

BOROUGH OF KETTERING

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Report Originator	Graham Soulsby Managing Director	<i>Fwd Plan Ref No:</i>	
Wards Affected	All	12 th December 2018	
Title	DESIGNATION OF MONITORING OFFICER		

1. PURPOSE OF REPORT

To formally approve changes to the Statutory Officer and Proper Officer designations, to enable the Council to comply with legislative requirements.

2. INFORMATION

- 2.1 The Council has three key statutory officer posts for which Council must formally approve which officers are designated into which posts. The three posts are: -
- Head of Paid Service
 - Statutory Finance Officer (s151)
 - Monitoring Officer
- 2.2 At its meeting on 28th February 2018, the council confirmed the appointment of Helen Edwards, Head of Democratic and Legal Services, as Monitoring Officer.
- 2.3 The Council must appoint a Monitoring Officer to ensure that it complies with statutory requirements. The Monitoring Officer is a statutory appointment pursuant to s5 of the Local Government & Housing Act 1989, and should be a senior member of staff.
- 2.4 Helen Edwards has resigned as the Head of Democratic and Legal Services and her last working day will be 30th January 2019. It is proposed that Martin Hammond, Executive Director, be appointed as Monitoring Officer, with effect from 31st January 2019. Mr Hammond has previously acted as Interim Monitoring Officer prior to Mrs Edwards.
- 2.5 Martin Hammond will be responsible for appointing his own Deputy Monitoring Officer.
- 2.6 Historically, the Head of Legal and Democratic Services also had a number of proper officer functions (i.e. those delegated statutory powers held as the post holder), which need to be re-allocated to other officers. It is proposed to allocate these roles, as follows:-

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Function	To be allocated from HDLS to:
Data protection and freedom of information	Executive Director (LH)
Constitutional functions	Executive Director (MH)
Receipt/authentication/certification/signature/sealing of documents including as parish trustee for a parish meeting	Any Member of the Strategic Management Team or their authorised nominee
Any specific delegated function which refers to the need to consult the Head of Legal and Democratic Services	Executive Director (MH) and Interim Legal Services Manager

3. LEGAL IMPLICATIONS

3.1 As outlined in the report.

4. RECOMMENDATIONS

That the Council: -

- 4.1 Appoint Martin Hammond as the Council's Monitoring Officer under the provisions of s5 of the Local Government & Housing Act 1989) with effect from 31st January 2019.
- 4.2 Approve the allocation of Proper Officer functions as set out in the report above.

Background Papers: None

Previous Minutes/Reports: Council report February 2018