

MONITORING OFFICER PROTOCOL

1. The Monitoring Officer undertakes to discharge his or her responsibilities outlined in this protocol in a manner which will enhance the reputation of the Council. In general terms his or her ability to discharge these duties depends on excellent working relations with colleagues and Members but also the flow of information and access to debate particularly at early stages.
2. The following arrangements between the Monitoring Officer and colleagues and Members are designed to help ensure the effective discharge of their functions:
 - (a) If not a member of the Senior Management Team, the Monitoring Officer will have advance notice of those meetings, agendas and reports and the right to attend and speak.
 - (b) Advance notice of meetings whether formal or informal between the Chief Executive, Strategic Directors or Heads of Service and members of the Cabinet or Committee Chairs will be given to the Monitoring Officer where any procedural, vires or other constitutional issues are likely to arise.
 - (c) The Chief Executive, Strategic Directors and Heads of Service will alert the Monitoring Officer to all emerging issues of concern including legality, probity, vires and constitutional issues.
 - (d) The Monitoring Officer or his or her staff will have copies of all Council, Cabinet and committee reports to Members.
 - (e) The Monitoring Officer is expected to develop good liaison and working relations with the Standards Board for England, the Audit Commission, the External Auditor and the Local Government Ombudsman including the giving and receiving of relevant information whether confidential or otherwise.
 - (f) The Monitoring Officer will have a special relationship with the Mayor, the Chairs of the Standards and Scrutiny Committees and will ensure the Head of Paid Service and Chief Financial Officer have up-to-date information regarding emerging issues.
 - (g) The Monitoring Officer will be expected to make enquiries into allegations of misconduct in the absence of a written complaint being received by the Standards Committee and if appropriate will make a written report to the Standards Committee unless the Monitoring Officer considers a report is not warranted.
 - (h) The Head of Paid Service, Chief Financial Officer and Monitoring Officer will meet regularly to consider and recommend action in

connection with current governance issues and other matters of concern regarding probity.

- (i) In carrying out any investigation, the Monitoring Officer will have unqualified access to any information held by the Council and any employee who can assist in the discharge of his or her functions.
- (j) The Monitoring Officer will have control of a budget sufficient to enable him or her to seek Counsel's opinion on any matter concerning his or her functions.
- (k) The Monitoring Officer will be responsible for preparing a training programme for Members on the ethical framework subject to the approval of the Standards Committee.
- (l) The Monitoring Officer will report to the Council from time to time on the Constitution and any necessary or desirable changes following consultation in particular with the Head of Paid Service and Chief Financial Officer.
- (m) In consultation with the Mayor and Standards Board for England, the Monitoring Officer may defer the making of a formal report under Section 5 of the Local Government and Housing Act 1989 where another investigative body is involved.
- (n) The Monitoring Officer will make a report to the Council from time to time as necessary on the staff, accommodation and resources he or she requires to discharge his or her functions.
- (o) The Monitoring Officer will appoint a deputy and keep him or her briefed on emerging issues.
- (p) The Monitoring Officer will make arrangements to ensure good communication between his or her office and Clerks to Parish/Town Councils.