

OPEN

Audit and Governance Committee

5 December 2024

Annual Monitoring Officer Report 2023/24

Report of: Janet Witkowski, Acting Governance, Compliance and Monitoring Officer

Report Reference No: AG/19/24-25

Ward(s) Affected: N/A

For: Assurance

Purpose of Report

- 1 This report seeks to provide information and assurance to the Audit and Governance Committee on key aspects of the Monitoring Officer's responsibilities, both statutory and organisationally, from the previous financial year.
- 2 The report is produced in line with the requirements of the Council's Constitution and the Audit and Governance Committee's Terms of Reference whereby the Committee receives reports and assurances from across the organisation. In doing so, the Committee will consider the effectiveness of the arrangements described, identifying further information needed and/or making recommendations for improvements and additional action required, which can include further reporting on matters to those charged with governance.

Executive Summary

- 3 The Committee is invited to review the Monitoring Officer's Annual Report for the financial year 2023/24 attached at Appendix A.
- 4 The Annual report for 2023/24 covers Code of Conduct matters, Member Interests/Gifts and Member Training and Development, Complaints to the Local Government and Social Care Ombudsmen and activity pursuant to the Regulation of Investigatory Powers Act 2000. This is a reduction in matters covered in previous reports, as information regarding, requests

for information under the Data Protection Act 2018 and UKGDPR, Freedom of Information Act 2000 and Environmental Information Regulations 2004 and information regarding whistleblowing and referrals, is now covered in separate reports to the Committee.

RECOMMENDATION

The Audit and Governance Committee is recommended to:

1. Note the content of the Annual Monitoring Officer report for 2023/24, and the assurances this provides on the responsibilities of the statutory role.

Background

- 5 The role of Monitoring Officer is a statutory role created by the Local Government and Housing Act 1989. The details of its statutory responsibilities are set out within the Annual Report at Appendix A ('Annual Report').
- 6 The Monitoring Officer for the Council has additional responsibilities for other matters, some of which are also detailed within the Annual Report.
- 7 A number of local authorities provide an Annual Monitoring Officer Report to their Audit and Governance Committee or equivalent. This report intends to provide assurances to the Committee on a number of the Monitoring Officer's statutory responsibilities over the previous financial year.

The Annual Report provides information on the role of the Monitoring Officer, and an overview of the following areas:

- Members' Code of Conduct
- Register of Members' Interests
- Register of Gifts and Hospitality
- Member Training and Development
- Dispensations
- Complaints including Local Government and Social Care Ombudsmen Referrals
- Regulation of Investigatory Powers (RIPA) Act

- Constitution/Decision Making Process

Consultation and Engagement

8 Not applicable

Reasons for Recommendations

9 The Audit and Governance Committee has a key role in overseeing the Council's risk management, control and corporate governance arrangements. It advises the Council on the adequacy and effectiveness of these arrangements. The assurances within the Annual Report are intended to inform the Committee's judgement on the arrangements that are in place to ensure the Council is a responsive, effective and efficient organisation.

Other Options Considered

Option	Impact	Risk
Do nothing	There is no legal obligation to produce an Annual Report	It is good practice to report annually, and the information contained therein offers the Committee insight and assurance on a variety of important matters.

Implications and Comments

Monitoring Officer/Legal

10 The Monitoring Officer has a range of specific responsibilities which are described in detail in the Annual Report. The Annual Report provides assurance to the Audit and Governance Committee that these responsibilities have been carried out effectively over the last financial year.

Section 151 Officer/Finance

11 There are no direct financial implications arising from this assurance report.

Policy

12 There are no direct policy implications arising from this report.

Equality, Diversity and Inclusion

13 There are no direct equality implications arising from this report.

Human Resources

14 There are no direct HR implications arising from this report.

Risk Management

15 The report provides appropriate assurance to the Committee and the recent adoption of the dispensation arrangements ensures elected Members are able to participate fully in the Council's decision making processes where it is appropriate to do so, minimising the risks of undeclared conflicts of interests.

Rural Communities

16 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

17 There are no direct implications for Children and Young people.

Public Health

18 There are no direct implications for Public Health.

Climate Change

19 There are no direct implications for Climate Change.

Access to Information	
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Appendices:	Appendix 1 and 2

Background Papers:	N/A
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