

To: Council
Date: 17 May 2023
Report of: Interim Head of Law and Governance
Title of Report: Designation of Monitoring Officer

Summary and recommendations	
Purpose of report:	To designate the Council's Monitoring Officer
Key decision:	No
Cabinet Member with responsibility:	Councillor Susan Brown, Leader of the Council
Corporate Priority:	All
Policy Framework:	N/A
Recommendation(s): That the Council resolves to:	
1. Designate the newly appointed Head of Law & Governance as the Council's Monitoring Officer with effect from their start date	

Appendices	
Appendix A	[EXEMPT] Name of Preferred Candidate

Introduction

1. The current Interim Head of Law and Governance, Rhian Davies joined the Council on 03 April 2023 having been designated Interim Monitoring Officer by Council on 20 March 2023, with effect from 03 April 2023.

Designation of Monitoring Officer

2. The Council has a duty under *section 5(1) of the Local Government and Housing Act 1989* to designate one of its officers as the Monitoring Officer to be responsible for specified statutory functions. The Monitoring Officer may not be the Head of Paid Service nor the section 151 Officer.
3. The Council's Constitution Part 9.2 states that the Head of Law and Governance is the Monitoring Officer. However, the designation of the Head of Law and Governance to the statutory role of Monitoring Officer is not automatic in law and the designation must be confirmed by Council.

4. The duties and responsibilities of the Monitoring Officer are summarised in Part 9 of the Council's Constitution.
5. The Appointments Committee is responsible for undertaking the recruitment and selection process for the designated Monitoring Officer (Head of Law and Governance) and for making a recommendation to the Council (Constitution Parts 7.8(a) and (c)).
6. The Appointments Committee met on 10 and 16 May 2023 to undertake a recruitment process and selected a preferred candidate for the permanent role of Head of Law and Governance.
7. Part 20.6 of the Constitution requires that before an offer of appointment is made to the post of Head of Law and Governance, Cabinet Members must be notified of the proposed appointment and given a period of time in which to raise objections. The appointment is subject to the appointor being satisfied that any objection raised is not material nor well-founded. Cabinet Members were informed of the proposed appointment of the preferred candidate as Head of Law and Governance on 16 May 2023 and no objections were raised by the response deadline.
8. Subject to the above, the Appointments Committee resolved to recommend to Council to designate the successful candidate as Monitoring Officer with effect from their start date.
9. It is anticipated that the successful candidate will begin their role with Oxford City Council after their three months' notice period with their current employer has elapsed, working on a full-time basis of 5 days per week.

Financial implications

10. The Head of Law and Governance / Monitoring Officer is an established post and the salary for the permanent role is within the agreed budget.

Legal issues

11. The legal requirements for the Council to have an officer correctly appointed to and holding the role of Monitoring Officer is set out in this report. The role of Monitoring Officer does not need to be held by an employee of Oxford City Council in law.

Equalities impact

12. The recruitment process for the permanent role of Head of Law and Governance was undertaken in compliance with the Council's policies and usual procedures around recruitment which are aimed at ensuring equality in recruitment.

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Background Papers: None

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