

Report to	North Wales Fire and Rescue Authority	
Date	18 March 2019	
Lead Officer	Simon Smith, Chief Fire Officer	
Contact Officer	Helen MacArthur, Assistant Chief Officer (Finance and Resources)	
Subject	Appointment of Monitoring Officer/Clerk	

PURPOSE OF REPORT

1. The purpose of the report is to
 - (i) inform Members' about the outcome of the competitive procurement process for the provision of a Monitoring Officer/Clerk to North Wales Fire and Rescue Authority (the Authority) from 1 April 2019;
 - (ii) seek approval for the appointment of Colin Everett, Flintshire County Council to the role.

EXECUTIVE SUMMARY

2. As the current contract for the provision of monitoring officer/clerk and deputy clerk to the Authority comes to an end on 31 March 2019, members had previously been informed that a competitive procurement process for the provision of a Monitoring Officer/Clerk to North Wales Fire and Rescue Authority (the Authority) from 1 April 2019 would be undertaken. The requirement for the Authority to have a monitoring officer is a statutory one.
3. Under the terms of the Authority's constitution, the appointment to the Authority's statutory roles is not a delegated matter and is reserved for the full Authority. Therefore, the appointment is subject to the approval of the full Authority.

OBSERVATIONS FROM THE EXECUTIVE PANEL/AUDIT COMMITTEE

4. The report has not previously been considered. The procurement process included a formal interview which was conducted by Members derived from the Executive Panel. The Members recommended that the contract should be awarded to Colin Everett, Flintshire County Council.

RECOMMENDATION

5. That Members:
 - (i) note the completion of the competitive procurement process for the provision of a monitoring officer/clerk and deputy clerk from 1 April 2019;
 - (ii) approve the appointment of Colin Everett, Flintshire County Council as Monitoring Officer/Clerk for a period of four years commencing 1 April 2019.

BACKGROUND

6. The statutory role of monitoring officer was established by the Local Government and Housing Act 1989 as amended by Schedule 5 of the Local Government Act 2000.
7. The role has the following areas of responsibility:
 - a. to ensure that the Authority carries out its functions with proper consideration of the lawfulness and fairness of decision making, supporting the standards committee and dealing with code of conduct issues;
 - b. to ensure that meetings of the Authority are administered in accordance with relevant statutes, regulations and the constitution and to deal with legal and procedural matters;
 - c. to ensure that the constitution remains up to date and relevant, and to advise on the interpretation of the constitution where necessary;
 - d. to ensure overall arrangements for governance and democratic processes including for:
 - maintaining a register of Members' interests;
 - providing advice and training to Members in relation to constitutional matters;
 - preparing the scheme of Members' remuneration; and
 - other relevant matters as required, such as attending meetings of planning working groups and participating in the appointment process for Principal Officers.

INFORMATION

8. The Authority's contract standing orders require adherence to public sector procurement principles. A formal procurement process was undertaken to ensure transparency, fairness and value for money.
9. The role of monitoring officer requires specific knowledge of local authority arrangements in relation to governance, statutes, regulations and relevant codes. The procurement process enabled full consideration of these technical aspects when awarding the contract.

IMPLICATIONS

Well-being Objectives	Robust governance arrangements are a key factor in ensuring that the Authority functions in accordance with its well- being objectives.
Budget	This is a statutory role for which budget provision has been made.
Legal	The appointment of a Monitoring Officer is a statutory requirement.
Staffing	No impact identified.
Equalities/Human Rights/Welsh Language	The procurement process gave due consideration to compliance with these aspects.
Risks	Failure to appoint would result in the Authority potentially not discharging its statutory responsibility and expose it to legal challenge and reputational risk.