

EXTRACT FROM ARTICLE 11 - Officers

11.03 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Council or to the Leader/Cabinet in relation to an executive function, if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Maintaining high standards of conduct.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct.
- (d) **Receiving reports.** The Monitoring Officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.
- (e) **Receiving and dealing with allegations of misconduct.** The Monitoring Officer will receive and deal with allegations of misconduct in accordance with the Monitoring Officer Protocol set out in Part 6 of the Constitution.
- (f) **Access to information.** The Monitoring Officer will ensure that executive decisions [and delegated non-executive \(Cabinet\) -decisions](#), together with the reasons for those decisions and relevant officer reports and background papers, are made publicly available as soon as possible.
- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions on executive functions are in accordance with the budget and policy framework.
- (h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (i) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

This page is intentionally left blank