

# Protocol Between the District Council And Its Monitoring Officer

1. The Monitoring Officer undertakes to discharge his or her responsibilities outlined in this paper 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 the Monitoring Officer and colleagues and members are designed to help ensure the effective discharge of his/her functions:-
  - (a) If not a member of the Alliance Management Team (AMT) the Monitoring Officer will have advance notice of their meetings and agenda and reports and the right to attend and speak.
  - (b) Advance notice of meetings whether formal or informal between members of AMT and members of the Cabinet or Panel or Committee Chairmen will be given to the Monitoring Officer where any procedural, legal or other constitutional issues are likely to arise.
  - (c) Members of AMT will alert the Monitoring Officer to all emerging issues of concern including legality, probity, vires and constitutional issues.
  - (d) The Monitoring Officer or his/her staff will have copies of all reports to members.
  - (e) The Monitoring Officer is expected to develop good liaison and working relations with the, the External Auditor and the Ombudsman including the giving and receiving of relevant information whether confidential or otherwise.
  - (f) The Monitoring Officer will have a professional relationship with the Chairman of the Council, Chairman of the Standards Committee and Overview and Scrutiny Panels and will ensure the Head of Paid Service and Chief Finance Officer have up to date information regarding emerging issues.
  - (g) The Monitoring Officer will deal with alleged breaches of the Code of Conduct in accordance with the Localism Act 2011 and the Council's agreed arrangements and procedures.
  - (h) The Head of Paid Service, Chief Finance 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 member or employee who can assist in the discharge of his/her functions.
- (j) The Monitoring Officer will have access to a budget sufficient to enable him/her to seek Counsel's opinion on any matter concerning his/her 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 via the Standards Committee and Cabinet 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.
- (m) In consultation with the Chairman of the Council the Monitoring Officer may defer the making of a formal report under Section 5 Local Government and Housing Act 1989 where another investigative body is involved.
- (n) The Monitoring Officer will make a report to the Council from time to time as necessary on the staff, accommodation and resources he/she requires to discharge his/her functions.
- (o) The Monitoring Officer will appoint a deputy and keep him or her briefed on emerging issues.
- (p) The Monitoring Officer will make arrangements to ensure good communication between his/her office and Clerks to Parish Councils.