

Report to Council
27 November 2018
Report of Chief executive officer
Subject Appointment of a deputy monitoring officer

Item

8

Purpose

To consider appointing a deputy monitoring officer to provide further resilience for the Council

Recommendation

To appoint Anton Bull, Bob Cronk, Dave Moorcroft and Nikki Rotsos as a deputy monitoring officers.

Corporate and service priorities

The report helps to meet the corporate priority value for money services

Financial implications

There are no direct financial implications from this report.

Ward/s: All Wards

Cabinet member: Councillor Kendrick - Resources

Contact officers

Laura McGillivray, chief executive

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Background documents

None

Report

1. On 22 March 2016 Council resolved to appoint Rachel Crosbie as the monitoring officer.
2. Article 12 of the Constitution states that the monitoring officer will be a senior solicitor from nplaw and nominated deputies.
3. Article 12 of the Constitution also states that monitoring officer cannot be the Chief Finance Officer or the head of paid service.
4. Appendix 9B of the Constitution states that the responsibilities of the monitoring officer and deputy monitoring officers' roles rest with Rachel Crosbie and the other nominated officers at nplaw.

Requirement for a deputy monitoring officer outside of nplaw

5. nplaw is a shared legal service hosted by Norfolk County Council.
6. Occasionally nplaw may identify conflicts of interest. Where a conflict of interest is identified the monitoring officer and her nominated deputies at nplaw may not be able to act on behalf of Norwich City Council.
7. If the monitoring officer and her nominated deputies at nplaw are not able to act on behalf of Norwich City Council this would leave the council without monitoring officer oversight.
8. There is therefore a need to identify and appoint a deputy monitoring officer outside of nplaw to be able to act in the event that nplaw identify a conflict of interest.
9. This will provide resilience for the council on the rare occasions this becomes necessary.

Identifying and appointing deputy monitoring officers

10. In this case the deputy monitoring officer should be an employee of Norwich City Council. This will minimise the risk of any further potential conflict of interest.
11. The proposal is therefore to appoint the current directors as deputy monitoring officers. In the event of any of the directors needing to act as a deputy monitoring officer, the director who acts will be one who has no direct connection to the matter being considered.

Support for the identified deputy monitoring officers

12. Whilst it is not a pre-requisite to be a qualified solicitor to be a monitoring officer or deputy monitoring officer, a legal background is likely to provide the core skills for a monitoring officer or deputy monitoring officer.

13. As the proposed officers are not qualified solicitors the council will make available to the deputy monitoring officers access to a qualified solicitor outside of nplaw to be able to provide guidance and support to enable the deputy monitoring officers to fulfil their duties.

Integrated impact assessment



NORWICH
City Council

The IIA should assess **the impact of the recommendation** being made by the report
Detailed guidance to help with the completion of the assessment can be found [here](#). Delete this row after completion

Report author to complete

Committee:	Council
Committee date:	27 November 2018
Director / Head of service	Anton Bull
Report subject:	Appointment of a deputy monitoring officer
Date assessed:	19/11/2018

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>S17 crime and disorder act 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Impact			
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Natural and built environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments

	Impact			
Risk management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Appointing deputy monitoring officers within the council will reduce the risk of no monitoring officer cover in the event of a conflict of interest for nplaw

Recommendations from impact assessment	
Positive	
Negative	
Neutral	
Issues	