

SLOUGH BOROUGH COUNCIL

**REPORT TO:** Council DATE: 19<sup>th</sup> December 2017

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**WARDS:** All

**PART I**  
**FOR DECISION**

**DESIGNATION OF INTERIM MONITORING OFFICER**

**1 Purpose of Report**

This report seeks to designate the Council's Monitoring Officer.

**2 Recommendation**

The Council is requested to resolve that Hugh Peart is designated as the Council's Interim Monitoring Officer with effect from 1<sup>st</sup> January, 2018.

**3 Slough Joint Wellbeing Strategy Priorities**

The Monitoring Officer, along with the Head of Paid Service and the Section 151 Officer perform the Council's principal Statutory Officer functions. These roles are key to ensuring lawfulness, fairness, probity and general good governance that support the Council in achieving its aims. It is important that they work effectively together yet maintain appropriate independence and that the roles are undertaken by adequately skilled and experienced staff supported by appropriate resources.

**4 Other Implications**

(a) Financial

The cost of this arrangement will be contained within existing budgets in the Finance & Resources Directorate.

(b) Human Rights Act and Other Legal Implications

The designation of a Monitoring Officer is a statutory requirement under Section 5 of the Local Government & Housing Act 1989. The Council has the right to designate and appoint the Monitoring Officer and to give three months notice to the Monitoring Officer if it wishes to re-designate the post.

## **5 Supporting Information**

- 5.1 At its meeting on 27<sup>th</sup> September, 2016 Council appointed Linda Walker as its Interim Monitoring Officer. Linda Walker subsequently appointed Hugh Peart as Deputy Monitoring Officer.

At its meeting on 28<sup>th</sup> November Council received a proposal for Sushil Thobani to be designated as the Monitoring Officer. This was deferred to enable consideration to be given to whether the proposed arrangements were sufficiently robust and well resourced to deal with the volume of work associated with the role.

The workload of the current Interim Monitoring Officer has been particularly high since her appointment. It is hoped that this will reduce over time but at present there is still a considerable amount of work to be completed. Sushil Thobani has not held the role of Monitoring Officer before and the workload of his post is also extremely high, even disregarding Monitoring Officer duties. It is considered that a period of time in which he is not required to carry out the Monitoring Officer duties will allow him to step into the role in time and be fully effective in the post.

- 5.2 It is therefore now proposed to designate Hugh Peart as Slough's Interim Monitoring Officer. Hugh has a wide experience of Monitoring Officer issues, and there is capacity within the practice he runs, HB Public Law, to deal with the current work volume. Since his appointment as Deputy Monitoring Officer, Hugh has commenced a review of Slough's Governance which is already leading to improvements.
- 5.3 This arrangement will be kept under review to ensure Slough is best served and to ensure seamless working within the wider Governance Team.
- 5.4 The Council's Monitoring Officer has a number of functions which are defined within the Council's Constitution. These include; ensuring lawfulness and fairness of decision making, supporting the Audit and Corporate Governance Committee, receiving reports, conducting investigations, ensuring access to information, advising whether executive decisions are within the budget and policy framework and maintaining the Constitution.
- 5.5 If designated, the Interim Monitoring Officer will nominate Sushil Thobhani as Deputy Monitoring Officer.
- 5.6 Linda Walker will remain employed by Slough until 31<sup>st</sup> January, 2018 to complete current matters and ensure a proper handover.

## **6 Conclusion**

The role of the Monitoring Officer is an important element in the Council's structure and processes. The arrangements outlined in this report will ensure that there is both the experience and capacity to fully discharge the role.

## **7 Background Papers**

None.