

OVERVIEW AND SCRUTINY COMMITTEE
12 MAY 2014
APPOINTMENT OF CO-OPTees ON OVERVIEW AND SCRUTINY
REPORT OF HEAD OF DEMOCRATIC SERVICES

1. **Purpose**

To agree arrangements for the co-option by overview and scrutiny of people who are not members of the Council to sit on the Overview and Scrutiny Committee and/ or its sub-committees.

2. **Action required**

The Committee is asked to:

a) **appoint David Richards (as Church of England Diocese representative), Ken Daly (as Roman Catholic Diocese representative);**

b) **appoint (name to be advised) as Parent Governor Representative for a four year term of office, as statutory co-opted members for any scrutiny activity relating to education matters;**

c) **note Assim Ishaque, as Parent Governor Representative, is a statutory co-opted member, for any scrutiny activity relating to education matters, with 2 years of the 4 year appointment remaining;**

d) **appoint (name to be advised), as the non-statutory, co-opted 3rd Sector advocate, for municipal year 2014/15 with an option to extend to 2015/16.**

3. **Background information**

3.1 The majority of members of an overview and scrutiny committee/ panel are elected members of Nottingham City Council. However, legislation does make provision to appoint co-opted members from outside the Council to sit on overview and scrutiny committees. Co-opted members can bring outside expertise, experience and knowledge to inform the work of overview and scrutiny.

3.2 In January 2011, the then Overview and Scrutiny Committee agreed arrangements governing co-option. The purpose of having agreed arrangements in place is to:

- formalise the appointment of co-opted members;
- be clear about the role and contribution of co-opted members;

- ensure that those appointed as co-opted members are able to fulfil the requirements of them;
- ensure that a process of induction, training and support is available to co-opted members;
- provide an opportunity for co-opted members to stand down if they wish; and for overview and scrutiny to refresh its membership and seek representatives with different experience and skills.

Role profile and job description for co-opted members

- 3.3 A role profile and job description for co-opted members is attached at Appendix 1. The purpose of this is to have a clear basis for the recruitment of co-opted members and to provide clarity for both the Overview and Scrutiny Committee and co-opted members about what is expected of them. For statutory co-opted members, any additional specific expectations of the role are set out in the relevant Regulations and Guidance.

Statutory co-opted members

- 3.4 For overview and scrutiny work that deals wholly or partly with education issues there is a requirement to involve specific statutory co-opted members:
- Church of England Diocese (if the local authority maintains one or more Church of England schools);
 - Roman Catholic Diocese (if the local authority maintains one or more Roman Catholic schools);
 - Parent governor representatives.
- 3.5 These statutory co-opted members are full and equal members on the overview and scrutiny committee(s) to which they are appointed and have voting rights in relation to education issues.
- 3.6 The statutory co-opted members will be involved by:
- receiving electronic copies of Overview and Scrutiny Committee agendas and minutes;
 - being able to suggest topics for potential inclusion on the overview and scrutiny work programme;
 - being co-opted as a full member with voting rights for any scrutiny activity relating to education issues, for example a review panel;
 - being able to be invited by the Overview and Scrutiny Committee to be a co-opted member or to provide evidence to review panels on topics other than education
- 3.7 Currently both diocesan representative positions are filled. The Council has chosen (within the limitations of Regulations) to have two positions for parent governor representatives and to make the eligibility criteria as

wide as possible so that representatives are not required to represent specific school sectors. The existing parent governor representatives, Assim Ishaque has two years of his four year terms of office remaining and nominations were sought in March 2013 to appoint a new parent governor representative as the term of office for Claire Smith has now expired.

Non-statutory co-opted members

- 3.8 Legislation makes provision for the appointment of non-statutory co-opted members on overview and scrutiny committees, and the ability to give non-statutory co-opted members voting rights.
- 3.9 Under the Council's structure, the Overview and Scrutiny Committee has responsibility for appointing non-statutory co-opted members to sit on any of the Overview and Scrutiny Committee, Health Scrutiny Panel and/or a review panel. The need for these additional co-opted members will be determined by the Overview and Scrutiny Committee based on an assessment of what will be beneficial to delivery of the work programme. In determining whether to appoint co-opted members, the Overview and Scrutiny Committee will be mindful of the need, as far as possible, to reflect the full remit of the committee/ panel to which they will be appointed, avoiding membership weighted towards a particular specialist area; and retain a balance with the number of elected members. In approving an appointment, the Committee will be mindful of the potential for any ongoing prejudicial interests between, for example, the co-opted member's paid employment and the overview and scrutiny activity they will be involved in.
- 3.10 Non-statutory co-opted members will usually be representatives of specific organisations or sectors identified by the Overview and Scrutiny Committee as relevant to the work of the committee/ panel to which they will be appointed. Normally the identified organisation(s) will be provided with the co-opted member role profile and person specification and asked to make a suitable nomination. If there is more than one nomination for a vacancy then a selection process will take place to identify the nominee best able to meet the criteria in the person specification. This selection process will be lead by the Chair of Overview and Scrutiny and the Head of Democratic Services. However, on occasion a vacancy may be advertised more widely.
- 3.11 It is proposed that the term of office for non-statutory co-opted members is:
- if appointed to a standing committee/ panel, the term of office will be for the municipal year. At the end of the year, consideration will be given as to whether the post is still required. If it is, the existing co-opted member can be invited to express an interest in remaining in office for a further year. After two consecutive years in post, new

nominations will be sought to fill the position (for which the incumbent co-opted member will be able to apply);

- if appointed to a review panel, the term of office will be for the time period over which the review panel exists.

3.12 Non-statutory co-opted members are not allowed to send substitutes to attend a meeting in their absence.

3.13 Non-statutory co-opted members can be disqualified during their term of office if they don't attend meetings of the committee/ panel to which they have been appointed for 6 months without giving an apology; or if they become a councillor of Nottingham City Council. If they have been appointed on the basis of representing a particular organisation/ sector, then their term of office will also end if they resign or are disqualified from being a member of that organisation/ sector, or if that organisation/ sector ceases to exist. It is the responsibility of the co-opted member to inform the Council if a circumstance arises that they believe disqualifies them from continuing in their term of office. Co-opted members can also resign during their term of office if they feel that they can no longer fulfil the requirements of the role.

3.14 In May 2014, Council approved a membership for the Overview and Scrutiny Committee including one independent co-opted member. This position will operate in accordance with arrangements for all non-statutory co-opted members, as outlined above.

3.15 While voting is not common practice at overview and scrutiny meetings, for co-opted members to be full and equal members of the Overview and Scrutiny Committee it would be appropriate to give them voting rights. The Scheme of Voting Rights was approved by City Council on 12 September 2011.

Support provided to co-opted members

3.16 All co-opted members will be:

- sent all agendas, documentation and communication relevant to the overview and scrutiny committee/ panel to which they have been co-opted;
- offered a comparable level of support as provided to councillors when acting in an overview and scrutiny capacity;
- offered an induction to the role of co-opted member when they are first appointed. Beyond this no specific training is anticipated but all co-opted members will be invited to attend general overview and scrutiny training events;

- be entitled to allowances to assist with expenses, such as childcare costs while at meetings, in accordance with the Members' Allowances Scheme.

4. **List of attached information**

The following information can be found in the appendices to this report:

Appendix 1 – Role profile and job description for co-opted members

5. **Background papers, other than published works or those disclosing exempt or confidential information**

None

6. **Published documents referred to in compiling this report**

Parent Governor Representatives (England) Regulations 2001
Local Government Act 2003

7. **Wards affected**

Citywide

8. **Contact information**

Contact Colleagues

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Overview and Scrutiny Co-opted Member – Role Profile

The role of an overview and scrutiny co-opted member is to:

1. Prepare for, attend and actively contribute to the work of the overview and scrutiny committee/ panel to which they have been appointed, including
 - (i) Developing a programme of work;
 - (ii) Gathering information and evidence;
 - (iii) Analysing and challenging information;
 - (iv) Drawing conclusions and making recommendations based on evidence;
 - (v) Monitoring progress against recommendations made.
2. Bring an external perspective to the work of overview and scrutiny, making a link between overview and scrutiny and local communities.
3. Contribute specialist knowledge, expertise and experience to the work of overview and scrutiny.
4. Be able to express the views of the organisation/ sector/ constituency they are representing, if any, and not just their personal view/ experience.
5. Undertake work in overview and scrutiny on behalf of the whole City and not just one particular sector or viewpoint.
6. Act independently of party politics and lobbying interests.
7. Ensure that the organisation they are representing, if any, is kept up-to-date on the work of overview and scrutiny.
8. Show courtesy and respect to other overview and scrutiny members, officers of the City Council and its partners.
9. Respect the sensitivity and confidentiality of information that they may hear as an overview and scrutiny member, and act with discretion.
10. Abide by the requirements of Nottingham City Council's Constitution, Code of Conduct and Register of Interests.

Overview and Scrutiny Co-opted Member – Person Specification

An Overview and Scrutiny Co-opted Member should:

1. Live, work or study in the City of Nottingham.
2. Not be an elected member of Nottingham City Council.
3. Have an interest in improving public services for the people of Nottingham.

4. Have an understanding of local government and wider public service delivery.
5. Have an understanding of current key issues and priorities for Nottingham and, where appropriate, the specific issues within the remit of the overview and scrutiny committee/ panel to which they are appointed.
6. Have a good understanding of the current key issues for the organisation/ sector/ constituency they are being appointed to represent.
7. Have the ability to understand written and verbal information, and analyse complex issues.
8. Be willing to proactively contribute to the work of a team, including on areas outside own experience and expertise.
9. Have the ability to understand, and reflect the views and interests of people other than themselves.
10. Have the ability to communicate effectively, particularly including listening skills and questioning skills.
11. Be able to act with sensitivity and discretion at all times.
12. Be committed to the principles of public scrutiny, accountability, openness and equality.
13. Be independent of party politics.
14. Be able to attend meetings during the day.

Overview and Scrutiny Co-opted Members will also be required to abide by the Council's Code of Conduct and requirements to register Interests.