

PROTOCOL FOR THE MONITORING OFFICER

1. The Monitoring Officer undertakes to discharge their responsibilities outlined in this paper with determination and a manner which will enhance the reputation of the Council. In general terms, their ability to discharge these duties depends on excellent working relations with colleagues and Members, but also on the flow of information and access to debate, particularly at early stages.

2. The following arrangements and understandings between Monitoring Officers and colleagues and Members are designed to help ensure the effective discharge of their functions:
 - (a) if not a member of the Management Team, the Monitoring Officer will have advance notice of those meetings and agenda and reports and the right to attend and speak;

 - (b) advance notice of meetings between Chief Officers and members of the Executive or Committee Chairmen will be given to the Monitoring Officer where any procedural, vires or other constitutional issues are likely to arise;

 - (c) Chief Officers will alert the Monitoring Officer to all emerging issues of concern including legality, probity, vires, and constitutional issues;

 - (d) the Monitoring Officer or their staff will have copies of all reports to Members;

 - (e) the Monitoring Officer is expected to develop good liaison and working relations with the District Auditor and the Ombudsman, including the giving and receiving of relevant information whether confidential or otherwise;

 - (f) the Monitoring Officer will have a special relationship with the Chairman of the Council and the Chairmen of the Standards and Overview and Scrutiny Committees, and will ensure that the Head of Paid Service and Chief Finance Officer (s151 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 and, if appropriate, will make a written report to the Standards Committee unless he and the Chairman of the Standards Committee agree that a report is not warranted;
- (h) the Head of Paid Service, Chief Finance Officer (s151 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 (whether under regulations or otherwise), the Monitoring Officer will have unqualified access to any information held by the Council and any employee who can assist in the discharge of their functions;
- (j) the Monitoring Officer will have control of a budget sufficient to enable them to seek counsel's opinion on any matter concerning their 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 Finance Officer (s151 officer);
- (m) in consultation with the Chairman of the Council, 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 reports to the Council from time to time, as necessary, on the staff, accommodation, and resources they require to discharge their functions;

- (o) the Monitoring Officer will appoint a deputy and keep them briefed on emerging issues;

- (p) the Monitoring Officer will make arrangements to ensure good communication between their office and Clerks of parish councils.