

## **MONITORING OFFICER PROTOCOL**

The Monitoring Officer undertakes to discharge the responsibilities outlined in this paper with determination and in a manner which will enhance the reputation of the Authority. 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.

The role of the Monitoring Officer is to report on likely contraventions of law under the Local Government and Housing Act 1989 and to provide and maintain high standards of conduct through the Local Government Act 2000.

The following arrangements and understandings between the Monitoring Officer and colleagues and members are designed to help ensure the effective discharge of functions as follows:

- i) Advance notice of meetings whether formal or informal between Chief Officers and members will be given to the Monitoring Officer where any procedural, vires or other constitutional issues are likely to arise.
- ii) Chief Officers will alert the Monitoring Officer to all emerging issues of concern including legality, probity, vires and constitutional issues.
- iii) The Monitoring Officer will have copies of all reports when sent to members.
- iv) The Monitoring Officer is expected to develop good liaison and working relations with the Standards Board, the External Auditor and the Local Government Ombudsman including the giving and receiving of relevant information whether confidential or otherwise.
- v) The Monitoring Officer will have a special relationship with the Chairman of the Authority and the Chairman of the Standards Committee.
- vi) The Monitoring Officer will be expected to make enquiries into allegations of misconduct in the absence of a written complaint being received by the Standards Board and if appropriate will make a written report to the Standards Committee, unless the Monitoring Officer and Chair of Standards Committee agree a report is not warranted.
- vii) In carrying out any investigation (whether under Regulations or otherwise) the Monitoring Officer will have unqualified access to any information held by the Authority and any employee (including, with the consent of the Chief Constable, any officer) who can assist in the discharge of their functions.
- viii) The Monitoring Officer will have control of a budget sufficient to enable him/her to seek Counsel's opinion on any matter concerning his/her functions.
- ix) The Monitoring Officer will be responsible for preparing a training programme for members on the ethical framework and will undertake to identify the training needs of members on an annual basis.
- x) In consultation with the Chairman of the Authority and Standards Board the Monitoring Officer may defer the making of a formal report under Section 5 LGHA 1989 where another investigative body is involved.
- xi) The Monitoring Officer will make a report to the Authority from time to time as necessary on the staff, accommodation and resources (s)he requires to discharge his/her functions.
- xii) The Monitoring Officer will appoint a deputy whom (s)he will keep briefed on emerging issues.

