

Committee: Overview and Scrutiny Commission

Date: 7 October 2014

Wards: All

Subject: Proposal for a new approach to the appointment of co-opted members

Lead officer: Julia Regan, Head of Democracy Services

Lead member: Cllr Peter Southgate, Chair of the Overview and Scrutiny Commission

Contact officer: Julia Regan: Julia.regan@merton.gov.uk 020 8545 3864

Recommendations:

That the Overview and Scrutiny Commission consider the proposals set out in this report and agree any changes it wishes to make to the process for the appointment of non-voting co-opted members.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The scrutiny team have suggested that a more formal approach could be adopted towards the appointment of non-voting co-opted members in future so that each Panel identifies the area of expertise that is required and then recruits accordingly for a time-limited period rather than open-ended as at present.
- 1.2 The Commission, at its meeting on 8 July 2014, heard that the Healthier Communities Overview and Scrutiny Panel had already agreed to adopt a new approach. The Commission therefore asked the Head of Democracy Services to find out what the Healthier Communities Panel have decided to do, look at good practice in other authorities and report back to the Commission with a proposal.
- 1.3 This report sets out proposals for the recruitment and support of non-voting co-opted scrutiny members. The arrangements for appointing the statutory co-opted members (the Diocesan Board and Parent Governor representatives on the Children & Young People Panel and on the Commission) are not within the control of the council and are therefore not addressed in the report.

2. BACKGROUND

- 2.1 Co-opted members can provide scrutiny committees or task groups with outside knowledge, experience and skills that can inform the work of scrutiny and complement the role of councillors. Co-opted members can be particularly helpful in representing community perspectives, contributing a wider perspective and encouraging public engagement.
- 2.2 Panels and task groups may also call upon expert witnesses to present information and ask/answer questions for particular agenda items or meetings – this may be a more effective use of that person's time when the panel or task group has a wide remit.

- 2.3 The Healthier Communities and Older People Overview and Scrutiny Panel, at its meeting on 3 September 2014, agreed to adopt a clear and transparent process by which it would advertise co-option opportunities to local residents and community organisations, develop a role description and set criteria against which applicants would be assessed. It also agreed that the Chair and Vice Chair would shortlist applicants and invite them to an interview to discuss the role.
- 2.4 A small number of other councils have formalised their approach to the appointment and support of non-voting co-opted members. Although there are variations in the detail, all have identified the skills and expertise that is sought and all require the co-opted member to sign up to the councillors' code of conduct and to complete the declaration of pecuniary interests form. An appointment process, similar to that envisaged by the Healthier Communities Panel, has been adopted. Some form of training and support is provided. Travel and subsistence expenses are usually reimbursed.

3. PROPOSALS

- 3.1 It is proposed that the Overview and Scrutiny Commission agree an approach to the appointment of non-voting co-opted members whereby each Panel (and the Commission) should determine how many co-opted members would be appropriate for that Panel, the length of the appointment and what the required skills and expertise would be. Appointments should be made in line with following principles agreed by the Commission:

Advertisement

- 3.2 The role must be widely advertised. This should include the Council's website, Merton Voluntary Service Council e-bulletin plus emails to local community organisations and resident associations.
- 3.3 Co-opted members may represent a local organisation or be interested individuals or experts in a particular field.

Role description

- 3.5 A role description should be drawn up and made available to applicants. Appendix 1 contains the role description and person specification that will be used by the Healthier Communities Panel. It is suggested that other Panels and the Commission would draw on this as a basis for their own use.
- 3.6 The person specification should include these core essential requirements:
- to have a working knowledge and/or experience in one or more of the following areas..... (list to be determined by the Panel/Commission)
 - to be a good communicator and to be able to contribute constructively to discussions
 - to have the ability to understand complex issues
 - to have a genuine interest in the work of local government
 - to demonstrate commitment to equalities and the positive development of all Communities in Merton.
 - to sign up to the code of conduct and complete the declaration of pecuniary interest form
 - to be available to attend evening meetings at the Civic Centre

- to live or work in the borough

3.7 Selection

- 3.8 Applicants should be shortlisted against the criteria set out in the role description.
- 3.9 Shortlisted applicants should be invited to an informal 20 minute interview with the relevant Chair, Vice Chair and scrutiny officer.
- 3.10 The appointment should be made for a fixed period. The Commission recommends making an appointment for two years, with the ability to re-appoint for a further two years. The Commission also recommends that no co-opted member should serve for more than four years in total.
- 3.11 If appropriate, the appointment may be made to a specific task group or an invitation made to join discussion at a specific Panel/ Commission meeting(s) instead of a longer term appointment.
- 3.12 The co-opted member may terminate their membership by giving one month's notice in writing to the Chair or scrutiny officer.

3.13 Support

- 3.14 Co-opted members should attend an induction briefing with the scrutiny officer prior to attending the first panel or task group meeting.
- 3.15 Co-opted members should be invited to join any training that is provided to scrutiny councillors.
- 3.16 Non-voting co-opted members will not be paid an allowance but travel and any reasonable subsistence expenses that are incurred whilst fulfilling duties as a co-opted member will be re-imbursed.

4. **ALTERNATIVE OPTIONS**

- 4.1 The Commission is invited to discuss the proposals within the report and request any changes that it wishes to make.

5. **CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1 None for the purposes of this report.

6. **FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1 The cost of recruitment and support of co-opted members would be met within existing budgets.

7. **LEGAL AND STATUTORY IMPLICATIONS**

- 7.1 The Local Government Act 2000 provides for the formal co-option of a person onto a committee to occupy a non-voting position.

8. **HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1 It is a fundamental aim of the scrutiny process to ensure that there is full and equal access to the democratic process through public involvement and engagement. The proposed approach for a widely advertised and clear process will enable local residents and community and voluntary sector groups to apply for these positions and to engage with scrutiny.

9. CRIME AND DISORDER IMPLICATIONS

9.1 The Police and Justice Act 2006 allows crime and disorder committees (the Commission has this role in Merton) to co-opt additional members with particular expertise in crime and disorder issues. Co-optees must be employees, officers or members of one of the responsible authorities. Cabinet Members may not be co-opted.

10. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1 There are none specific to this report.

11. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

11.1 Appendix 1 –role description and person specification for appointment of non-voting co-opted persons to the Healthier Communities Overview and Scrutiny Panel

12. BACKGROUND PAPERS

12.1 None

Role Description

Position: Voluntary Co-opted Scrutiny Member

Scrutiny Panel: Healthier Communities and Older People Overview and Scrutiny Panel

Background information

Are you interested in improving local public services?

Are you able to investigate issues in-depth; work in a non-party political way; focus on the needs of the whole borough and not just those of where you live or the group that you identify with, and give up your time to attend and actively participate in meetings?

If the answer is yes, then volunteering as a co-opted member could be for you. The Council currently has vacancies for non-statutory, voluntary co-opted scrutiny Members to serve on the Healthier Communities and Older People Overview and Scrutiny Panel.

The role of the scrutiny panel is to scrutinise the effectiveness of services and to make recommendations for improvement. The Health Scrutiny Panel also has a wider role in looking at the services of local health providers such as the Clinical Commissioning Group and Acute Trust.

Scrutiny Committees do not make decisions on spending or policy – this is a function of the Cabinet and the full Council and, in the case of services provided by external health organisations, NHS Boards. Neither can Scrutiny Committees, by law, investigate individual complaints against the Council or other public bodies.

A Scrutiny Co-opted Member's Role

As a scrutiny panel co-opted member, you will work with elected councillors from all parties on the Health Scrutiny Panel and will be expected to use your relevant skills and knowledge to add to the discussion and debate.

You may also be invited to join a task group to look at a particular issue or service in greater depth, where you have relevant knowledge or expertise.

Time Commitment

Co-opted members will be expected to attend Health Scrutiny Committee meetings (approximately 6 times a year but this may vary) which are held from 7.15pm in the evening at the civic centre and last, on average, around 2 hours. You will need to allow some time before the meeting to read and consider reports and to attend any additional member development meetings or site visits.

Terms of Appointment

For continuity, Co-opted Members on the health scrutiny panel will be appointed to serve until May 2018, subject to annual review by the Committee and annual approval of nominations by full Council, after which time appointments will automatically cease and vacancies will be re-advertised. However, if vacancies occur during this time they may be dealt with immediately. Co-optees will also be required to comply with any conditions that are attached to the position.

Where there is a breach of conditions, co-option will cease following consideration by the Head of Democracy Services and the Monitoring Officer.

Training

You will be given the opportunity to learn about how aspects of council services are delivered and to take part in scrutiny training sessions or site visits and dates will be provided as and when they become available.

Application

You will need to complete an application form and this should be supported by a reference.

Conditions of appointment

All applications will be evaluated against the competencies stated above.

The total number of non-statutory Co-opted Members to the above Committee will not exceed the required number (three as at June 2014). Where the number of applications exceeds this number, the most appropriate representatives will be selected.

Co-opted Members will be entitled to claim travelling or other reasonable expenses. A candidate for appointment must disclose any relationship to a Councillor or to any member of staff.

Successful applicants will be expected to observe the Code of Conduct for Members, as set out in the Council's Constitution which covers, among other matters, treating others with respect, not disclosing confidential information and disclosing relevant personal interests. The Code of Conduct can be found in the Merton constitution which is on the website or at the following link:

<http://democracy.merton.gov.uk/documents/s2597/Part%205A.pdf>

The deadline for applications is Friday 31st October 2014 and should be either emailed or posted to:

Email: scrutiny@merton.gov.uk

Post: London Borough of Merton, Democracy Services, London Road, Morden SM4 5DX

Healthier Communities and Older People Overview and Scrutiny Panel – Appointment of a co-opted member

Person specification

Qualifications:

No formal qualifications are required

Essential:

Be able to contribute to the work of the Scrutiny Panel as a whole in terms of debate, local knowledge and insight into issues of local concern.

Have a working knowledge and/or experience of one or more of the following areas:

- Health
- Voluntary Sector
- Adult Social Care
- Issues facing older people in Merton

Be committed to equalities and the positive development of all Communities in Merton.

To be a good communicator and to be able to contribute constructively to discussions

Have an understanding of local government.

Be available to attend evening meetings in the civic centre

Live or work in the borough

To build positive relationships with other panel members, councillors, partner organisations and officers in the council.

To sign up to the councils code of conduct and complete the declaration of pecuniary interest form.

Desirable

Experience of working in committee structure in the public, private or voluntary sector.

Understanding of the work of locally elected councillors

Be able to offer relevant specialist skills or knowledge relevant to the work of the Scrutiny committee.

Other requirements:

Must not be disqualified from standing for election as a councillor, ie been adjudged bankrupt or been sentenced to a term of imprisonment for a period of not less than three months in the past five years.