

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR CORE SERVICES

TITLE: APPOINTMENT OF AN INTERIM MONITORING OFFICER IN ACCORDANCE WITH SECTION 5 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989

REPORT TO:	Full Council
Date of Meeting	29 February 2024
Cabinet Member Portfolio	Core Services
Key Decision	No
Public or Private	Public

Purpose of report

To appoint to the position of Monitoring Officer following the departure of Sukdave Ghuman with effect from 1 April 2024.

Council Plan priority

Enabling Barnsley

Recommendation

In accordance with Section 5 of the Local Government and Housing Act 1989, Kate Charlton be appointed the Council's Interim Monitoring Officer with effect from 1 April 2024, for a period until the role is recruited to on a permanent basis.

1. INTRODUCTION

- 1.1 In accordance with Section 5 of the Local Government and Housing Act 1989 (as amended) the Council is required by law to appoint a Monitoring Officer.
- 1.2 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 maintaining the constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct.
- 1.3 Sukdave Ghuman, the Council's Monitoring Officer and Service Director – Law and Governance, will end his employment with the Council on 1 April 2024. Until a permanent appointment has been made to a successor to the role, Kate Charlton – Interim Service Director Law and Governance has been

recommended to fulfil the role of Monitoring Officer on an interim basis.

2. PROPOSAL

It is recommended that in accordance with Section 5 of the Local Government and Housing Act 1989, Kate Charlton be appointed the Council's Interim Monitoring Officer with effect from 1 April 2024, for a period until the role is recruited to on a permanent basis.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

Not applicable.

3.2 Legal

The statutory requirement to appoint a Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989

3.3 Equality

Not applicable.

3.4 Sustainability

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Not applicable.

3.5 Employee

Not applicable.

3.6 Communications

Not applicable.

4. CONSULTATION

Not applicable.

5. ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

6. REASONS FOR RECOMMENDATIONS

6.1 The role of Monitoring Officer is statutory, therefore not to appoint would subject the Council to legal challenge.

7. GLOSSARY

None.

8. LIST OF APPENDICES

None.

9. BACKGROUND PAPERS

None.

10. REPORT SIGN OFF

Financial consultation & sign off	Collette Tyrell 21 February 2024
Legal consultation & sign off	Sukdave Ghuman 21 February 2024

Report Author: Wendy Popplewell
Post: Executive Director – Core Services
Date: 21 February 2024