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<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>15 February 2024</b>
<b>Report By:</b>	<b>Chief Executive</b>	<b>Report No:</b>	<b>LS/005/24</b>
<b>Contact Officer:</b>	<b>Louise Long</b>	<b>Contact No:</b>	<b>01475 712 701</b>
<b>Subject:</b>	<b>Interim Monitoring Officer Arrangements</b>		

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## **1.0 PURPOSE AND SUMMARY**

1.1  For Decision  For Information/Noting

1.2 The purpose of this report is to seek the Council's approval for the Chief Executive to appoint a Monitoring Officer on an interim basis, pending the completion of the recruitment for a permanent replacement to the current Head of Legal, Democratic, Digital & Customer Services, who currently holds the position as the Council's Monitoring Officer. This report also notes the additional temporary resources that will be brought in to support delivery of the General Election which is expected to take place in 2024.

## **2.0 RECOMMENDATIONS**

2.1 It is recommended that Inverclyde Council notes the content of this report, and grants delegated authority to the Chief Executive to appoint an Interim Head of Legal, Democratic, Digital & Customer Services, who will also act as the Council's Interim Monitoring Officer and Clerk to the Licensing Board.

**Louise Long**  
**Chief Executive**

### 3.0 BACKGROUND AND CONTEXT

- 3.1 As was reported to the Policy & Resources Committee on 6 February, the Head of Legal, Democratic, Digital & Customer Services, will be leaving the Council at the end of February. The Head of Legal, Democratic, Digital & Customer Services also acts as the Council's Monitoring Officer, a statutory post that the Council is required to have in terms of Section 5 of the Local Government & Housing Act 1989. In addition, this post also encompasses the role of the Clerk to the Licensing Board, another statutory post that all local authorities must have.
- 3.2 The recruitment exercise for a new permanent Head of Legal, Democratic, Digital & Customer Services has commenced, and was reported to the Policy & Resources Committee on 6 February. However, this will not be concluded until after the current postholder has left the Council. As such, there is a requirement for the Council to appoint an Interim Head of Service who will also act as the Monitoring Officer and the Clerk to the Licensing Board.
- 3.3 In addition, as the Council is aware, it is expected that a General Election will take place in 2024. It is also expected that the Head of Legal, Democratic, Digital & Customer Services will be a Depute Returning Officer for the General Election. Preparation for the General Election has already commenced, but this will intensify in the coming months, even before the General Election is formally called. Whilst the above-mentioned recruitment exercise may have been concluded by the time of the General Election, and a new post holder in place, it is very possible that the timetable for the General Election might mean that is not the case, or else there is limited time for a new post holder to get suitably established. As such, it has been assessed that additional short term capacity is required to help support preparation for, and potentially delivery of, the General Election.

### 4.0 PROPOSALS

- 4.1 It is proposed that the Chief Executive is authorised to take the necessary steps to appoint an Interim Head of Legal, Democratic, Digital & Customer Services, who will also act as the Council's Interim Monitoring Officer and Clerk to the Licensing Board.
- 4.2 In addition, and given the expectation that a General Election will be held in 2024, it is to be noted that the Chief Executive will arrange for the provision of additional experienced resources to help support preparation for, and potentially delivery of, the General Election which is expected in 2024.

### 5.0 IMPLICATIONS

- 5.1 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed:

SUBJECT	YES	NO
Financial	X	
Legal/Risk	X	
Human Resources	X	
Strategic (Partnership Plan/Council Plan)		X
Equalities, Fairer Scotland Duty & Children/Young People's Rights & Wellbeing		X
Environmental & Sustainability		X
Data Protection		X

## 5.2 Finance

### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
-	Elections Reserve	2024/25	£20,000		Estimated maximum figure, actual spend will depend upon length of time additional election resources required for.  Resources for Interim Monitoring Officer arrangements will be contained within existing service area budget.

### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## 5.3 Legal/Risk

As noted above, the Council is required to have a Monitoring Officer and Clerk to the Licensing Board. In addition, the Council's Chief Executive will be Returning Officer for the General Election which is expected to be held in 2024. The recommendations and actions set out in this report will help ensure the Council's legal duties are met, pending the recruitment of a new permanent Head of Legal, Democratic, Digital & Customer Services.

## 5.4 Human Resources

The human resource implications are set out in this report.

## 5.5 Strategic

There are no strategic implications directly arising from this report.

## 6.0 CONSULTATION

6.1 N/a

## 7.0 BACKGROUND PAPERS

7.1 N/a