

Item No. 8.3	Classification: Open	Date: 4 July 2012	Meeting Name: Council Assembly
Report title:		Proposed changes to the Monitoring Officer roles and functions	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATIONS

1. That council assembly adopts the changes to the constitution as a consequence of the senior management reorganisation and the transfer of the monitoring officer functions (see Appendix 1 of this report).
2. That council assembly authorises officers to make any consequential amendments to the constitution

BACKGROUND INFORMATION

3. On 15 May 2012 Cabinet agreed amendments to the strategic management arrangements which included the deletion of the posts of strategic director of communities, law & governance effective from 1 October 2012. Cabinet also agreed that, subject to consideration by the appointments committee, the director of legal services would take on the monitoring officer function. However, the constitutional functions previously within the community engagement division would be passed to the director of corporate strategy.
4. The appointments committee appointed Doreen Forrester-Brown as the council's statutory monitoring officer. The committee made its decision when it met on 7 June 2012. Council assembly is now asked to redesignate this post and the chief financial officer post, and subject to approval the corporate elements of the new structure will take effect from 5 July 2012.
5. All constitutional changes are required by the constitution to be considered by constitutional steering panel, which then recommends changes to council assembly. The changes in this report were recommended by the constitutional steering panel, which met on 18 June 2012.

KEY ISSUES FOR CONSIDERATION

6. The current monitoring officer has responsibility for both legal and constitutional services, and officers have therefore considered how those functions should be separated to reflect the new structure. This has some constitutional implications. A proper constitutional officer role has been included in Appendix 1 which reflects the functions which were previously the responsibility of the monitoring officer, but which are essentially procedural in nature.

7. Council assembly is asked to approve the redesignation of the section 151 officer (strategic director of finance and corporate services) and monitoring officer (director of legal services).
8. The constitution requires amendment to reflect these changes to the monitoring officer role and function as detailed in Appendix 1 of this report.
9. Proposed amendments to the constitution are set out in Appendix 1. Consequential changes such as titles, paragraph renumbering and references will be made by the proper constitutional officer. The constitutional steering panel felt it would be helpful if the proper constitutional officer was identified on the council's website.

Consequential changes

10. As a result of the changes agreed by cabinet on 15 May 2012 to the strategic management arrangements, officers will be required to update the constitution, to reflect the redesignation and renaming of posts. Therefore council assembly is requested to authorise officers to undertake any necessary consequential changes.

Community impact statements

11. There are no specific implications associated with the recommended changes.

Resource implications

12. There are no additional resource requirements associated with the adoption of the changes.

Legal implications

13. Legal issues are outlined in the body of the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Constitution 2012	On-line on council's website	Ian Millichap 020 7525 7225

APPENDICES

No.	Title
Appendix 1	Schedule of Constitutional Changes for 2012/13

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Graham Love, Business and Performance Manager	
Version	Final	
Dated	20 June 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Communities, Law & Governance	Yes	Yes (included in body of report)
Finance Director	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	21 June 2012	