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## Report of the Head of Scrutiny and Member Development

### Scrutiny Board (Sustainable Economy and Culture)

Date: 16<sup>th</sup> June 2011

Subject: Co-opted Members

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#### Electoral Wards Affected: All

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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## 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 co-opted members to the Board.

## 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. However, the appointment of co-opted members has not been considered consistently across all Scrutiny Boards.

## 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 In the majority of cases the appointment of co-opted members is optional and is determined by the relevant Scrutiny Board. However, Article 6 makes it clear that co-option would normally only be appropriate where the co-opted member has some specialist skill or knowledge, which would be of assistance to the Scrutiny Board. Particular issues to consider when seeking to appoint a co-opted member are set out later in the report.

3.4 There are also some legislative arrangements in place for the appointment of specific co-opted members. Such cases are also set out in Article 6 (Scrutiny Boards) of the Council's Constitution and relate to Education representatives and the Crime and Disorder Committee (Scrutiny Board (Safer and Stronger Communities)).

#### Issues to consider when seeking to appoint co-opted members

3.5 Currently, there is no overarching national guidance or criteria that should be considered when seeking to appoint co-opted members. As a result, there is a plethora of methods employed within Councils for the appointment of co-optees to Overview and Scrutiny Committees (Scrutiny Boards). For example, some Councils use "job descriptions", some carry out formal interviews and some advertise for co-optees in the local press, with individuals completing a simple application form which is then considered by Members.

3.6 The Constitution makes it clear that 'co-option would normally only be appropriate where the co-opted member has some specialist skill or knowledge, which would be of assistance to the Scrutiny Board'. 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. However, co-opted members should not be seen as a replacement to professional advice from officers.

3.7 Co-opted members should be considered as representatives of wider groups of people. However, when seeking external input into the Scrutiny Board's work, consideration should always be given to other alternative approaches, such as the role of expert witnesses or use of external research studies, to help achieve a balanced evidence base.

3.8 When considering the appointment of a standing co-opted member for a term of office, Scrutiny Boards 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. To help overcome this, Scrutiny Boards may wish to focus on the provision available to appoint 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.

3.9 Despite the lack of any national guidance, what is clear is that any process for appointing co-opted members should be open, effective and carried out in a manner which seeks to strengthen the work of Scrutiny Boards.

## **4 Recommendations**

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

Background Papers

- The Council's Constitution
- KPMG Scrutiny Review May 2009