


Browne Jacobson collaborates with LGiU and LLG on a report investigating the changing role of the Monitoring Officer

27 November 2023  Peter Ware

UK and Ireland law firm Browne Jacobson has again partnered with the Local Government Information Unit (LGiU) on their latest report *The Changing Role of the Monitoring Officer*, which demonstrates the importance of the role for good governance and a position that should be supported and funded properly, as well as to illuminating the challenges that MOs experience in doing this essential job.

As we all know, the monitoring officer is responsible for ensuring that a local authority complies with its ethical and legal obligations. This includes overseeing the authority's governance arrangements, ensuring that it operates within its powers, and promoting high standards of conduct. Our work with LGiU and LLG documented for the first time just how challenging the role can be. When I was reading early drafts of the report and the evidence given by interviewees, I was struck by the sheer level of pressure many are under. All senior jobs have an element of pressure, and of course, the MO role is no different in that respect, but it does make me worry that the balance is now too much, and the role is evolving in a way that may not be sustainable in the longer term.

According to the [report](#), the role of the monitoring officer is evolving in response to a number of factors. One of the key drivers of change is the increasing complexity of local government, which has led to a greater need for expertise and specialist knowledge. This has resulted in monitoring officers taking on a wider range of responsibilities, including advising on governance, legal and ethical issues, and risk management. Another factor driving change is the changing nature of local democracy, which has led to a greater emphasis on transparency, accountability, and public engagement. This has resulted in monitoring officers playing a more prominent role in promoting good governance and ensuring that local authorities operate within their legal and ethical obligations. The report also notes that the role of the monitoring officer is evolving in response to changes in the wider political and social context. For example, the increasing use of social media and other digital technologies has led to new challenges in terms of managing reputational risk and ensuring that local authorities are able to respond effectively to public concerns.

However, for many, the standards regime is becoming the dominant aspect of the monitoring officer's role. As we know and as the report notes, the standards regime has become increasingly complex in recent years, with a growing number of complaints being made. This has placed a greater burden on MOs, who are responsible for ensuring that local authorities comply with these standards but have to do so without an accompanying effective sanction regime. Poorly behaving members feel emboldened, and often the MO will face the wrath of members in this arena. Whilst this is clearly bad news for good governance in local authorities, it is the effect on MOs and their mental health that equally worries me. If we don't afford MOs the protection and tools they need to carry out their role, we will lose them. We have already seen how difficult it is to recruit and retain good MOs, especially to some of the more high-profile and challenged authority positions. In the longer term, the role has to be attractive to candidates of the very highest calibre. That is, of course, not without challenge and pressure, but roles that empower and support MOs to be the best, and do the best, for the communities they serve. If they do that, then we know that the role of the MO can also be very rewarding, as it provides an opportunity to make a positive and real difference to the communities that we all live in.

Key contact

Peter Ware

Partner

peter.ware@brownejacobson.com

+44 (0)115 976 6242

Related expertise

Sectors

Government

Local government