**Ministry of Housing,
Communities &
Local Government**

Mr Martin Powell
request-661257-
c44d724e@whatdotheyknow.com

Our Ref:7090572

Date:**29 May 2020**

Dear Mr Powell,

Thank you for your email to the Ministry of Housing, Communities and Local Government concerning local government monitors. I am responding to you because I work in the team at that deals with the conduct of councils and councillors.

I'm unclear what you mean by "local government monitors", however I believe you mean Local Government Monitoring Officers.

Under Section 5 of the Local Government & Housing Act 1989 (as amended) a council has a duty to appoint a Monitoring Officer. The Monitoring Officer has a number of statutory duties and responsibilities relating to the council's constitution and arrangements for effective governance. These duties include maintaining the constitution, ensuring that no decision or omission of the council is likely to give rise to illegality or maladministration and promoting high standards of conduct.

The decision to appoint a Monitoring Officer is a decision undertaken by individual councils. This department does not provide legal advice or have any involvement in the selection or HR appointments of council employees.

Local authorities are independent of central government. Ministers have no remit to intervene in the day to day affairs of local authorities, except where specific provision has been made in law. Local authorities must act in accordance with legislation and are ultimately accountable to the electorate through the ballot box.

We recommend that if you have concerns about local authority officials such as with the Monitoring Officer, you bring your concerns directly to the attention of the Chief Executive of the local authority. The Chief Executive is ultimately responsible for the conduct of local authority staff, including the way complaints are handled.

Yours sincerely,

Mr Bhardwaj
Local Government Stewardship Division