

## Functions of the Monitoring Officer

### 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 inspection by members, officers and the public.

### Ensuring lawfulness and fairness of decision-making

Ensuring effective decision making within the council's Constitution and Scheme of Delegation, working in partnership with shared organisations to ensure that smooth processes are implemented to enable clear accountable decision-making arrangements to be in place.

To support and advise the Ceremonial Mayor as the Chair of the Council.

Work closely with the S151 Officer and Head of Paid Service to ensure that appropriate governance arrangements are in place including scrutiny and assurance. Supporting the scrutiny function.

After consulting with the Head of Paid Service and Chief Financial Officer, the Monitoring Officer will report to the full council or to the elected City Mayor in relation to an executive function, if it is considered 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.

### Supporting the Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee. The council has delegated to the Monitoring Officer the following powers to deal with matters of conduct and ethical standards:

- i) To act as the council's Proper Officer to receive complaints that the elected City Mayor or council members have failed to comply with the council's Code of Conduct for members.
- ii) To determine, after consultation with the Independent Person and in accordance with the council's arrangements for dealing with Complaints that the elected City Mayor or council members have failed to comply with the council's Code of Conduct for members ('the council's arrangements') whether to reject, informally resolve or investigate a complaint.
- iii) To seek informal resolution of complaints that the elected City Mayor or council members have failed to comply with the council's Code of Conduct for Members wherever practicable.
- iv) To refer decisions dealing with a complaint against the elected City Mayor or a council member to the Standards Committee in exceptional circumstances.

- v) To arrange for the appointment of an Investigating Officer to investigate a complaint where the Monitoring Officer (in consultation with an Independent Person) determines that a complaint

### **Maintain the council's Register of Members Interest**

The monitoring officer will be responsible for maintaining the council's register of interest of member and co-opted members in accordance with section 29 (1) of the localism Act 2011.

### **Advise on executive decisions**

The monitoring officer will advise on decision of the elected City Mayor and Members of the cabinet if they are within the council's budget and policy framework.

### **Provide advice**

The monitoring officer will provide advice on scope of powers and authority to take decisions, maladministration, financial impropriety, policy and Budget and Policy Framework issues to all councillors and the elected mayor.

### **Freedom of information act**

The monitoring officer will determine exemptions under section 36 of the Freedom of Information Act 2000.