

## **TELFORD & WREKIN COUNCIL**

### **SCRUTINY MANAGEMENT BOARD - 4 NOVEMBER 2015**

#### **REVIEW OF NON-STATUTORY SCRUTINY CO-OPTEEES**

##### **REPORT OF SCRUTINY TEAM**

### **1.0 PURPOSE**

- 1.1 The purpose of the report is to update the Scrutiny Management Board on the outcome of the review of non-statutory scrutiny co-optees and the recommended appointments to date.

### **2.0 RECOMMENDATIONS**

- 2.1 That the Scrutiny Management Board note the report
- 2.2 That the Scrutiny Management Board endorse the appointment of co-optees set out in section 6 and under the terms set out in section 7
- 2.3 That the Scrutiny Management Board agree that further appointments be agreed by Scrutiny Chairs and confirmed by the Scrutiny Committees. Further appointments will be reported back to the Board.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The Local Government Act 2000 makes provision for the co-option of non-elected members to Overview and Scrutiny Committees to bring additional expertise and skills to scrutiny work and to increase public engagement with scrutiny.
- 3.2 Co-optees have either statutory or non-statutory roles. The Local Government Act 2000 requires the co-option of representatives of Church of England and Roman Catholic diocese (where they maintain schools in the local authority area) and of Primary and Secondary Parent Governors to Children and Young People Scrutiny Committees. These statutory co-optees have voting rights on education matters.
- 3.3 The Local Government Act 2000 also give discretion to local authorities to put in place a scheme to appoint voting co-optees to sit on overview and scrutiny committees. In Telford & Wrekin the three co-opted members of the Health and Adult Care Scrutiny Committee who also sit on the Shropshire and Telford & Wrekin Joint Health Overview and Scrutiny Committee (Joint HOSC) have been granted voting rights by Full Council on matters relating to the reconfiguration of health services in Shropshire and Telford and Wrekin.

- 3.4 All other scrutiny co-optees in Telford & Wrekin are non-statutory and do not have voting rights. Places may be allocated to an individual or to a designated representative of a key stakeholder organisation.
- 3.2 The Terms of Reference for the Scrutiny Committees make provision for the appointment co-optees up to 50% of the number of elected Members except the Children & Young People Scrutiny Committee which may appoint up to, but not exceeding, the number of elected members to allow for the four statutory co-optees. In 2012 the Scrutiny Management Board agreed that provision would be made for the co-option of up to two Town and Parish Councillors to each Scrutiny Committee within the overall number of co-optee positions. The number of co-optee positions is summarised below.

	Elected members	Total co-optee positions*	Statutory co-optee positions	Non-statutory co-optee positions	Positions allocated to a designated organisation	Remaining non-statutory co-optee positions
Children & Young People	8	8	4	4	1 (Primary Head)	3
Customer, Community & Partnership	8	4	0	4	0	4
Finance & Enterprise	8	4	0	4	0	4
Health & Adult Care	8	4	0	4	2 (Senior Citizen's Forum, Healthwatch)	2

\*This is the maximum number of places provided for under the existing Terms of Reference for the Scrutiny Committees. It is not a requirement that all the positions are filled. Scrutiny Committees may exercise discretion to increase the number of co-optees, as standing or time-limited members, where the addition would significantly enhance the ability to scrutinise matters under scrutiny

#### **4.0 REVIEW OF NON-STATUTORY CO-OPTEEES**

- 4.1 In June 2015 the Lead Scrutiny Member decided the start of the new administration was an opportune time to review the non-statutory co-optee arrangements which had not been reviewed for several years and it was right to open the opportunity to members of the public to get involved with scrutiny work.
- 4.2 On 10 July 2015 the Scrutiny Management Board considered a review of non-statutory co-optees and agreed that:
- A full recruitment process should be carried out using the Policy for Co-opting Scrutiny Members in the Scrutiny Handbook

- Co-optees nominated by the Senior Citizens' Forum and Healthwatch would continue to sit on the Health & Adult Care Scrutiny Committee and Joint HOSC
- Attendance would be monitored and co-optees missing two consecutive formal committee meetings without sending apologies would be contacted by the Scrutiny Chair or Scrutiny Team to establish their interest in continuing their membership
- Due to the amount of work carried out by email it would become a requirement for co-opted members to have a personal email account and access to a computer so that they can play a full role in all scrutiny work.

4.3 In September the Senior Citizens' Forum and Healthwatch confirmed the co-opted members of the Health and Adult Care Scrutiny Committee and Joint HOSC.

4.4 In September the Chair of the Children & Young People Scrutiny Committee agreed that one place would continue to be designated to a Primary Head nominated by the Primary Heads' Forum Executive Committee, and that a named substitute would be able to attend meetings in the nominated co-optee's absence.

4.5 A recruitment campaign for all other non-statutory co-optees was carried out during September and October. The key stages of the process and timetable are summarised below.

<b>Activity</b>	<b>Details</b>	<b>Date</b>
Campaign launch	A full application pack was available to download from the website via a friendly URL. Applicants could apply on line or via a Freepost address.	7 September (launch) - 2 October (closing date)
On-going promotion	Promotional activity (supported by Corporate Communications, Community Engagement and Business Support) included: <ul style="list-style-type: none"> <li>• Contacting all previous scrutiny co-optees</li> <li>• Press release</li> <li>• Email to all Members to raise awareness</li> <li>• Article and link to website in Staff News</li> <li>• Inviting nominations from Town and Parish Councils</li> <li>• Website, Twitter, Facebook</li> <li>• Promotion to partner organisations (including the Senior Citizen's Forum, Clinical Commissioning Group, Telford Business Board and other business networks, Telford Safeguarding</li> </ul>	7 September - 2 October

	<p>Children Board, Council for Voluntary Services)</p> <ul style="list-style-type: none"> <li>• Members of the Community Panel (where approved)</li> <li>• Council's community contacts</li> </ul>	
Candidate shortlisting	Scrutiny Chairs considered all the applications for their Committee to identify suitable candidates. Application forms were anonymised and a scoring system was used to assess candidates against the job description and person specification.	5 October – 12 October
Candidate interviews and selection	Scrutiny Chairs contacted the shortlisted candidates to discuss their suitability and interest in more detail and to decide which candidates should be offered a position. Selected candidates were contacted to establish if they wished to accept a position.	12 October – 30 October
Endorsement of appointments	Scrutiny Chairs have authority to make appointments to their own Scrutiny. However the Scrutiny Management Board has responsibility for oversight of scrutiny functions and structures and has been asked to endorse the appointments recommended by the Scrutiny Chairs.	4 November
Candidate feedback and inductions	All applicants will be contacted to confirm the decisions of the Scrutiny Chairs once endorsed by the Scrutiny Management Board. Feedback will be provided to unsuccessful candidates on request. Successful candidates will be invited to an induction and will join the relevant Committee with immediate effect.	From 4 November

## 5.0 APPLICATIONS

5.1 A total of 12 applications were received. One candidate expressed an interest in more than one Scrutiny Committee (Health and Adult Care and Children & Young People) but on the basis of relevant experience was considered for the Health & Adult Care Scrutiny Committee, and there was one application from an organisation (Shropshire Partners in Care) requesting a place on the Health & Adult Care Scrutiny Committee. Three Town and Parish Councils confirmed their support for nominations. The breakdown of applications by Committee is shown below.

<b>Scrutiny Committee</b>	<b>Number of applications</b>
Children & Young People	3 (plus Primary Head)
Customer, Community & Partnership	4
Finance & Enterprise	2
Health & Adult Care	3 (plus SCF/Healthwatch)
<b>Total</b>	<b>12</b>

## **6.0 APPOINTMENTS**

- 6.1 The Scrutiny Chairs recommend the appointment of co-optees to the Scrutiny Committees as follows:

<b>Scrutiny Committee</b>	<b>Co-optees</b>
Children & Young People	Sandra Osman (Primary Head) Others to be confirmed
Customer, Community & Partnership	To be confirmed
Finance & Enterprise	To be confirmed
Health & Adult Care	Jean Gulliver Rajash Mehta* Barry Parnaby (Healthwatch)* Dag Saunders (Senior Citizen's Forum)*

\*Co-optees appointed to the Joint HOSC with voting rights as determined by Full Council.

## **7.0 TERMS OF APPOINTMENT**

- 7.1 Appointments will be for a term of two years with one month's notice of termination on either side.
- 7.2 Co-opted members are not paid but are entitled to claim an annual taxable allowance of £260 to cover travel and out of pocket expenses.
- 7.3 Co-opted members are expected to sign the Council's Code of Conduct and, where relevant, the Council Register of Interests.
- 7.4 Appointments are subject to agreement with the Council's Code of Conduct.

## **8.0 EQUAL OPPORTUNITIES IMPLICATIONS**

- 8.1 Co-optee vacancies are open to applications from all residents regardless of age, gender, religion or disability. Personal details were removed from forms during the screening process.

## **9.0 FINANCIAL IMPLICATIONS**

- 9.1 There is budgetary provision for the payment of the annual allowance co-opted members are entitled to claim. There are no other direct financial implications arising from this report.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 Under the provisions of the Local Government Act 2000 a local authority may put in place a scheme to appoint voting co-optees to sit on overview and scrutiny committees. The requirements as set out in the 2000 Act in respect of statutory and non-statutory co-optees are set out in detail within the body of this report.
- 10.2 The general scrutiny functions and powers and specific role of Scrutiny Committees are set out in the Council Constitution within the "Scrutiny Rules". Co-optees should follow the Scrutiny Rules and associated procedural rules which apply to all scrutiny meetings, including but not limited to Council Rules on Motions without notice, Points of Order, and Personal Explanation and Conduct.
- 10.3 Co-optees, in light of their position or standing within the community or a particular organisation, and having declared all personal interests in the Council Register of Interests, should always be mindful of potential conflicts of interest in respect of matters that they may be dealing with in their role as a member of a scrutiny committee. Any conflict of interest should be avoided in the first instance or declared at the earliest opportunity to the Chair of the relevant scrutiny committee.

## **11.0 ENVIRONMENTAL IMPLICATIONS**

- 11.1 There are no significant environmental implications arising from the appointment of the co-optees. Co-optees receive printed papers for formal committee meetings but efforts are made to encourage all scrutiny members to work electronically. The environmental implications of issues under scrutiny are considered as part of a scrutiny review.

## **12.0 WARD IMPLICATIONS**

- 12.1 There are no direct ward implications arising from the appointment of the scrutiny co-optees. Scrutiny's role is to consider policies on a borough-wide basis and any specific ward implications would be considered as part of a scrutiny review.

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