



OFFICER DECISION RECORD

This form should be used to record Executive decisions taken by Officers

Decision Ref. No:			
Service Area:	Chief Executive's Office	Date:	4 September 2025
Contact Names:	Aidan Dunn	Tel No:	01202 127018
E-mails:	aidan.dunn@bcpcouncil.gov.uk		
Subject:	Acting Up Arrangements – Interim Monitoring Officer and Director of Law and Governance		
Decision taken:			
<p>An urgent decision has been taken to implement acting up arrangements for the Director of Law & Governance and Monitoring Officer role, following the recent resignation of the former postholder. The interim cover will be structured as follows:</p> <ul style="list-style-type: none">• Robin Watson to act as Interim Director of Law and Governance and Monitoring Officer, paid the full salary as an interim role – i.e. £130,695.• The intention is to commence an external recruitment process for permanent appointment later this year.			
Reasons for the decision:			
<p>The former Director of Law and Governance left the council's employment on 31 August 2025. Under Section 5 of the Local Government & Housing Act 1989 (as amended), the Council has a duty to designate the role of Monitoring Officer to an officer of the authority. This appointment is a member decision under the Councils constitution but an urgent decision has been taken to ensure that we have a Monitoring Officer in post whilst we undertake a permanent recruitment process.</p>			
Background:			
<p>The former Monitoring Officer and Director of Law and Governance left the Council's employment on 31 August 2025. From that date, until a permanent successor is</p>			

appointed, the Council will designate an Interim Monitoring Officer to fulfil the statutory responsibilities of the role.

Under Section 5 of the Local Government and Housing Act 1989 (as amended), the Council is legally required to designate the role of Monitoring Officer to an officer of the authority. This designation cannot be assigned to either the Head of Paid Service or the Chief Finance Officer (Section 151 Officer).

The Monitoring Officer holds a range of statutory duties and responsibilities that are central to the Council's governance framework. These include maintaining the Council's Constitution, ensuring that Council decisions and actions do not result in illegality or maladministration, and promoting high standards of conduct across the organisation.

Other options considered:

External Appointment of an interim Monitoring Officer - not recommended.

While this approach could provide short-term cover, an external interim is unlikely to have the local knowledge or understanding of the Council's structures, culture, and governance arrangements. This would result in a period of adjustment and reduced effectiveness during a critical time. Additionally, the financial implications are significant, with interim appointments typically costing in the region of £850-£1,050 per day (indicative costs provided by Penna, our preferred supplier for executive resource). It is also unlikely that we would be able to secure an interim within the required timescales, given the current buoyancy of the market.

Consultations undertaken:

The decision to designate the Council's Monitoring Officer duties to the colleagues outlined above has been discussed and agreed with the Leader of the Council, in consultation with the Chief Finance Officer, Director of People and Culture and the proposed Interim Monitoring Officer and Director of Law and Governance.

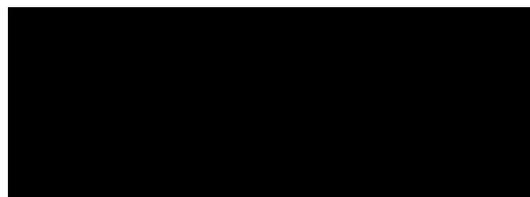
Finance and Resourcing Implications:

This post will be funded from the existing vacancy. Backfill arrangements for the Head of Legal role will be funded from within existing budgets and the overall arrangements will be cost neutral. Engaging an external interim would result in significantly higher costs.

Name: Adam Richens

Date: 4 Sept 2025

Signature (of Chief Finance Officer):



Legal Implications:

This decision is taken in accordance with Part 3 (Responsibility for Functions), Delegations to Chief Officers, line 68, in the revised Constitution. This decision will be reported to Council at the next available meeting

Name:

Date:

Signature (of Monitoring Officer):

Risk Assessment:

This decision will help mitigate risk by ensuring the Monitoring Officer role is filled on an interim basis to comply with statutory requirements.

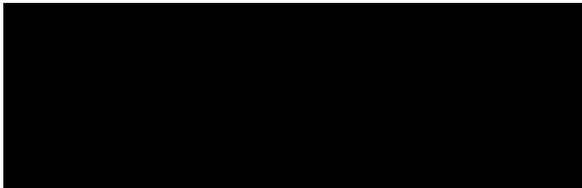
If the change is not made the following risks are possible:

The council will not meet its statutory obligations.

Name: Aidan Dunn

Date: 4 September 2025

Signature (of Officer Completing Assessment):



Impact Assessments:

None

Information for publication

Background Papers

None

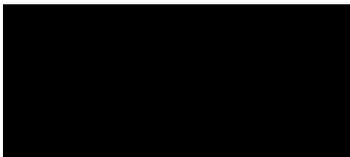
Any declaration of interest by the Officers responsible for the decision	Nature of Interest
No	

Note: No Officer having a personal financial interest in any matter should take a decision on that matter. Other interests of a non-disqualifying matter should be recorded here.

Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
Yes/No			

Decision taken by: (print name and designation)

Aidan Dunn, Chief Executive

Signature: 

Date of Decision: 4 September 2025

Date Decision Effective: 4 September 2025

Date of Publication of record of decision: (to be inserted by Democratic Services)

Note: A record of this decision should be kept by the Service Area within which the decision falls.