
Report of Head of Governance and Scrutiny Support

Report to Scrutiny Board (Children and Families)

Date: 26th September 2018

Subject: Co-opted Members

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| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Summary of main issues

1. At the beginning of the municipal year, the Scrutiny Board considered guidance surrounding the appointment of co-opted members, including legislative arrangements in place for the appointment of specific co-opted members as set out in Article 6 of the Council's Constitution.
2. Linked to this, the Board had appointed to the majority of voting and non-voting co-opted member positions. However, the Board has been awaiting nomination details in relation to two non-voting co-opted member vacancies, as well as appointment details relating to two of the parent governor representative positions on the Board.
3. These details are now available and are set out within this report for the Board's consideration.

Recommendation

4. Members are asked to:
 - a) Note the two newly appointed parent governor representatives.
 - b) Consider and appoint to the two non-voting co-opted member vacancies as detailed within the report.

1 Purpose of this report

- 1.1 The purpose of this report is to seek the Scrutiny Board's formal consideration for the appointment of two non-voting co-opted member vacancies and advise the Board of the election of the Parent Governor Representative (Primary) and Parent Governor Representative (SEN).

2 Background information

- 2.1 For a number of years the Council's Constitution has made 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 tended to be reviewed on an annual basis, usually at the beginning of a new municipal year.

3 Main issues

General arrangements for appointing co-opted members

- 3.1 It is widely recognised that in some circumstances, co-opted members can significantly aid the work of Scrutiny Boards. This is currently reflected in Article 6 (Scrutiny Boards) of the Council's Constitution, which outlines the options available to Scrutiny Boards in relation to appointing co-opted members.
- 3.2 In general terms, Scrutiny Boards can appoint:
- 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,
 - 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.
- 3.3 The Scrutiny Board appointed to the majority of non-voting positions in at its meeting in June 2018. As nominations for a second Teacher Representative and Children Looked After/Care Leavers representative had not been received, these positions remained vacant.
- 3.4 However, the following nominations have now been received:
- 1) Teacher Representative – Helen Bellamy
 - 2) Looked After Children/Care leavers – Debbie Reilly

Arrangements for appointing specific co-opted members

Education Representatives

- 3.5 In addition to elected Members appointed by Council, the Local Government Act 2000 states that the relevant Scrutiny Board dealing with education matters shall include in its membership the following voting representatives in accordance with statutory requirements:

- One Church of England diocese representative¹
- One Roman Catholic diocese representative¹
- Parent governor representatives²

3.6 The number and term of office of education representatives is fixed by full Council and set out in Article 6. Representatives of the Church of England and Roman Catholic dioceses are nominated by their diocese and parent governor representatives are elected. Where the Scrutiny Board deals with other non-educational matters, the co-opted members may participate in any discussion but shall not be entitled to vote on those matters.

3.7 The Parent Governor Regulations (Representatives) England 2001 states that a local education authority shall appoint at least two parent governor representatives to each of their education overview and scrutiny committees and sub-committees.

3.8 The Board has previously appointed three parent governor representatives. The Parent Governor representative (Primary) position was vacant in June 2018 and the Parent Governor representative (SEN) became vacant on 11th September 2018 as Jo Hazelgrave's four year term came to an end.

3.9 These positions have now been filled by process of election by the following individuals:

- Viv Bryden – Parent Governor Representative (SEN)
- Kate Blacker – Parent Governor Representative (Primary)

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The guidance surrounding co-opted members was previously discussed by the Scrutiny Chairs when it was agreed that individual Scrutiny Boards would consider the appointment of co-optees on an individual basis.

4.2 Equality and Diversity / Cohesion and Integration.

4.2.1 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.

4.3 Council Policies and Best Council Plan

4.3.1 The Council's Scrutiny arrangements are one of the key parts of the Council's governance arrangements. Within the Council's Constitution, there is particular provision for the appointment of co-opted members to individual Scrutiny Boards, which this report seeks to summarise.

¹ Article 6 states this appointment shall be for a term of office that does not go beyond the next Annual Meeting of Council

² Article 6 states these appointments shall be for a four-year term of office

4.4 Resources and Value for Money

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

4.5 Legal Implications, Access to Information and Call In

4.5.1 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.

4.6 Risk Management

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

5.0 Recommendations

5.1 Members are asked to:

- a) Note the two newly appointed parent governor representatives.
- b) Consider and appoint to the two non-voting co-opted member vacancies as detailed within the report.

6.0 Background documents³

None

³ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.