



OFFICER REPORT TO COUNCIL

APPOINTMENT OF INTERIM MONITORING OFFICER

KEY ISSUE/DECISION:

The purpose of this report is to request that County Council approves the appointment of an Interim Monitoring Officer.

BACKGROUND:

1. Section 5 of the Local Government and Housing Act 1989 requires the Council to designate one of its officers as the Monitoring Officer. The Monitoring Officer may not also be the Council's Chief Finance Officer or the Chief Executive/Head of Paid Service. Sarah Baker, who has been acting as interim Monitoring Officer, will be leaving the Council on 21st December 2018.
2. Pending the appointment of a new Director of Law and Governance, a short term arrangement needs to be put in place to ensure that the council complies with its statutory obligations. It is therefore proposed to appoint Rachel Crossley as Monitoring Officer on an interim basis. Rachel has been acting as Deputy Monitoring Officer for almost a year, and has considerable experience as former Lead Manager for Democratic Services.
3. If the Council approves her appointment, Rachel will nominate Philip Baker as her deputy. Philip is an experienced Monitoring Officer and Assistant Chief Executive at East Sussex County Council, and is interim head of Orbis Public Law. The arrangement will be facilitated by way of an agreement between Surrey County Council and East Sussex County Council under s113 of the Local Government Act 1972, which enables staff from one authority to carry out functions for the another. When doing so, they are treated in law as officers of the authority they are working for, which allows Philip to be nominated as deputy Monitoring Officer for Surrey County Council.
4. The functions of the Monitoring Officer include:-
 - oversight and reporting of the operation of the Council's Constitutional; arrangements and the decision making processes;

- reporting on unlawfulness and maladministration;
- investigating allegations of breach of the Code of Conduct; and
- seeking rulings from the Council's Independent Person and arranging meetings of the Member Conduct Panel.

RECOMMENDATION:

That the County Council appoints Rachel Crossley to act as Interim Monitoring Officers for Surrey County Council with effect from 21 December 2018.

Lead/Contact Officers:

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Sources/background papers:

None
