



Council Meeting – 23 May 2011

Report Title: **Appointment of Monitoring Officer**

Report of: **CHIEF EXECUTIVE**

Wards(s) affected: **All**

Report for: **Non - key**

1. Purpose

1.1 To appoint a Monitoring Officer

2. Recommendations

2.1 That the Acting Head of Legal Services be appointed as the Council's Monitoring Officer with effect from 24 May 2011 until permanent recruitment to the post of Head of Legal Services.

Report Authorised by: **Chief Executive**

Contact Officer: **Ken Pryor, Deputy Head of Member Services.**
Tel: 0208 489 2915

3. Executive Summary

3.1 The Council must appoint a Monitoring Officer for performing the duties imposed by section 5 of the 1989 Local Government and Housing Act.

4. Reasons for any change in policy or for new policy development (if applicable)

N/A

5. Local Government (Access to Information) Act 1985

1. The following papers have been used in the preparation of this report and can be inspected at River Park House, 225 High Road Wood Green, London, N22 8HQ by

contacting Ken Pryor on 020 8489 2915.

The Council's Constitution

6. Background

- 6.1 The current Monitoring Officer and Head of Legal Services, John Suddaby, is due to retire shortly and is currently on flexible retirement.
- 6.2 The 1989 Local Government and Housing Act states that a duty of the authority is "to designate one of their officers (to be known as "monitoring officer") as the officer responsible for performing the duties imposed by section 5 of the Act.
- 6.3 Section 5A (10) goes on to state that " The duties of an authority's monitoring officer under this section shall be performed by him personally or, where he is unable to act owing to absence or illness, personally by such member of his staff as he has for the time being nominated as his deputy for the purposes of this section."
- 6.4 The Acting Head of Legal Services is presently Deputy Monitoring Officer but, in order to satisfy the Act, it is recommended that Bernie Ryan is designated Monitoring Officer with effect from 24 May 2011 until such time as a new Head of Legal Services takes up post. He will also undertake the role of Acting Head of Legal Services until the new Head of Service takes up post. He has been Acting Head of Legal Services since 18 April 2011.
- 6.5 . The constitution at Part 2 Article 12 identifies the Monitoring Officer as one of three key posts that the Authority must appoint.

7. Comments and the Head of Legal Services and Monitoring Officer

- 7.1 The Council must by law appoint a single officer with overall responsibility for performing the duties imposed by section 5 of the 1989 Local Government and Housing Act.