

Appendix 1 – Functions of Monitoring Officer

- a) Maintaining the Constitution. The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- b) Ensuring lawfulness and fairness of decision making. After consulting with the head of paid service and chief finance officer, the Monitoring Officer will report to the full Council or to the Cabinet in relation to an executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered. (NB. Any unlawfulness/maladministration relating to a regulatory committee would generate a report to full council).
- c) Supporting the Audit and Standards Committee. The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit and Standards Committee.
- d) Maintaining the Register of Members' Interests. The Monitoring Officer will maintain a register of interests of Members and Co-opted Members of the Council and will ensure that it is available for public inspection and published on the Council's website. The Monitoring Officer will maintain a similar register of interests for Town and Parish Councils within the District including placing the register on that council's website if it has one. The Monitoring Officer will also maintain a register of pecuniary interests which are notified by a Member or Co-opted Member to the Monitoring Officer after arising and being declared at a meeting.
- e) Conducting investigations. The Monitoring Officer will conduct investigations into Code of Conduct matters and make reports or recommendations in respect of them to the Audit and Standards Committee.
- f) Proper officer for access to information. The Monitoring Officer will ensure that executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible and, wherever possible, within 10 working days.
- g) Advising whether executive decisions are within the budget and policy framework. The Monitoring Officer will advise whether decisions of the executive are in accordance with the budget and policy framework.
- h) Providing advice. The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- i) Restrictions on posts. The Monitoring Officer cannot be the chief finance officer or the head of paid service.