

Report to the Constitution and Member Services Standing Scrutiny Panel



Report reference:

Date of meeting: **9 November 2010**

Portfolio Holder: Leader

Subject: Protocols for Statutory Officers – Head of Paid Service, Monitoring Officer and Chief Finance Officer

Responsible Officer: I Willett (01992 564243)

Democratic Services Officer: M Jenkins (01992 564607)

Recommendations:

(1) To consider the attached draft protocols to regulate relations between Statutory Officers and the Council as follows:

Appendix 1 – Head of Paid Service

Appendix 2 – Monitoring Officer

Appendix 3 – Chief Finance Officer

(2) That subject to consultation with the Standards Committee a report be submitted to the Overview and Scrutiny Committee and the Council recommending the adoption of these protocols.

Report:

1. The Panel considered a draft protocol relating to the role of Monitoring Officer at its meeting on 11 January 2010. This followed a request by the Chairman of the Audit and Governance Committee for such a document to be prepared. This followed concerns expressed in August 2009 at a Council meeting regarding access by the Monitoring Officer to all meetings and the issue of a report under the Local Government and Housing Act 1989 and related legislation.

2. The previous draft was compiled from a number of examples found on the websites of other Councils. These were then “tailored” to the particular approach adopted at this Council. However, apart from the reservations expressed by the Panel, the previous version was not based on a model form provided by the Audit Commission previously. On further checking of websites, it is apparent that many Councils have adopted the model protocol suggested by District Audit without major alteration.

3. There are also protocols for the Council’s two other Statutory Officers (Chief Financial Officer and Head of Paid Service) which are promoted by the Audit Commission and based on a similar format as the Monitoring Officer’s.

4. The protocols set out the following:

(a) the basic statutory responsibilities of each Statutory Officer;

- (b) their working arrangements;
 - (c) schedules listing their statutory responsibilities in detail.
5. It is suggested that the Standards Committee be consulted about these protocols.
 6. The final adoption of these protocols is a matter for the Council.