



PART 4.3 MONITORING OFFICER PROTOCOL

1. The Monitoring Officer undertakes to discharge the responsibilities as outlined in this paper with determination and a manner which will enhance the reputation of the Council. In general terms the ability to discharge these duties depends on excellent working relations with colleagues and members but also the flow of information and access to debate particularly at early stages.
2. The following arrangements and understandings between the Monitoring Officer, colleagues and members are designed to help ensure the effective discharge of their functions:
 - 2.1 The Monitoring Officer or the Deputy Monitoring Officer will attend the Corporate Management Team (CMT) meeting which meets every two weeks and deals with the corporate strategic and operational management of the Council.
 - 2.2 Advance notice of meetings whether formal or informal between Chief and Senior Officers and Lead Members or Committee Chairmen will be given, wherever possible, to the Monitoring Officer where any procedural, vires or other constitutional issues are likely to arise.
 - 2.3 Chief and Senior Officers will alert the Monitoring Officer to all emerging issues of concern including legality, probity, vires and constitutional issues.
 - 2.4 The Monitoring Officer will have copies of all formal reports to members.
 - 2.5 The Monitoring Officer is expected to develop good liaison and working relations with the Council's Auditor and the Ombudsmen

including the giving and receiving of relevant information whether confidential or otherwise.

- 2.6 The Monitoring Officer will closely support the Mayor and have a special relationship with the Chairman of the Standards and other Committees and will ensure that the Head of Paid Service and Chief Financial Officer have up-to-date information regarding emerging issues.
- 2.7 The Monitoring Officer may make informal enquiries into allegations of misconduct of Members in the absence of a written complaint being received.
- 2.8 The Governance Management Team, which includes the Head of Paid Service, Chief Financial Officer and Monitoring Officer will meet regularly to consider and recommend action in connection with current governance issues and other matters of concern regarding policy.
- 2.9 In carrying out any investigation (whether under Regulations or otherwise) the Monitoring Officer will have unqualified access to any information held by the Council and any employee who can assist in the discharge of those functions.
- 2.10 The Monitoring Officer will have access to a budget sufficient to seek Counsel's opinion on any appropriate matter concerning these functions.
- 2.11 The Monitoring Officer will be responsible for preparing a training programme for members on the ethical framework subject to the approval of the Standards Committee.
- 2.12 The Monitoring Officer will report to the Council from time to time on the Constitution and any necessary or desirable changes following consultation, in particular with the Head of Paid Service and Chief Financial Officer and carry out minor amendments under delegated authority.
- 2.13 In consultation with the Mayor, the Monitoring Officer may defer the making of a formal report under Section 5 of the Local Government and Housing Act 1989 where another investigative body is involved.
- 2.14 The Monitoring Officer may make a report to the Council from time to time as necessary on the staff, accommodation and resources required to discharge these functions.
- 2.15 The Monitoring Officer will appoint a Deputy and keep the Deputy Monitoring Officer briefed on appropriate emerging issues.

2.16 The Monitoring Officer will make arrangements to ensure good communication between the Council and Clerks to Parish Councils.

3. The Head of Legal and Democratic Services has been designated Monitoring Officer by the Council and has nominated the Principal Solicitor (Deputy Monitoring Officer) as Deputy. The Chief Operating Officer is the Head of Paid Service and the Head of Finance, Procurement and Commercial Services is the Chief Financial Officer.

N.B: Chief and Senior Officers in this protocol refers to the Chief Operating Officer. Corporate Directors, Head of Legal and Democratic Services and Head of Finance, Procurement and Commercial Services .

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