

REPORT TO:	Council
REPORT NO:	HF/10/18
DATE:	21 February 2018
LEAD MEMBER:	Councillor Mark Pritchard (Organisation – Finance, Performance, Health & Safety and Governance)
CONTACT OFFICER:	Tracy Davies, Scrutiny Facilitator (Tel: 292258)
SUBJECT:	Appointment of Co-opted Members to the Lifelong Learning Scrutiny Committee
WARD:	N/A

1. PURPOSE OF THE REPORT

To consider the appointment of Co-opted members to the Lifelong Learning Scrutiny Committee.

2. EXECUTIVE SUMMARY

- 2.1 Legislation establishes the requirement for Local Authorities to appoint Parent Governor / Church representatives to the Scrutiny Committee whose functions relate wholly or partly to education functions. The Co-opted members have an entitlement to speak and vote on education issues only.
- 2.2 Council has also previously agreed to the request to appoint an additional co-opted member, Mr Brent Evans, with an entitlement to speak but not vote on education issues.
- 2.3 The term of office for the Parent Governors and the non-voting co-opted member expires at the end of February 2018. The report sets out the details for the new appointments.

3 RECOMMENDATION

- 3.1 That, in accordance with legislation, the Council appoint two Parent Governor representatives (one from primary and one from the secondary sector) to the Lifelong Learning Scrutiny Committee, with an entitlement to speak and vote on education issues only, until end February 2020.**
- **Primary school representative - no nominations received. The local authority must seek nominations within one year of the vacancy arising.**
 - **Secondary school representative – Mrs Alison Fisher.**
- 3.2 To consider the recommendation of the Lifelong Learning Scrutiny that Mr Brent Evans be re-appointed as a co-opted member of the Lifelong Learning Scrutiny Committee with an entitlement to speak but not vote on education issues, until end February 2019.**

REASONS FOR RECOMMENDATIONS

- (i) To meet the statutory requirement to have representation of Parent Governors on the Lifelong Learning Scrutiny Committee.

4. BACKGROUND INFORMATION

- 4.1** The Council, in accordance with statutory requirements, has previously appointed two Parent Governors to the Lifelong Learning Scrutiny Committee, whose functions relate wholly or partly to education. The Co-opted members have an entitlement to speak and vote on education issues only.
- 4.2** The Parent Governor representatives, as previously agreed by Council, were Ms Catherine Dixon, representative of the Primary Sector (resigned July 2016) and Mrs Alison Fisher, representative of the Secondary Sector (until end February 2018).
- 4.3** In accordance with the election process for Parent Governor representatives which was agreed by the Council in May 2000 (Minute 16 refers), the Local Education Authority has informed all eligible Parent Governors of the election timetable and their entitlement to stand/vote in the election. The following nomination has been received:-
- Mrs Alison Fisher – Secondary sector
- 4.4** No nomination has been received from the Primary sector. In accordance with legislation, the Authority must seek nominations again within one year of

the vacancy having arisen and at six monthly intervals thereafter, until the vacancy is filled.

- 4.5 The Council has also agreed to the previous request of the Lifelong Learning Scrutiny Committee to appoint a non-voting Co-opted member, with the entitlement to speak but not vote on education issues. This would be in line with the Council's constitution which states '*Each scrutiny committee or sub-committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees*'. This co-opted member is Mr Brent Evans, who previously served on 'education' Scrutiny Committees as a Parent Governor and who had indicated his interest in continuing to serve on the Committee in a non Parent Governor capacity.
- 4.6 In considering this request, the Council also needs to be aware of the statutory guidance in respect of Section 76 of the Local Government (Wales) Measure 2011 with regard to Co-opted members. The guidance states '*In recognition of the democratic mandate of elected councillors, it is recommended that the number of co-opted members on a scrutiny committee should not exceed a third of the total membership of the committee.*' If the Council was minded to re-appoint Mr Evans as a co-opted member, the co-opted members would make up 5 of a total of 18 members of the Committee.

Deciding when to Co-opt

- 4.7 Extract from Statutory Guidance regarding Section 76 of the Local Government (Wales) Measure 2011

Any appointment of co-optees should be informed by scrutiny forward work plans and what outcomes elected members are seeking to achieve as the result of planned scrutiny exercises. Councils are advised to think carefully about the use of co-option as a means to develop partner relations or improved public connections that may add significant value to the work of scrutiny committees.

- 4.8 *In all instances where co-option is being considered, care should be taken to ensure that co-option is in fact the best way for some individuals or groups of interest to be involved in the work of scrutiny committees. Groups of interest should include protected characteristics equality groups in recognition of the value these perspectives can add to the work of local authority scrutiny committees. In some circumstances it may be more appropriate for stakeholders to act as 'expert advisors' of a task and finish group or to be included as an invitee at scrutiny committee meetings.*
- 4.9 The Lifelong Learning Scrutiny Committee considered this report at the meeting held on 18 January 2018 and recommended that the Council continue with the 2 year term of office in respect of the appointment of the statutory voting parent governor co-opted members.
- 4.10 In view of the statutory guidance referred to above, the Committee also recommended that that Mr Brent Evans be re-appointed as a co-opted

member with an entitlement to speak but not vote on education issues, for a period of one year, during which time a review can be undertaken regarding external representation on this Committee.

5. IMPLICATIONS

- 5.1 **Policy Framework** – The Council’s Constitution states that each Scrutiny committee or Sub-committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.
- 5.2 **Budget** – Voting co-opted members are entitled to claim expenses for attending scrutiny committee meetings.
- 5.3 **Legal** – The Parent Governor Representatives and Church Representatives (Wales) Regulations 2001. Local Government Act 2000. Section 499 of the Education Act 1996. Section 76 of the Local Government (Wales) Measure 2011.
- 5.4 **Staffing** – None
- 5.5 **Equality/Human Rights** – Members are advised to consider the previous Equality Impact Assessment which is available at <http://vmwinsqld/equalityisalive/Menu.aspx> report number [EIA00095/2015] which, although relates to the previous term of office, relates to the same process.

A summary of the previous Equality Impact Assessment is attached as Appendix 1.

- 5.6 **Risks** – None

6. CONSULTATION

- 6.1 All Parent Governors are invited to submit nominations as part of the nomination process for Parent Governor Co-opted members set out in paragraph 4.3.

BACKGROUND PAPERS	LOCATION	WEBSITE INFO.
Statutory Guidance on the Local Government (Wales) Measure 2011 (Section 76 refers to co-opted members)	Welsh Government website	http://gov.wales/docs/dsjlg/publications/localgov/120625statguideen.pdf