



Appendix 2

Extract from Part 3D - SCHEME OF DELEGATION TO OFFICERS

1. Introduction

This section describes the extent and nature of the authority delegated to officers to undertake functions on behalf of Cambridgeshire County Council. The delegations are made by either the Full Council or one of its committees.

The LGSS Joint Committee Scheme of Delegation - Shared Services and Delegated Functions

6.6 Monitoring Officer (CCC Only)

Each authority is responsible for designating a person as that authority's Monitoring Officer. CCC has designated ~~LGSS Director of Law & Governance~~ **the Director of Governance and Legal Services** as their Monitoring Officer.

Monitoring Officer - Cambridgeshire County Council

Power or Duty	Delegation to Officer	Condition
To make such amendments to the CCC Constitution and related Documents, as may from time to time become necessary to reflect and take account of changes in legislation, guidance, Council Policy, decisions of the Council and any drafting changes or improvements. This shall not include any changes of substance.	Monitoring Officer (CCC)	In consultation with Group Leaders. Not to be exercised if any Group Leader objects to the proposed change.
The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.	Monitoring Officer (CCC)	
In order to ensure lawfulness and fairness of decision-making and after consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the Council if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.	Monitoring Officer (CCC)	
To act as the Solicitor to the Council and in consultation with the Head of Paid Service and the Chief Finance Officer, to provide advice on the scope of powers and authority	Monitoring Officer (CCC)	



Power or Duty	Delegation to Officer	Condition
for the Council to take decisions, maladministration, probity and governance issues, to all Councillors and to support and advise Councillors and officers in their respective roles.		
To act as the Proper Officer for the purposes of the Local Government Act 2000 and regulations made there under, except where legislation or the Scheme of Delegation names another officer.	Monitoring Officer (CCC)	
In cases of dispute, to decide upon a Member's "need to know".	Monitoring Officer (CCC)	
The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Constitution and Ethics Committee. This will include making arrangements for the hearing of allegations against Members concerning breaches of the Code of Conduct. The Monitoring Officer shall also support the Constitution and Ethics Committee in ensuring the Council's Constitution is fit for purpose and in this role, shall keep it under review and make recommendations as to how it might be amended to better achieve the purposes set out in Article 1 or in response to changes in law.	Monitoring Officer (CCC)	
In the case of allegations that a Councillor has breached the Members' Code of Conduct, the Monitoring Officer and the Council's Independent Person shall conduct an initial assessment of complaint and make a decision as to whether the complaint warrants investigation or any other action.	Monitoring Officer (CCC)	
Where allegations of breaches of the Members' Code of Conduct are referred for investigation, the Monitoring Officer shall make arrangements for the conduct of such investigations and report the findings to the Constitution and Ethics Committee.	Monitoring Officer (CCC)	
The Monitoring Officer shall act as the Proper Officer for Access to Information and shall ensure that decisions of the Council and its committees, together with the reasons for those decisions, and relevant officer reports and background papers are made publicly available as soon as possible.	Monitoring Officer (CCC)	



Power or Duty	Delegation to Officer	Condition
The Monitoring Officer will advise whether decisions of the Council and its committees are in accordance with the Budget and Policy Framework.	Monitoring Officer (CCC)	
The Monitoring Officer will advise whether decisions of the Council and its committees are in accordance with the Budget and Policy Framework.	Monitoring Officer (CCC)	
The Monitoring Officer shall provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors.	Monitoring Officer (CCC)	
The Monitoring Officer shall determine whether information should be exempt from disclosure under the provisions of Section 36 of the Freedom of Information Act 2000.	Monitoring Officer (CCC)	
To agree procedures for the conduct of all appeals heard by the CCC Service Appeals Sub-Committee.	Monitoring Officer (CCC)	
To agree procedures for the conduct of CCC Education Admission and Exclusion Appeals and the selection and appointment of members to CCC appeals panels.	Monitoring Officer (CCC)	

Northamptonshire County Council and Milton Keynes Council have not delegated any Monitoring Officer powers to any LGSS Officer.