OTHER STATUTORY ROLES & RESPONSIBILITIES

APPENDIX 4

Head of Paid Service

1 Section 4 of the Local Government & Housing Act 1989 provides that it is the duty of every local authority to designate one of their officers as its Head of Paid Service.

2 It is the duty of the Head of Paid Service where he or she considers it appropriate to do so, to prepare a report to the authority setting out their proposals as to:
   • the manner in which the discharge by the authority of their different functions is co-ordinated;
   • the number and grades of staff required by the authority for the discharge of their functions;
   • the organisation of the authority’s staff;
   • the appointment and proper management of the authority’s staff.

3 Regulations made under the Local Government Act 2000 reinforce these duties by making the appointment of staff below chief officer level the exclusive function of the Head of Paid Service or someone nominated by him or her.
   (Note: The Head of Paid Service is almost invariably the Chief Executive)

Monitoring Officer

4 Section 5 of the 1989 Act provides that it is the duty of every local authority to designate one of their officers as its Monitoring Officer. The Monitoring Officer cannot also be the authority’s Head of Paid Service.

5 It is the duty a Monitoring Officer to report to the authority, if at any time it appears to him or her that any proposal, decision or omission has given rise to or is likely to or would give rise to
   • a contravention of any enactment or rule of law, or;
   • maladministration or related injustice.

6 The Monitoring Officer also has significant functions in relation to Members’ and Parish Council Members’ conduct. The Monitoring Officer is the registration officer for the purposes of the Members’ Code of Conduct, supports the work of the Standards Committee and will shortly be given statutory powers to investigate complaints against Members which are referred to the authority by the Standards Board for England.

   Source Richard Clark (Monitoring Officer CYC) 27 January 2003