

Rother District Council

Report to:	Cabinet
Date:	13 December 2021
Title:	Designation of Monitoring Officer and Chief Finance Officer
Report of:	Malcolm Johnston, Chief Executive
Cabinet Member:	Councillor Oliver
Ward(s):	-
Purpose of Report:	To confirm the named appointments to the roles of Monitoring Officer, Deputy Monitoring Officer and Chief Finance Officer (Section 151 Officer).
Decision Type:	Non-Key
Officer Recommendation(s):	Recommendation to COUNCIL: That Lorna Ford, Deputy Chief Executive be designated as the Council's Monitoring Officer and Lisa Cooper be designated as the Council's Deputy Monitoring Officer with effect from 17 January 2022 and Antony Baden be designated as the Council's Chief Finance Officer (Section 151 Officer) with effect from 1 January 2022 or an earlier date as agreed by the Chief Executive.
Reasons for Recommendations:	To enable Rother District Council to approve the designation of the Monitoring Officer, the Deputy Monitoring Officer and the Chief Finance Officer (Section 151 officer).

Introduction

1. The posts of Monitoring Officer (MO) and Chief Finance Officer (CFO) (Section 151 Officer) are two of the three statutory posts which authorities are required to have (the Chief Executive being the third).
2. Following the senior officer restructure and the recent recruitment exercise to appoint to the new Deputy Chief Executive (DCE) post, this report confirms the appointment to the posts of MO (Lorna Ford) and CFO (Section 151 Officer) (Antony Baden) and the re-introduction of a Deputy Monitoring Officer (DMO) role (Lisa Cooper). The Council has already agreed that under the new structure, the DCE post would be designated the MO and the Finance Manager post would be designated the CFO (Section 151 Officer).

Background

3. The functions and duties of the MO were originally set down in the Local Government and Housing Act 1989 as the preparation of reports for consideration by the Council where it appeared that any proposal, decision or

omission by the Council had given rise to, or was likely to give rise to a contravention of any statute or maladministration. The executive and ethical framework introduced by the Local Government Act 2000 and as amended by the Localism Act 2011 brought with it additional roles to the post of MO in terms of advice on issues in relation to the policy framework of the Council and the promotion and maintenance of high standards of conduct within the authority and in relation to the ethical framework of the Parishes and Town Councils of the District. Following a successful recruitment exercise, Lorna Ford has been appointed as the DCE and will therefore be designated as the Council's MO.

4. Prior to April 2018, the Council had a designated DMO, which is recommended as good practice. This position is being re-introduced to assist with the implementation of the new structure; the DCE post needs to be able to focus on the transformational change of the Council and will require support in the MO role. The current MO, Lisa Cooper is therefore to be designated as DMO with effect from 17 January 2022 and will work under the direction of the MO.
5. Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a CFO to have responsibility for those arrangements. Following full implementation of the agreed new senior structure, the post of Assistant Director, Resources, which was previously designated as the CFO will be deleted from the structure. Whilst Council has already agreed that the role of CFO would be undertaken by the Council's Finance Manager, it is proposed that Antony Baden will formally take on this role with effect from 1 January 2022 or an earlier date if appropriate as agreed by the Chief Executive.

Financial Implications

6. There are no financial implications for the proposals within this report.

Legal Implications

7. Unlike the Chief Executive, there is no statutory requirement for full Council to approve appointment to these statutory posts, but this is common practice in respect of the MO and CFO posts across many authorities. It also provides openness and transparency as to who is fulfilling these statutory posts.

Human Resources Implications

8. There are no Human Resource implications for the proposals within this report.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	No	Access to Information	No
Risk Management	No	Exempt from publication	No
Report Contact Officer:	Malcolm Johnston, Chief Executive		
e-mail address:	malcolm.johnston@rother.gov.uk		
Appendices:	None		
Relevant Previous Minutes:	None		
Background Papers:	None		
Reference Documents:	None		