

PERSONNEL COMMITTEE – 20TH AUGUST 2008

Report of the Chief Executive

ITEM 4 APPOINTMENT OF INTERIM MONITORING OFFICER

Purpose of the Report

To recommend to Council the interim arrangements for covering the role of Director of Governance and Procurement, which incorporates the statutory role of Monitoring Officer.

Recommendations

1. That Keith Ireland be appointed as the Interim Director of Governance and Procurement, with effect from 17 September 2008 until such time as his agency agreement is terminated, and that the Monitoring Officer and other responsibilities of the current Director of Governance and Procurement will cease from that date.
2. That Council be asked to confirm that the Director of Governance and Procurement, whether in a permanent or interim capacity, is the Monitoring Officer for the Council.

Reasons

1. To ensure that the council has adequate senior management resources to discharge its functions effectively.
2. To meet the requirement of the Local Government and Housing Act 1989 for the Council to appoint one of its officers as Monitoring Officer – who has a statutory role and statutory responsibilities.

Background

The post of Director of Governance and Procurement is currently held by Karen Sullivan.

Karen will be leaving Charnwood Borough Council with effect from 30th September 2008. However due to holiday commitments Karen's last day in the office will be 16th September. Thereafter she will be unavailable to exercise her responsibilities as Monitoring Officer until she leaves the Council at the end of the month. It is therefore necessary to make interim arrangements until a permanent appointment can be made and a new member of staff takes office.

A number of options have been considered in terms of re-assignment of an existing Director or Head of Service, leaving the post vacant and splitting the role of Director of Governance and Procurement from the Monitoring Officer role. The final option and the one being recommended is for the role of Director of Governance and Procurement to be covered under interim management arrangements.

The Council has currently engaged Gatenby Sanderson in the provision of cover for the Director of Programmes and Resources. The interim covering this role is Keith Ireland, who will be familiar to Members. Keith has extensive local government experience and has held a number of senior management roles including that of Assistant Chief Executive in a district and Corporate Director in a unitary. Keith also has extensive experience of managing large scale projects, creating cultural change, leading a diverse range of service provision including Legal Services, Performance and Procurement activities. Since appointment at Charnwood Keith has tackled a number of issues including delivery of the corporate plan (Cabinet 25th September), resolving some longstanding land issues, addressing sickness, turnover and vacancy issues and teambuilding within the Programmes and Resources Directorate. Keith has also overseen the project arrangements to ensure that consideration is given to a potential in-house bid for waste management when the contract is re-let in 2009.

With relevant experience and having delivered an important agenda at Charnwood Borough council, Keith Ireland is being recommended to the Personnel Committee to cover the position of Director of Governance and Procurement, including the Monitoring Officer role on an interim basis with effect from 17th September 2008.

Appointing an interim senior manager is normally a straightforward exercise. However when it is one of the statutory roles such as the Monitoring Officer this becomes somewhat more complicated and the Council must ensure that the interim appointee is able to discharge the statutory roles of the Monitoring Officer. It is also desirable for the interim appointee to personally exercise the functions delegated to the Director of Governance and Procurement. In order to perform these roles and functions the appointee must be an officer of the Council. In making the appointment the Council has entered into an interim arrangement which satisfactorily meets that requirement.

Legal advice has been sought and on the basis of this advice there does not appear to be a problem with a person acting on an interim/agency basis performing the role of an officer under the relevant legislation if the Council wishes.

Financial Implications

This appointment will result in additional costs of £34,000 which will need to be met within the Directorate or provided for at revised budget stage.

Risk Management

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
The post of Monitoring Officer is not covered and the Council has no Monitoring Officer	low	high	To appoint an interim senior manager to cover the post of Director of Governance and Procurement.
A challenge to the ability of the Director of Governance & Procurement to authorise legal action	low	high	Legal advice supports the council position so no further actions planned.

Background Papers: None

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