

Report to the Audit and Governance Committee

Report reference: AGC-007-2019/20
Date of meeting: 12 September 2019



Portfolio: Customer Services

Subject: Appointment of Co-Opted Member

Responsible Officer: Gary Woodhall (01992 564470)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) That a report be submitted to Council recommending as follows:

(a) That a Panel of four Councillors be appointed, including the Chairman of Audit & Governance, with delegated authority to undertake the interviews following public advertisement and to appoint the preferred candidate for the vacant Co-Opted Member position on the Audit & Governance Committee;

(b) That pro rata rules not be applied and that nominations be sought from the remaining Group Leaders to serve on the Panel with the Chairman of Audit & Governance;

(c) That, following nominations from the Group Leaders, the following 4 Councillors be appointed to the Interview and Selection Panel:

(i) Councillor J Knapman – Chairman of the Audit & Governance Committee & Conservative group;

(ii) Councillor R Jennings – Loughton Residents Association; group;

(iii) Councillor [to be advised] – Green Party group; and

(iv) Councillor [to be advised] – Liberal Democrats group;

(d) That Ms. N Nanayakkara, the other co-opted member on the Audit & Governance Committee, also be invited to attend the interviews in an advisory, non-voting capacity.

Executive Summary:

The Audit & Governance Committee has two co-opted members who serve three-year terms on the Committee. After their first term has expired, they can be appointed again if they wish for a second term unopposed; if they wish to serve further terms after this then they must be subject to a competitive selection process.

One of the current co-opted members, Mr. Tony Jarvis, is coming to the end of his second term with his last meeting currently due to be on 12 September 2019. Mr. Jarvis has indicated that he wishes to serve for a further three years at least but, as he has already served two terms on the Committee, there must be a competitive selection process undertaken on this occasion.

Reason for Proposed Decision:

To appoint to the vacancy created by the expiry of the second term for Mr. Jarvis who has served two terms on the Committee already and therefore cannot be re-appointed without a competitive selection process being followed.

To ensure that the Audit & Governance Committee has two co-opted members, independent of the Council, with the necessary professional experience and expertise to make a positive contribution to the Committee's work.

To ensure that the Audit & Governance Committee continues to fulfil its role as a key component of the Council's corporate governance scheme.

Other Options Considered and Rejected:

To not appoint to the Co-Opted Member vacancy; however, paragraph 4 of Article 11 of the Constitution requires the Committee to comprise 7 members – 5 Councillors and 2 Co-Opted Members.

Report

Background

1. The Audit & Governance Committee has two co-opted members who serve three-year terms on the Committee. After their first term has expired, they can be appointed again if they wish for a second term unopposed; if they wish to serve further terms after this then they must be subject to a competitive selection process.
2. One of the current co-opted members, Mr. Tony Jarvis, is coming to the end of his second term with his last meeting currently due to be on 12 September 2019. Mr. Jarvis has indicated that he wishes to serve for a further three years at least but, as he has already served two terms on the Committee, there must be a competitive selection process undertaken on this occasion.
3. In November 2014, the Committee agreed procedures to recruit a Co-Opted Member, which complied with Article 11 of the Council's Constitution relating to the Audit and Governance Committee. Given the success of that recruitment exercise, it is recommended that the same principles and procedures be applied on this occasion as well.

Interview / Selection Panel

4. It is suggested that a Panel of four Councillors be appointed, including the Chairman of Audit & Governance, with delegated authority to undertake the interviews and to appoint the preferred candidate for the vacant Co-Opted Member position on the Audit & Governance Committee. The usual pro rata rules should not be applied and that nominations be sought from the remaining Group Leaders to serve on the Panel with the Chairman of Audit & Governance.
5. The current Chairman of the Audit & Governance Committee is a member of the Conservative Group, so nominations have been sought from the Group Leaders of the Loughton Residents Association, the Liberal Democrats and the Green Party. These Group Leaders have nominated the following Councillors to serve on the Panel:
 - (a) Councillor R Jennings – Loughton Residents Association;
 - (b) Councillor [to be advised] – Liberal Democrats; and
 - (c) Councillor [to be advised] – Green Party.

6. The second Co-Opted Member on the Audit & Governance Committee, Ms. N Nanayakkara, has indicated that she has extensive work commitments in October and could not guarantee her availability for the Interview Panel. In the circumstances, it seems sensible to appoint Ms. Nanayakkara as an advisory, non-voting member of the Interview Panel so that she can attend and assist with the process if she is available.

7. Officer support to the Panel would be provided by the Chief Internal Auditor, and other Officers as deemed appropriate.

Appointment Timeline

8. The advertisement and targeting of the publicity has again included print, on line and social media in order to maximize and engage with the widest range of potential applicants.

9. The current timeline for the recruitment and appointment process is as follows:

- ⇒ deadline for completed application forms is midnight on Monday 30 September 2019;
- ⇒ shortlisting of candidates to take place during the week commencing 30 September 2019;
- ⇒ interviews to take place during the week commencing 14 October 2019;
- ⇒ the successful applicant to be informed during the week commencing 21 October 2019;
- ⇒ confirmation of the appointment of the new co-opted member at Council on 5 November 2019; and
- ⇒ newly appointed co-opted Member to attend their first Audit & Governance Committee meeting of their term on 25 November 2019.

Resource Implications:

Most of the Officer costs involved would be met from within existing staff salary budgets.

There would be some small costs involved in travel expenses for the Interview/Selection Panel, but this would be met from within the existing member expenses budget.

There might be a cost involved if we advertise directly in Everything Epping Forest; however, we could just rely on the newspaper using the press release we issue, which would not incur a direct cost. In respect of the Epping Guardian, their advertising costs are higher, and we would rely on the newspaper using the press release in this instance.

Legal and Governance Implications:

Article 11 of the Council's Constitution relating to the Audit & Governance Committee.

Safer, Cleaner Greener Implications:

None.

Consultation Undertaken:

No external consultation undertaken.

Background Papers:

None.

Risk Management:

That the Council receives no applications for the vacant Co-Opted Member post. However, the current Co-Opted Member has indicated that they are willing to continue to serve. The likelihood of this happening is considered low, and the Council would re-advertise the vacant post & continue with only 1 co-opted Member on the Committee for a short period of time until a second is appointed.

That the newly appointed Co-Opted Member resigns within six months of their appointment. The likelihood of this happening is again considered low, and if there was more than 1 Applicant interviewed then the second highest performing Applicant would be asked if they still wish to take up the role, otherwise the Council would re-advertise the vacant post & continue with only 1 co-opted Member on the Committee for a short period of time until a second is appointed.

Equality Impact Assessment:

This report is concerned only with the approval of the process to appoint a new Co-Opted Member to the Audit & Governance Committee. The recommendations will not adversely affect any particular section of the population within the Epping Forest District.