

	<p>REPORT TO CABINET TO BE HELD ON 17 OCTOBER 2017</p>
	<p>Key Decision NO</p> <p>Forward Plan Ref No 25</p>
<p>Corporate Plan: Council – to be an efficient and effective council which is financially sustainable for the future</p>	<p>Cabinet Portfolio Holder Cllr Sandra Turner</p>

REPORT OF: Director (LD) – 17/183

WARDS AFFECTED: All

SUBJECT: COMPOSITION AND OPERATION OF THE APPOINTMENTS COMMITTEE

RECOMMENDATION:

The Council is recommended to:

- (i) Approve the changes to the composition and operation of the Appointments Committee outlined in paragraph 5.1;
- (ii) Remove the Appointments Committee's function listed at 8.8 (ii) (c), namely 'The nomination to Council of elected members to sit on external bodies in accordance with the Protocol for the Appointment of Members to External Bodies, but excluding appointments which form part of the portfolio of a member of the Executive' which is not consistent with the Protocol nor with current practice; and
- (iii) Delegate authority to the Monitoring Officer to amend the Council's Constitution accordingly.

REASONS FOR RECOMMENDATION:

- To allow more equitable representation on the Appointments Committee
- To simplify the committee's operation whilst enabling councillors to serve on the committee through their political groups according to their experience and expertise

HIGHLIGHTED RISKS:

See attached risk matrix.

1. INTRODUCTION

- 1.1 The Council's Appointments Committee currently has a membership comprising the Leader of the Council, Group Leaders, Cabinet Member whose portfolio includes Human Resources, and Chair of the Overview and Scrutiny Board. Its role and functions are described in the Constitution as:
- (a) Matters relating to the appointment, dismissal (including redundancy) and terms and conditions of Head of Paid Service and Directors (save as otherwise provided under the Officer Employment Rules).
 - (b) The recruitment, appointment and removal of independent co-opted members to sit on the Standards Committee, the Audit Committee and the Independent Remuneration Panel.
 - (c) The nomination to Council of elected members to sit on external bodies in accordance with the Protocol for the Appointment of Members to External Bodies, but excluding appointments which form part of the portfolio of a member of the Executive.
- 1.2 The latter role is in fact not consistent with the Protocol for the Appointment of Members to External Bodies, nor with current practice according to which full Council considers applications/nominations to outside bodies directly from Group Leaders (save those appointments which form part of the portfolio of a Cabinet Member.)

2. CORPORATE AIMS/PRIORITIES AND THE CORPORATE PLAN

- 2.1 Contributes to the key aim of **Council** – to be an efficient and effective council which is financially sustainable for the future.

3. CONSULTATION

- 3.1 The cross-party Governance Working Group has been consulted on and supports these proposals.

4. BACKGROUND AND ISSUES

- 4.1 There is no statutory requirement for the Appointments Committee to reflect the political balance of the authority as there is for other committees of the Council. Indeed a random sample of other local authorities demonstrates that some are more prescriptive than others about the membership of the

committee (in the same way the Borough Council currently is) and some require the committee to reflect the political balance of the authority.

- 4.2 The Governance Working Group recently discussed this matter and decided in the interests of equity and balance that (i) there was no reason why the Appointments Committee should not be politically proportionate in the same way as other Council committees, and (ii) the composition of the committee should be made less prescriptive, allowing Group Leaders to nominate councillors according to their experience, seniority, skills, and suitability for each recruitment exercise.

5. ASSESSMENT

- 5.1 It is based on the Governance Working Group's deliberations and consideration of other local authorities' practices (in particular Suffolk County Council), that the following is now proposed:
- The Appointments Committee is a politically proportionate committee of six members
 - Political groups re-nominate to the committee for each new recruitment exercise
 - The Monitoring Officer is given delegated powers to approve the membership of the committee based on the groups' nominations for the duration of the recruitment exercise
 - The Chair is elected at the first meeting of the committee in a recruitment cycle and will remain Chair until the appointment is made. There is no Vice-Chair
 - The Member Interview Panel of three taken from the Appointments Committee is to comprise at least one Member from the largest opposition group.
- 5.2 As part of the continuous process of revision of the Constitution, it is also recommended to delete the erroneous function attributed to the Appointments Committee, namely:
'The nomination to Council of elected members to sit on external bodies in accordance with the Protocol for the Appointment of Members to External Bodies, but excluding appointments which form part of the portfolio of a member of the Executive.'

6. IMPLICATIONS

6.1 Policy

The proposed new composition and operation of the Appointments Committee will require the Constitution to be amended.

6.2 Legal

No legal implications.

- 6.3 **Financial**
No financial implications.
- 6.4 **Equalities and Diversity**
No implications.
- 6.5 **Planning, Environmental, Health and Safety, Sustainability, Crime and Disorder**
No implications



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Background Papers:

None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	October 2017	Membership of Appointments Committee does not reflect the political balance of the authority nor comprise most suitable councillors for each recruitment exercise.	Weaker decision-making	Proposed new composition and operation of the Appointments Committee	B3	A2	St John Harris	None

Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

Likelihood:

A = Very Low
 B = Not Likely
 C = Likely
 D = Very Likely
 E = Almost Certain

Impact

1 = Low
 2 = Minor
 3 = Medium
 4 = Major
 5 = Disaster