

Open Report on behalf of David Coleman, Monitoring Officer

Report to:	County Council
Date:	11 May 2018
Subject:	Monitoring Officer's Annual Report 2017-18

Summary:

This Report attaches a brief Annual Report to the Council on a number of governance matters covering the year 2017/18. These relate to the statutory role of the Monitoring Officer and a number of related but separate Senior Responsible Officer roles.

The Council is invited to receive the report. The Monitoring Officer will be pleased to discuss any part of the report with councillors individually.

Recommendation(s):

The Council receives the report.

1. Background

The law requires the County Council to designate one of its senior officers as the Monitoring Officer. Richard Wills, the Executive Director for Environment & Economy, was designated by the Council in February 2014 and commenced his duties on 1 April 2014. On 1 March 2018 the Council designated David Coleman (Chief Legal Officer) as the Monitoring Officer following the designation of Richard Wills as Head of Paid service. The year covered by this Report therefore covers the period of office of two Monitoring Officers.

Under the law and Constitution of this Council, the Monitoring Officer's duties include:

- Maintaining the Council's Constitution;
- Ensuring the Council operate within the law;
- Reporting to relevant people findings of maladministration by the Local Government Ombudsman;
- Promoting and maintaining high standards of conduct within the Council;
- Ensuring that councillors maintain a register of their interests; and that officers declare interests;

In addition the Monitoring Officer acts as:-

- Senior Responsible Person in relation to the operation of the Regulation of Investigatory Powers Act 2000; and
- The Responsible Person for the Council's Confidential Reporting Code.

This Report also covers the responsibilities of the Executive Director for Environment and Economy as the Senior Information Risk Owner (SIRO), a role that aims to assure that data, especially personal data, held by the Council is protected.

2. Conclusion

The Monitoring Officer has prepared an annual report that gathers into one place all the issues that he has to report to councillors together with some relating to other responsible officer roles related to the Council's overall governance. This provides a means to enable councillors to satisfy themselves that the Council is complying with the law and have sight of any issues that should be brought to their attention.

In 2017-18, there were no occasions where the Monitoring Officer had to write a report warning the Council that it might infringe the law. There were no formal hearings for breaches of the Councillor's Code of Conduct. There were 11 findings of maladministration by the Local Government Ombudsman.

The Annual Report, attached as Appendix A, contains other detailed information.

3. Legal Comments:

The Report informs the Council of activities falling within the remit of the Monitoring Officer in the Year 2017/18

4. Resource Comments:

There are no financial implications arising as a result of the acceptance of the recommendation in this report.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

n/a

d) Policy Proofing Actions Required

n/a

6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Monitoring Officer's Annual Report 2017-18

7. Background Papers

The following background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Background Paper	Where it can be viewed
Report to Council dated 19 May 2017 "Monitoring Officer's Annual Report 2016-2017"	Democratic Services

This report was written by David Coleman, Chief Legal Officer and Monitoring Officer who can be contacted on 01522 552134 or david.coleman@lincolnshire.gov.uk.

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