

<b>Meeting Date</b>	<b>24 APRIL 2023</b>
<b>Report of</b>	<b>THE PANEL'S SUPPORT OFFICER</b>
<b>Subject</b>	<b>APPOINTMENT OF MONITORING OFFICER / LEGAL ADVISER</b>

### **EXECUTIVE SUMMARY**

The Monitoring Officer and Legal Adviser for the Police and Crime Panel, Jason Field, who was also Head of Legal Services, Barnsley MBC, left the Council in January 2023 and this report details future arrangements for Monitoring Officer / Legal Adviser support to the Panel, including the Panel's Complaints Procedure.

Members are recommended to appoint the new Monitoring Officer, Sukdave Ghuman, Service Director Legal and Governance, with effect from 1 February 2023.

### **RECOMMENDATION(S)**

Members of the Police and Crime Panel are recommended to:

- i) Appoint Sukdave Ghuman, Service Director – Law and Governance, as the Panel's Monitoring Officer / Legal Adviser with effect from 1 February 2023.
- ii) Note the appointment of Sukdave Ghuman, Barnsley MBC as the Legal Adviser for the purposes of the Complaints Procedure and authorise him to delegate any of those duties to such officers within Barnsley MBC Legal Services as he sees fit.

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Main Report

## **BACKGROUND**

1. Jason Field, Head of Legal Services at Barnsley MBC, left the Council on 11 January 2023. The Panel may recall that Jason Field was the Panel's Monitoring Officer and Legal Adviser. The Council has appointed Sukdave Ghuman, Service Director Law and Governance, as Monitoring Officer.
2. Unlike Local Authorities and the Police and Crime Commissioner, the Panel does not have a legal duty to designate a Monitoring Officer. Nevertheless, the Panel has delegated a number of its functions through its Rules of Procedure, Panel Arrangements and Complaints Procedure to the Monitoring Officer for Barnsley MBC and the Monitoring Officer has taken responsibility for ensuring that the Panel's decisions are lawful.
3. The Panel is recommended to formally appoint Sukdave Ghuman as Monitoring Officer / Legal Adviser. Sukdave Ghuman will be responsible for Monitoring Officer functions detailed within the Panel's Rules of Procedure, Panel arrangements, Complaints Procedure and other documents and for ensuring generally that the Panel makes lawful decisions.
4. It is envisaged that in terms of day-to-day legal advice to the Panel, this will be undertaken by Sukdave Ghuman, Service Director – Law and Governance.

## **LEGAL ADVISER FOR THE PANEL'S COMPLAINTS PROCEDURE**

5. The Complaints Procedure defines the Legal Adviser responsible for the Complaints Procedure as "the Monitoring Officer or the Legal Adviser appointed on behalf of Barnsley MBC". It is proposed that the Monitoring Officer will also act as the Panel's Legal Adviser on behalf of Barnsley MBC.

## **FINANCIAL IMPLICATIONS**

6. There are no direct financial implications arising from this report.

## **LEGAL IMPLICATIONS**

7. There are no direct legal implications arising from this report.

## **HEALTH AND SAFETY IMPLICATIONS**

8. There are no health and safety implications associated with this report.

## **EQUALITY & DIVERSITY IMPLICATIONS**

9. There are no direct equality and diversity implications associated with this report.

<b>List of background documents</b>		
Panel's Rules of Procedure, Panel's Arrangements and Panel's Complaints Procedure		
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