

# REPORT FOR DECISION

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| <b>DECISION OF:</b>   | <b>STANDARDS COMMITTEE</b>   |  |
| <b>DATE:</b>  | <b>4 February 2014</b>   |  |
| <b>SUBJECT:</b>   | <b>Monitoring Officer's Protocol</b>   |  |
| <b>REPORT FROM:</b>   | <b>Assistant Director Legal &amp; Democratic Services</b>  |  |
| <b>CONTACT OFFICER:</b>   | <b>Jayne Hammond</b>   |  |
| <b>TYPE OF DECISION:</b>  | <b>Committee</b>   |  |
| <b>FREEDOM OF INFORMATION/STATUS:</b>   | <b>For publication</b>   |  |
| <b>SUMMARY:</b>   | <b>This report set out proposals for minor amendments to the Monitoring Officer's Protocol</b>                               |  |
| <b>OPTIONS &amp; RECOMMENDED OPTION</b>   | <b>That the Standards Committee note and review the Monitoring Officer's Protocol and approve the recommended amendments</b> |  |
| <b>IMPLICATIONS:</b>  |  |  |
| <b>Corporate Aims/Policy Framework:</b>   | Do the proposals accord with the Policy Framework?<br><br>No   |  |
| <b>Statement by the S151 Officer: Financial Implications and Risk Considerations:</b> | There are no resource or risk implications arising from the recommended amendments.  |  |
| <b>Statement on impact on resources</b>   | None   |  |
| <b>Equality/Diversity implications:</b>   | None   |  |
| <b>Considered by Monitoring Officer:</b>  | Yes  |  |

|                           |     |
|---------------------------|-----|
| <b>Wards Affected:</b>    | All |
| <b>Scrutiny Interest:</b> |     |

## **TRACKING/PROCESS**

## **DIRECTOR:**

| Chief Executive/<br>Strategic Leadership<br>Team | Executive<br>Member/Chair | Ward Members | Partners |
|--|---------------------------|--------------|----------|
|  |                           |              |          |
| Scrutiny Committee                               | Committee                 | Council      |          |
|  | 14.11.11                  |              |          |

### **1.0 Introduction**

1.1 The Monitoring Officer is a statutory appointment pursuant to Section 5 of the Local Government and Housing Act 1989. The role rests with the Assistant Director of Legal and Democratic Services who has to ensure the lawfulness and fairness of corporate decision making, compliance with Codes and Protocols and promote good governance and high ethical standards.

1.2 Having excellent working relations with Members and Officers assists in the discharge of the statutory responsibilities and equally a speedy flow of relevant information and access to the **early stages** of any decision making by the Council will assist in fulfilling these responsibilities.

### **2.0 Protocol**

2.1 A summary list of the Monitoring Officer's responsibilities appears in Appendix 1. The Officer's abilities to discharge these, depends to a large extent on Members and Officers:

- a) complying with the law (including any relevant Codes of Conduct);
- b) complying with general guidance, codes or protocols issued from time to time in accordance with legislation or under the Constitution;
- c) making lawful and proportionate decisions, and
- d) generally not taking action that would bring the Council or their offices/professions into disrepute.

2.2 Appendix 1 sets out amendments to the Protocol. These follow a review of the Constitution and general updating following the passage of the Localism Act 2011.

### **3.0 Conclusion**

The Committee is asked to note and approve the minor amendments to the Monitoring Officer's Protocol.

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**List of Background Papers:-**

Monitoring Officer's Protocol

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