

PROTOCOL FOR THE ROLE OF THE MONITORING OFFICER

1. The Monitoring Officer undertakes to discharge his or her role with determination and 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 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 Strategic Management Team Monitoring Officers will have advance notice of those meetings and agenda and reports and the right to attend and speak;
 - (b) Advance notice of meetings whether formal or informal between Chief Officers and members of the Executive Committee or Chairmen will be given to Monitoring Officers where any procedural, *vires* or other constitutional issues are likely to arise;
 - (c) Strategic Management Team and Heads of Service will alert the Monitoring Officer to all emerging issues of concern including legality, probity, *vires* and other constitutional issues;
 - (d) Monitoring Officers and their deputies will have copies of all reports to members;
 - (e) Monitoring Officers are expected to develop good liaison and working relations with the Standards Board, the District Auditor and the Ombudsman, including the giving and receiving of relevant information whether confidential or otherwise;
 - (f) Monitoring Officers will have a special relationship with the Chairman of the Council, Chairman of the Standards and Overview and Scrutiny Committees and will ensure the Head of the Paid Service and Chief Financial Officer have up-to-date information regarding emerging issues;
 - (g) Monitoring Officers will be expected to make enquiries into allegations of misconduct in the absence of a written complaint being received by the Standards Board and if appropriate will make a written report to the Standards Committee unless the Monitoring Officer and Chair of Standards Committee agree a report is not warranted;
 - (h) The Head of the 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 (whether under Regulations or otherwise) Monitoring Officers will have unqualified access to any information held by the Council and any employee who can assist in the discharge of their functions;
 - (j) Monitoring Officers will have control of a budget sufficient to enable him to seek Counsel's opinion on any matter concerning their functions;
 - (k) Monitoring Officers will be responsible for preparing a training programme for Members on the ethical framework, subject to the approval of the Standards Committee;
 - (l) Monitoring Officers will report to Council from time to time on the Constitution and any necessary or desirable changes following consultation, in particular with the Head of the Paid Service and Chief Financial Officer;
 - (m) In consultation with the Chairman of the Council and Standards Board, Monitoring Officers may defer the making of a formal report under Section 5 LGHA 1989 where another investigative body is involved;
 - (n) Monitoring Officers will make a report to the Council, as necessary, on the staff, accommodation and resources they require to discharge their functions;
 - (o) The Monitoring Officer will appoint a deputy and keep him or her briefed on emerging issues;
 - (p) Monitoring Officers will make arrangements to ensure good communication between their office and Clerks to Parish Councils.