



NORWICH
City Council

Committee Name: Council

Committee Date: 29/06/2021

Report Title: Appointment of the monitoring officer

Portfolio:	Cllr Kendrick
Report from:	Executive director of corporate and commercial services
Wards:	All wards
OPEN PUBLIC ITEM	

Purpose

To consider the appointment of the monitoring officer.

Recommendation:

To appoint Leah Mickleborough as monitoring officer for Norwich City Council

Policy Framework

The Council has three corporate priorities, which are:

- People living well
- Great neighbourhoods, housing and environment
- Inclusive economy

This report meets all the corporate priorities.

Report Details

1. The monitoring officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989.
2. The main functions of the monitoring officer are:
 - (a) Following consultation (wherever possible) with the Chief Executive (as Head of Paid Service) and the Chief Finance Officer, to report to the council and to the cabinet in any case where s/he is of the opinion that any proposal or decision of the authority has given rise to, or is likely to, or would give rise to any illegality, maladministration or breach of statutory code under Sections 5 and 5A of the Local Government and Housing Act 1989; (LGHA 89).
 - (b) To investigate any matter which s/he has reason to believe may constitute, or where s/he has received an allegation that a matter may constitute, a reportable incident under Sections 5 and 5A of the LGHA 89.
 - (c) To investigate complaints against members in regards to the code of conduct and in accordance with the council's standards provisions.
 - (d) To undertake, with others, investigations in accordance with the council's whistleblowing procedures.
 - (e) Providing urgent dispensations for members' interests.
3. Nplaw currently has an agreement with the council to provide legal support until the permanent appointment was made to the new head of legal and procurement who is appointed as Monitoring officer at this meeting and will be in post in July 2021.
4. Following a national campaign, and member panel, Leah Mickleborough has been successfully appointed to the role and will officially start in her post as head of legal and procurement on the 19 July 2021.
5. The portfolio holder and cabinet members were consulted.

Implications

Financial and Resources

6. The monitoring officer is incorporated into the head of legal and procurement role. There are no proposals in this report that would reduce or increase resources.

Legal

7. The monitoring officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989.

Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	Neutral impact
Health, Social and Economic Impact	Neutral impact
Crime and Disorder	Neutral impact
Children and Adults Safeguarding	Neutral impact
Environmental Impact	Neutral impact

Risk Management

Risk	Consequence	Controls Required
Include operational, financial, compliance, security, legal, political or reputational risks to the council	No risk	Not applicable

Other Options Considered

8. Not applicable

Reasons for the decision/recommendation

9. The council is required to appoint a monitoring officer outlined as council function in the constitution.
10. The monitoring officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989.

Background papers: Not applicable

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