

## **COUNCIL MEETING – 11 DECEMBER 2018**

### **APPOINTMENT OF MONITORING OFFICER**

#### **1.0 Purpose of Report**

1.1 This report proposes the appointment of Karen White as the Council's Monitoring Officer.

#### **2.0 Background Information**

2.1 Under Section 5 of the Local Government and Housing Act 1989, the Council has a duty to appoint a Monitoring Officer.

2.2 The appointment is a matter reserved for Full Council and the Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's constitution and the arrangements for effective governance. These duties include:-

- To report on matters she/he believes are, or are likely to be, illegal or amount to maladministration.
- To be responsible for matters relating to the conduct of Councillors and Officers.
- To be responsible for the operation of the Council's Constitution.

2.3 As members will be aware Kirsty Cole, the Council's current Monitoring Officer, leaves the Council on 31 December 2018, after serving Newark & Sherwood for 36 years.

2.4 Neither the Head of Paid Service (Chief Executive) nor the Chief Finance Officer can hold the position of Monitoring Officer. Although many Councils appoint their most senior Legal Officer as their Monitoring Officer, this is not a specific requirement. However, whoever is appointed must ensure that the Council receives correct and appropriate advice on the lawfulness of its decision making.

#### **3.0 Proposals**

3.1 It is proposed that Karen White be appointed the Council's Monitoring Officer. Karen undertook the role on an interim basis while Kirsty Cole was Acting Chief Executive and has been the Deputy Monitoring Officer for a significant number of years. Karen is a qualified solicitor and considered to have the appropriate skills, experience and ability to undertake the role of Monitoring Officer.

#### **4.0 Financial Implications**

4.1 Costs associated with the appointment of a Monitoring Officer will be met from existing salary budgets.

#### **5.0 RECOMMENDATION**

**That Karen White be appointed as the Council's Monitoring Officer with effect from 1 January 2019.**

Background Papers

None.

For further information please contact John Robinson on 01636 655200

John Robinson  
Chief Executive