James Fredrickson that Sarah Clarke is appointed as interim Monitoring Officer for West Berkshire Council with effect from 1 November 2016.

## 3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** This recommendation is made in accordance with the Council's constitution.
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

## 4. Other options considered

- 4.1 None

## 5. Executive Summary

- 5.1 The Head of Legal Services (David Holling) is retiring on 31<sup>st</sup> October 2016. Councillor James Fredrickson (Portfolio Holder for HR), Nick Carter (Chief Executive) and Robert O'Reilly (Head of HR) decided to invite existing senior members of staff in Legal Services to apply for the interim position of Head of Legal Services. The interim nature of the position is to allow the appointed person to explore the possibility of establishing a shared legal service with one or more other local authorities. It is envisaged that the interim position will last for approximately 12 months before a decision on a shared service is made.
- 5.2 In September 2016 a recruitment process took place and Sarah Clarke was offered the interim position of Head of Legal Services with effect from 1<sup>st</sup> November 2016.
- 5.3 In West Berkshire Council the position of Head of Legal Services also holds the statutory role of "Monitoring Officer". This is the same as in most local authorities. The role of Monitoring Officer is one of the three "Proper Officer" roles which all local authorities must have by law. The other "Proper Officer" roles are "Section 151 Officer" (Andy Walker) and "Head of Paid Service" (Nick Carter).
- 5.4 Section 3.1.3 of the Council's Constitution states that the power to appoint *Officers for particular purposes (appointment of 'Proper Officers')* rests with the Personnel Committee and this function will not be further delegated. Therefore, for Sarah Clarke to take on the role of Monitoring Officer as part of her duties as interim Head of Legal Services, the Personnel Committee must ratify her appointment to that role with effect from 1<sup>st</sup> November 2016.

## 6. Conclusion

- 6.1 The Personnel Committee is invited to formally ratify Sarah Clarke's appointment to the role of Monitoring Officer as part of her duties as interim Head of Legal Services with effect from 1<sup>st</sup> November 2016

## 7. Appendices

- 7.1 There are no appendices to this report.

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### Corporate Board's recommendation:

Corporate Board supported the conclusion of this report on 13<sup>th</sup> September 2016.

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