

Meeting Date	29 APRIL 2024
Report of	THE PANEL'S SUPPORT OFFICER
Subject	APPOINTMENT OF INTERIM MONITORING OFFICER / LEGAL ADVISER TO THE PANEL

EXECUTIVE SUMMARY

The Monitoring Officer and Legal Adviser for the Police and Crime Panel, Sukdave Ghuman, who was also Service Director Law and Governance Barnsley MBC, left the Council in April 2024 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 Interim Monitoring Officer, Kate Charlton, Service Director Law and Governance, with effect from 1 April 2024.

RECOMMENDATION(S)

Members of the Police and Crime Panel are recommended to:

- i) Appoint Kate Charlton, Interim Service Director Law and Governance, as the Panel's Monitoring Officer / Legal Adviser with effect from 1 April 2024, for a period until the role is recruited to on a permanent basis.
- ii) Note the appointment of Kate Charlton, Barnsley MBC as the Legal Adviser for the purposes of the Complaints Procedure and authorise her to delegate any of those duties to such officers within Barnsley MBC Legal Services as she sees fit.

CONTENTS

Main Report

BACKGROUND

1. Sukdave Ghuman, Service Director Law and Governance at Barnsley MBC, left the Council on 1 April 2024. The Panel may recall that Sukdave Ghuman was the Panel's Monitoring Officer and Legal Adviser. The Council has appointed Kate Charlton, Interim 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 Kate Charlton as interim Monitoring Officer / Legal Adviser. Kate Charlton 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 Kate Charlton, the interim 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 interim 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.

List of background documents		
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