

## Co-Opted Members

Date: 20 June 2023

Report of: Head of Democratic Services

Report to: Scrutiny Board (Environment, Housing & Communities)

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

- The Council's Constitution includes provision for the appointment of co-opted members to individual Scrutiny Boards.
- For those Scrutiny Boards where co-opted members have previously been appointed, such arrangements have usually been reviewed on an annual basis at the beginning of a new municipal year.
- This report provides guidance to the Scrutiny Board about the appointment of co-opted members. In addition to general provisions applicable to all Boards, there are also several specific legislative arrangements for certain co-opted members. Such cases are set out in the Council's Constitution and are also summarised within this report.
- In previous years, members of this Scrutiny Board have determined that they would prefer to invite expert witnesses / stakeholders to attend the Board in relation to specific items of individual business, as opposed to appointing co-opted members to participate in all scrutiny items for the full municipal year.

### Recommendations

- a) In line with the options available and information outlined in this report, members are asked to consider the appointment of co-opted members to the Scrutiny Board.

## **What is this report about?**

- 1 In most cases the appointment of co-opted members is optional and is determined by the relevant Scrutiny Board.
- 2 The Scrutiny Board Procedure Rules within the Council's Constitution outline the options available to Scrutiny Boards in relation to appointing co-opted members.
- 3 In general terms, Scrutiny Boards can appoint:
  - a) Up to five non-voting co-opted members for a term of office that does not go beyond the next Annual Meeting of Council; and/or,
  - b) Up to two non-voting co-opted members for a term of office that relates to the duration of a particular and specific scrutiny inquiry.
- 4 To assist the Scrutiny Board, this report sets out issues to consider when seeking to appoint a co-opted member.
- 5 As well as general provisions for co-opted members, applicable to all Boards, Article 6 of the Council's Constitution reflects the specific legislative arrangements that relate to Education representatives co-opted onto the Children and Families Scrutiny Board.

## **What impact will this proposal have?**

- 6 It is widely recognised that in some circumstances, co-opted members can significantly add value to the work of Scrutiny Boards and, where appropriate, facilitate co-operation between Scrutiny Boards.
- 7 The Scrutiny Board Procedure Rules make it clear that co-option would normally only be appropriate where the co-opted member has specialist skill or knowledge, which would be of assistance to the Scrutiny Board.
- 8 In considering the appointment of co-opted members, Scrutiny Boards should be satisfied that a co-opted member can use their specialist skill or knowledge to add value to the work of the Scrutiny Board. Co-opted members should not, however, be viewed as a replacement for professional advice from officers.
- 9 Co-opted members should be considered as representatives of a particular group of stakeholders. However, co-option is not the only way in which to achieve external contributions to the work of the Scrutiny Board. Members may also wish to consider approaches such as the role of expert witnesses or the use of external research studies to help achieve a balanced evidence base.
- 10 When considering the appointment of a co-opted member for a term of office, Scrutiny Boards should be mindful of any potential conflicts of interest that may arise during the year in view of the Scrutiny Boards' wide-ranging terms of reference. To help overcome this, provision is available to appoint up to two non-voting co-opted members for a term of office that relates to the duration of a specific scrutiny inquiry.
- 11 The process for appointing co-opted members should be open, effective and carried out in a manner which seeks to strengthen the work of the Scrutiny Board. In doing so, due regard should also be given to any potential equality issues in line with the Council's Equality and Diversity Scheme.

## **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing

Inclusive Growth

Zero Carbon

12 The terms of reference of the Scrutiny Boards promote a strategic and outward looking Scrutiny function that focuses on the priorities set out in the Best City Ambition. A decision to co-opt members would be taken with the intention of adding value to the work of the Scrutiny Boards.

**What consultation and engagement has taken place?**

Wards affected:

Have ward members been consulted?       Yes                       No

13 The guidance surrounding co-opted members has previously been discussed by Scrutiny Chairs and it was agreed that individual Scrutiny Boards would consider the appointment of co-optees onto their respective boards.

**What are the resource implications?**

14 Where applicable, any incidental expenses paid to co-optees will be met within existing resources.

**What are the key risks and how are they being managed?**

15 When considering the appointment of a standing co-opted member for a term of office, members should be mindful of any potential conflicts of interest that may arise during the year in view of the Scrutiny Boards' wide-ranging terms of reference.

**What are the legal implications?**

16 Where additional members are co-opted onto a Scrutiny Board, such members must comply with the provisions set out in the Member's Code of Conduct as detailed within the Council's Constitution.

**Appendices**

- None

**Background papers**

- None