



WEST OXFORDSHIRE  
DISTRICT COUNCIL

**WEST OXFORDSHIRE DISTRICT COUNCIL**

Name and date of Committee	<b>FULL COUNCIL – 15 FEBRUARY 2023</b>
Subject	<b>APPOINTMENT OF DIRECTOR OF GOVERNANCE AND MONITORING OFFICER</b>
Wards affected	All
Accountable member	Councillor Andy Graham, Leader of the Council Tel: (01993) 861000; Email: <a href="mailto:andy.graham@westoxon.gov.uk">andy.graham@westoxon.gov.uk</a>
Accountable officer	Giles Hughes, Chief Executive Tel: (01993) 861000, Email: Giles Hughes <a href="mailto:Giles.Hughes@westoxon.gov.uk">Giles.Hughes@westoxon.gov.uk</a>
Summary/Purpose	To recommend to Council, the appointment of Andrea McCaskie as the Director of Governance (Monitoring Officer) for West Oxfordshire District Council, and to outline interim arrangements.
Annexes	None
Recommendation	<p>The Appointments Committee on 2 February 2023 resolved to recommend that Council resolves to:</p> <ol style="list-style-type: none"><li>1. Approve the appointment of Andrea McCaskie as the Director of Governance and Monitoring Officer for West Oxfordshire District Council on a permanent full time basis.</li><li>2. Note that the provisional verbal offer of employment has been made, subject to two references, medical clearance and eligibility check (BPSS check) in accordance with the Council's policies.</li><li>3. Agree the appointment commences on a date to be mutually agreed between the successful candidate and the Chief Executive.</li><li>4. Agree that the appointment is made on a salary of £80,000 per annum.</li><li>5. Approve the extension of the current interim Monitoring Officer arrangement with Susan Sale until 16 April 2023, or until Andrea McCaskie starts, whichever is the sooner.</li><li>6. Agree that should there be a gap between the 16 April 2023 and the start of Andrea McCaskie's employment then Andrew Brown the current Deputy Monitoring Officer should be designated as the Council's Monitoring Officer for that interim period.</li></ol>
Corporate priorities	<ul style="list-style-type: none"><li>• Putting Residents First</li><li>• A Good Quality of Life for All</li><li>• A Better Environment for People and Wildlife</li><li>• Responding to the Climate and Ecological Emergency</li><li>• Working Together for West Oxfordshire</li></ul>

Key Decision	YES
Exempt	NO
Consultees/ Consultation	The recommendations are made following a recruitment campaign using Tile Hill, Management Consultancy and interview process. Following interviews the Appointments Committee were unanimous in their decision that, subject to the approval of Full Council, Andrea McCaskie should be offered the post of Director of Governance and Monitoring Officer

## **I. BACKGROUND**

- I.1** Under section 5 of the Local Government and Housing Act 1989 the Council is required to appoint one of its officers to act as Monitoring Officer. The Monitoring officer is responsible to report to the Council:

  - Any contravention of law or any code of conduct or practice made or approved by or under legislation
  - Any maladministration or injustice
  - Any matter which is likely to give rise to any contravention or maladministration
- I.2** Additional responsibilities were delegated to the Monitoring officer under the Local Government Act 2000 and the Localism Act 2011 with regard to the operation of the Constitution and the promotion of ethical governance within the district and parish councils.
- I.3** A significant element of the work of the Monitoring Officer is with issues relating to towns and parishes. Across West Oxfordshire there are 406 town and parish councillors in comparison to 49 district councillors.
- I.4** The Council's Performance and Appointments Committee has the role of considering the terms and conditions of the Council's statutory roles. It also makes recommendations to Council on the appointment of statutory roles. Decisions on appointments/designations to the statutory roles are made by Council.
- I.5** In February 2022 West Oxfordshire District Council resolved to designate Susan Sale as the Council's Monitoring Officer on an interim 12 month basis with effect from 1st March 2022. Susan Sale is also the Head of Law and Governance at Oxford City Council and is also designated as the Monitoring Officer for that authority. Susan has handed in her notice to Oxford City Council and will leave their employment on the 16<sup>th</sup> April 2023.
- I.6** In September following a review of the Monitoring Officer arrangement and the retained officer structure, Cabinet supported the recruitment of a full time Director of Governance to act as the Council's Monitoring Officer. A full time role with additional responsibilities beyond the statutory monitoring officer will add additional capacity to the Council's retained officer structure and help the Council take forward the priorities in the Council Plan in partnership with Publica and Ubico colleagues. The role will work particularly closely with colleagues in Legal Services, Electoral Services and in Democratic Services. A full time role will ensure appropriate availability through the week.
- I.7** Following a recruitment campaign and robust candidate assessment, final interviews took place with the Performance and Appointments Committee on 2<sup>nd</sup> February 2023.
- I.8** The Performance and Appointments Committee consisted of:

  - Cllr Andy Graham – Leader of the Council
  - Cllr Joy Aitman - as a substitute for Cllr Duncan Enright
  - Cllr Michele Mead
  - Cllr Norman McRae
  - Cllr Dan Levy
- I.9** Cllr Andy Graham acted as Chair of the Performance and Appointments Committee, and the Committee was supported by the Chief Executive.

- 1.10 The Performance and Appointments Committee members were unanimous in recommending that Andrea McCaskie be offered, subject to the necessary pre-employment checks and ratification at Full Council, the position of Director of Governance and Monitoring Officer

## **2. FINANCIAL IMPLICATIONS**

- 2.1 The Salary for this position is £80,000 per annum within the budgeted salary range. A pay award is expected to take effect from April 2023

## **3. LEGAL IMPLICATIONS**

- 3.1 The Council has a duty to appoint to the statutory role of Monitoring Officer. The Appointments Committee may recommend who to appoint, but no appointment can be made without the formal approval of Council.

## **4. RISK ASSESSMENT**

- 4.1 If the Council does not ratify the appointment, then there is a risk that the Council may not fulfil the statutory responsibilities covered by this role and this may also risk the delivery against the Council's Council Plan priorities.

## **5. EQUALITIES IMPACT**

The recruitment followed best practice with a fair, equal and transparent process, reducing bias and selecting the strongest candidate on merit.

## **6. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 6.1 None

## **7. ALTERNATIVE OPTIONS**

- 7.1 Council could decide not to appoint a Director of Governance and Monitoring Officer. This will seriously reduce the statutory officer capacity and require an existing officer to be designated as Monitoring Officer to allow the Council to fulfil its legal obligations. This course of action is not recommended.

## **8. BACKGROUND PAPERS**

- 8.1 None

(END)