

Council

18 October 2023

**Recommendation from Audit and Governance Committee:
Appointment of Independent Co-opted Member**

Report of: David Brown, Director of Governance and Compliance

Report Reference No: C/09/23-24

Ward(s) Affected: All wards

Purpose of Report

- 1 At its meeting on 28 September 2023, the Audit and Governance Committee delegated authority to the appointed recruitment panel to recommend the successful candidate for the position of independent co-opted member of the Committee, directly to Council, subject to the receipt of suitable references. The minute from this meeting is included at Appendix 1.
- 2 These have now been received, and on behalf of the Audit and Governance Committee, the recruitment panel recommend the appointment of the successful candidate.

Executive Summary

- 3 The Audit and Governance Committee received a report to their July meeting requesting the formation of a working group to act as a recruitment panel, to undertake the recruitment and selection to the second co-opted independent member role. The panel members were Cllrs Beanland, Edwards and Redstone.
- 4 These roles were advertised across the Council's website and social media channels and resulted in 3 applications being received; however, due to some small delays in the interview process, the Audit and Governance Committee, on 28 September 2023, delegated authority to the recruitment panel to recommend the successful candidate directly to Council, subject to the receipt of suitable references.

RECOMMENDATIONS

Council is recommended to:

1. Appoint Mrs Jennifer Clark as an independent member to the Audit and Governance Committee for a period of 4 years from the date of this Council meeting.

Background

- 5 One of the recommendations arising from the CIPFA review of the Audit and Governance Committee was to complete the recruitment to the second co-opted independent role. A report to Audit and Governance Committee in July 2023 asked the Committee to consider and agree the suggested approach set out in the report, and to nominate members of the Committee to carry out the shortlisting and interviewing of candidates.
- 6 The inclusion of co-opted independent members as part of local authority audit committees has long been recommended, recognising the valuable knowledge and experience which can be provided through inclusion of these roles, benefitting the Committee's overall effectiveness.
- 7 CIPFA's Position Statement re Audit Committees in Local Authorities and Police 2022 sets out CIPFA's view on the audit committee practice and principles that local government bodies in the UK should adopt. The Position Statement states:

"The audit committees of local authorities should include co-opted independent members in accordance with the appropriate legislation.

Where there is no legislative direction to include co-opted independent members, CIPFA recommends that each authority audit committee should include at least two co-opted independent members to provide appropriate technical expertise."
- 8 There is currently no legislative requirement directing local authorities to have co-opted independent members of the audit committee, however, the Position Statement is supported by the Department for Levelling Up, Housing and Communities and the Home Office.
- 9 The Position Statement, and associated guidance, were used in the assessment of the Audit and Governance Committee carried out by CIPFA and reported back to the Committee in June 2023. Although the Committee composition already included two co-opted independent

roles, only one candidate was appointed, hence the recommendation to complete recruitment to the second role.

- 10 Co-opted members to Council committees are not members of the Council itself, therefore other than in limited circumstances (for example, an advisory committee established under s102(4) Local Government Act 1972) they have no voting rights. Co-opted members would instead be consulted during committee meetings and their views taken into account by voting members of the committee.
- 11 Cllrs Beanland, Edwards and Redstone were nominated to the recruitment panel.
- 12 Three applications were received, and interviews have been undertaken. It had originally been intended to bring details of the recommended candidate back to the Audit and Governance Committee in September. Due to slight delays, the Committee were asked to delegate authority to the panel to complete the selection and recommend the preferred candidate, directly to the full Council meeting in October.

Consultation and Engagement

- 13 Information about the roles was hosted on the Council's website, supported by communications in the local press and across the Council's social media channels and was shared by the Council's Communications Team with a variety of networks. Roles were advertised for 6 weeks, with the deadline for applications being received at the end of that period (8 September).

Reasons for Recommendations

- 14 One of the recommendations arising from the CIPFA review of the Audit and Governance Committee was to complete the recruitment to the second co-opted independent role. Appointment of the successful candidate completes that action and adds additional experience and knowledge to the Committee.

Other Options Considered

- 15 No other options considered.

Implications and Comments

Monitoring Officer/Legal

- 16 The co-option of independent members to the Audit and Governance Committee is needed to ensure compliance with the membership changes approved by Council and included in the Constitution.

- 17 Any appointments must comply with s102(3) Local Government Act 1972 (power to co-opt from outside Council membership) and s13 Local Government & Housing Act 1989 (which pertains to voting rights).

Section 151 Officer/Finance

- 18 Expense arrangements in place are consistent with those for other non-elected, co-opted committee members. There are no financial implications outside of the Council's Medium-Term Financial Strategy in adopting the recommendations proposed.

Policy

- 19 The arrangements in this report seek to implement the recommendations which have been agreed to, having demonstrated that the Committee has considered best practice, and the findings of the CIPFA review of the Audit and Governance Committee. This is in keeping with the following objective in the Corporate Plan.

An open and enabling organisation

Equality, Diversity and Inclusion

- 20 Applications were welcomed from across the Cheshire East Borough and were assessed in line with the criteria set out to ensure the successful candidate can offer the required expertise and knowledge to the Committee.

Human Resources

- 21 There are no direct Human Resources Implications. Whilst the co-opted independent members are not employees of the Council, the successful applicants will receive specific training to enable them to undertake their new role effectively.
- 22 Whilst operating as a member of the Audit and Governance Committee, co-opted independent members are expected to follow the Nolan Principles of Standards in Public Life, which form the basis of the elected Member's Code of Conduct.

Risk Management

- 23 There are clear criteria set out in the application pack to ensure that candidates for this role can offer the expertise and knowledge to the Committee, balanced with political neutrality.

Rural Communities

- 24 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

25 There are no direct implications for children and young people.

Public Health

26 There are no direct implications for public health

Climate Change

27 There are no direct implications for Climate Change

Access to Information	
Contact Officer:	Josie Griffiths, Head of Audit and Risk josie.griffiths@cheshireeast.gov.uk
Appendices:	Appendix 1: Extract from the minutes of the Audit and Governance Committee meeting on 28 September 2023
Background Papers:	Report to Audit and Governance Committee, 27 July 2023: <i>Recruitment of a Co-Opted Independent Member</i> Report to Audit and Governance Committee 28 September 2023: <i>Recruitment of a Co-Opted Independent Member - Update</i>

Extract from the minutes of the Audit and Governance Committee meeting on 28 September 2023

42 RECRUITMENT OF CO - OPTED INDEPENDENT MEMBER

The committee received an urgent update report from the Director of Governance and Compliance that provided details of progress on the recruitment of a co-opted independent member. The report requested that delegation be given to the working group to appoint in order to meet the original timeline of a decision at October 2023 Council

The committee were advised that interviews had taken place and a preferred candidate had been selected.

RESOLVED:

That the Audit and Governance Committee;

- (1) Noted the updated-on progress.
- (2) Agreed to delegate authority to the Appointment Panel to progress with the appointment of the preferred candidate.
- (3) Agreed that the Appointment Panel recommend directly to Council the preferred candidate, subject to appropriate references being received.