



## **ANNUAL COUNCIL 18TH MAY 2017**

**SUBJECT: CO-OPTED SCRUTINY COMMITTEE MEMBERS**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & SECTION 151 OFFICER**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek decisions on a process to appoint and also formalise arrangements for non-statutory co-opted members on Scrutiny Committees, and approval to remove co-opted positions available to organisations that no longer attend.

### **2. SUMMARY**

- 2.1 This report outlines the current non-statutory co-opted membership on Health Social Care and Wellbeing Scrutiny Committee, Education for Life Scrutiny Committee and Partnerships Scrutiny Committee.
- 2.2 The co-opted members that sit on Health Social Care and Wellbeing Scrutiny Committee have continued since 2001 without review and there is no process in place to provide guidance on appointing new members. There have now been two resignations from the Health Social Care and Wellbeing Scrutiny Committee and this report suggests a procedure for seeking new nominations.
- 2.3 The co-opted members of Partnerships Scrutiny Committee were agreed by Council on 11th October 2016, this report suggest that the Youth Forum co-opted representative be allowed to nominate the Vice Chair of the Youth Forum as substitute co-opted member.
- 2.4 The Education for Life Scrutiny Committee non-statutory co-opted members were agreed by Cabinet in January 2000. This report suggests reviewing the number of non-statutory co-opted members because of lack of attendance and remove the positions for National Association Head Teachers (NAHT) and National Association of School Masters Union of Women Teachers (NASUWT). It suggested that the positions afforded to National Union of Teacher (with formal arrangements for substitution) and Caerphilly Governors Association be allowed to continue along with a defined term of office.

### **3. LINKS TO STRATEGY**

- 3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation. The co-option of scrutiny committee members contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by ensuring that there is an effective scrutiny function and council policies are scrutinised against the following goals:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

#### **4. THE REPORT**

##### **Health Social Care and Wellbeing Scrutiny Committee**

- 4.1 In order to provide a diverse range of experience and expertise the council has co-opted members onto its scrutiny committees. At present there four non-statutory co-opted members that sit on Health Social Care and Wellbeing Scrutiny Committee. The individuals and/or organisations represented have continued on an ongoing basis for a number of years without review.
- 4.2 The four non-statutory co-opted members were appointed to represent the Users and Carers Forum on the Health Social Care and Wellbeing Scrutiny Committee. However this forum no longer exists. These arrangements have continued since Council agreed them in 2001 when the scrutiny committees were first established.
- 4.3 The Council has received resignations from both Miss Louise Price and Mrs Margaret Veater and in that the Users and Carers forum no longer exists arrangements for appointing replacements need to be agreed.
- 4.4 It is suggested therefore the Council contact the Gwent Association of Voluntary Organisations to ask them to facilitate contact with charitable organisations that currently represent users and carers in the county borough. These organisations will then be asked to provide nominations for a co-opted member of the scrutiny committee subject to there being no more than one nomination from each organisation.
- 4.5 It is suggested that a co-opted member Appointments Sub-Committee of the Health Social Care and Wellbeing Scrutiny Committee will be established. The Sub-Committee will consist of the Chair, Vice Chair and one nominated committee member. The Sub-Committee will consider all nominated persons and select a shortlist for interview where they will determine the nominees experience and skills. Following the interview the Sub-Committee will make a recommendation to the Scrutiny Committee. The interview panel will also be permitted to suggest unsuccessful interviewees as reserves, should future vacancies arise.
- 4.6 The position will be offered for a fixed term to run concurrently with the term of office for each respective administration. They may then seek re-nomination, subject to the agreed selection process outlined above, which will also be applied to for any future vacancies as and when they occur.
- 4.7 The two remaining co-opted members of the committee, Mr Cyril Luke and Mrs Joyce Morgan have not expressed any desire to step down from their role. Therefore it is suggested that they be allowed to continue but are also placed on the same terms and will need to seek re-nomination when the term of office for each respective administration ends. The Co-opted Member from Aneurin Bevan University Health Board, Mrs S Millar, joined the committee in March 2016, the previous representative was a Co-opted Member between September 2012 and February 2016. The co-opted representative from ABUHB has historically been more flexible to allow for changes in personnel. However Members may wish to allow this flexibility to continue or seek to apply more rigid terms of office, as with other co-opted members.
- 4.8 A role description will be developed for all co-opted members and full training made available, co-opted members will also be expected to sign up to the code of conduct.

## **Partnerships Scrutiny Committee**

- 4.9 Council agreed at its meeting on the 11th October 2016 to offer Caerphilly Youth Forum Cabinet a co-opted member's position on the Partnerships Scrutiny Committee. The Caerphilly Youth Forum subsequently accepted this offer and the Chair of the Youth Forum is the designated co-opted member. However since this position was offered the Youth Forum have asked if the Vice-Chair could be designated as a substitute co-opted member when the Chair is unavailable. This would also assist with continuity as the Vice Chair will take over the Chair of the Youth Forum each subsequent year, thereby ensuring they have an understanding of the role and what is expected of them.

## **Education for Life Scrutiny Committee**

- 4.10 Education for Life Scrutiny committee has three statutory co-opted members, which are set out in the Parent Governor Representatives and Church Representatives (Wales) Regulations 2001. These statutory co-opted members have voting rights on education matters and are required to sign the code of conduct on appointment.

## **Parent Governor Co-opted Members**

- 4.11 The regulations state that there should be no less than two and no more than five parent governor representatives. Caerphilly County Borough Council has determined that there will be two parent governor representatives on Education for Life Scrutiny Committee. All parent governors are eligible to vote in the elections for parent governor representatives and to be eligible to stand a parent governors must, at the date of the election be a parent of a child at one of the authority's schools or educated by the local education authority. There are some restrictions on who can stand; for example, employees of the LEA are ineligible. The regulations also state that the term of office can range from a minimum of two to a maximum of five years. The Council has determined that parent representatives who will serve for four years.

## **Church School Representatives**

- 4.12 The regulations state that where a local authority has a church school, the education scrutiny committee must have at least one representative of the persons who appoint foundation governors for schools. Cardiff Archdiocesan was therefore asked to nominate a representative in respect of St Helen's RC School in Caerphilly and the current Co-opted Member is the Chair of Governors for the School.

## **Payments to Statutory Co-opted Members**

- 4.13 Statutory Co-opted Members are entitled to receive a remuneration package set by the Independent Remuneration Panel for Wales. Statutory Co-opted Members receive a payment of £99 for a half day (up to 4 hours) and £198 for a full day (over 4 hours). The daily fees are capped at a maximum of 10 days per annum.

## **Non-Statutory Co-opted Members**

- 4.14 There are four non-statutory co-opted members on Education for Life Scrutiny Committee, representing organisations agreed by Cabinet in January 2000. These co-opted members are representatives of the following organisations:

- Caerphilly Governors Association
- National Union Teachers (NUT) – 2 representatives
- National Association Head Teachers (NAHT)
- National Association of School Masters Union of Women Teachers (NASUWT)

- 4.15 The attendance of these co-opted members is variable and has been collated over twelve months (period May 2016 to March 2017). The following table illustrates their attendance:

<b>Organisation</b>	<b>Attendance</b>	<b>Percentage</b>
Caerphilly Governors Association	5/8	62.5%
National Union Teachers (NUT)	8/8	100%
National Association Head Teachers (NAHT)	0/8	0%
National Association of School Masters Union of Women Teachers (NASUWT)	0/8	0%

- 4.16 Members may wish to review the number of non-statutory co-opted members in light of the lack of attendance and remove the positions for NAHT and NASUWT. It suggested that the positions offered to NUT and Caerphilly Governors Association be allowed to continue but are need to be re-nominated when the term of office for the administration ends. The National Union of Teachers currently have two members who are invited to attend, it is also suggested that a formal substitution arrangement is put in place so that only one representative attends.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This report contributes to the well-being goals as set out in links to strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in that by ensuring the scrutiny function is effective when reviewing services and policies and ensures it considers the wellbeing goals.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An Equalities Impact Assessment is not needed because the issues covered have previously been considered by the Council and an EIA was completed at that time.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications not contained in the report.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no personnel implications not contained in the report.

## **9. CONSULTATIONS**

- 9.1 There are no consultation responses not contained in the report.

## **10. RECOMMENDATIONS**

- 10.1 That Council agree the process to appoint Co-opted Members to Health Social Care and Wellbeing Scrutiny Committee outlined in 4.4, 4.5, 4.6, 4.7 and 4.8 above.
- 10.2 That Council agree that the ABUHB Co-opted Member position appointed to Health Social Care and Wellbeing Scrutiny Committee continue to be flexible to allow for personnel changes in the organisation.
- 10.3 That Council agree that the Vice-Chair of the Youth Forum will be substitute member for the Chair of the Youth Forum, as non-voting Co-opted Member of Partnerships Scrutiny Committee.

- 10.4 That Council agree to remove the positions for NAHT and NASUWT as outlined in 4.14, 4.15 and 4.16 on Education for Life Scrutiny Committee.
- 10.5 That Council agree to the non-voting Co-opted Member positions for National Union of Teachers and Caerphilly Governors Association on Education for Life Scrutiny Committee be allowed to continue but are to be re-nominated when the term of office for each respective administration ends.
- 10.6 That Council agree that the National Union of Teachers non-voting Co-opted Member position on Education for Life Scrutiny Committee is subject to a formal substitution arrangement as outlined in 4.16.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To ensure that scrutiny committees have Co-opted Members with skills and experience relevant to their terms of reference.

## **12. STATUTORY POWER**

- 12.1 Section 21 of the Local Government Act 2000.

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Background Papers: Co-option and Membership of Partnerships Scrutiny Committee - Council 11th October 2016.