

Audit and Governance Committee

Date of Meeting: 27th May 2021

Report Title: Recruitment of Co-Opted Independent Members for the Audit and Governance Committee

Senior Officer: David Brown, Director of Governance and Compliance

1. Report Summary

- 1.1. This report sets out an approach for the Audit and Governance Committee regarding the recruitment of co-opted independent members to this Committee.

2. Recommendations

- 2.1. That the Audit and Governance Committee consider the approach set out in the report, and delegate authority to the Director of Governance and Compliance (in consultation with the Chair of the Audit and Governance Committee) to progress recruitment to 2 co-opted independent person roles for a term of 4 years.
- 2.2. That the Audit and Governance Committee nominate members to a panel who will undertake the shortlisting, carry out interviews and recommend the successful candidates for these roles to Council on 21st July 2021.

3. Reasons for Recommendations

- 3.1. One of the outcomes of the review of the composition and structure of the Council's Audit and Governance Committee, as agreed by the Committee and approved by the Constitution Committee and Council, was the inclusion of two co-opted independent members in the Committee's composition. Agreement is now needed to progress with recruitment to these roles to ensure the Committee is compliant with the membership change.

4. Background

- 4.1. The Audit and Governance Committee received a report at their November 2020 meeting setting out various aspects for consideration in relation to the composition and structure of the Committee. The Committee established a working group, which reported back to the Committee with recommendations in March 2021.
- 4.2. Audit and Governance Committee made its recommendations to the Constitution Committee, which in turn recommended the changes to Council. Council agreed these changes on April 19th, 2021.
- 4.3. The Audit and Governance Committee suggested a committee size of 9 elected members, which would be subject to proportionality, and recommended the inclusion of 2 co-opted independent members as part of the membership, on a fixed term membership of 4 years. The independent members are entitled to be reimbursed for expenses but do not receive any allowance or remuneration.
- 4.4. 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.
- 4.5. An approach for the advertisement, recruitment and selection to these roles is set out below. A draft timetable is included in Appendix 1.

Role profile

- 4.6. A draft application pack, including the role profile which for the co-opted independent member is attached at Appendix 2 to this report. This sets out the knowledge and experience requirements which are needed to best support the effective performance of the Committee.

Advertisement

- 4.7. Information about the roles will be hosted on the Council's website, supported by communications in the local press and across the Council's social media channels. A period of 3 weeks for the roles being advertised is suggested, with the deadline for applications being received at the end of that period.

Selection

- 4.8. Committee members will need to nominate members from the Committee to carry out shortlisting and interviewing the candidates. In the last recruitment to the co-opted independent member role, this was carried out by the Chair, Vice Chair, and a member of the Committee, who were supported in the process by officers.
- 4.9. Applications will be reviewed by the appointments committee against the role profile in the application pack, and shortlisted candidates will be invited to interview; these can be facilitated virtually. Following the interview process, and subject to references successfully being obtained, the appointment panel will recommend the co-option of one of the candidates to Council on 21st July 2021.
- 4.10. Details of the candidates will be circulated to members of the Audit and Governance Committee, and the candidates will be invited to attend the meeting of Committee on July 26th, along with induction training.

5. Implications of the Recommendations

5.1. Legal Implications

- 5.1.1. 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.
- 5.1.2. 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).

5.2. Finance Implications

- 5.2.1. 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.

5.3. Policy Implications

- 5.3.1. 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 impact of the move to the governance system operation and has identified proposals to ensure the Committee composition and structure is appropriate for local requirements.

5.4. Human Resources Implications

5.4.1. 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.

5.4.2. 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.

5.5. Risk Management Implications

5.5.1. The risk of not attracting candidates for this role will be managed through the strategy for marketing the role across the Council's social media channels and local press engagement, however, failure to attract candidates will impact on the recruitment of co-opted members within the timescale set out in this report.

5.5.2. 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.

5.6. Rural Communities Implications

5.6.1. There are no direct implications for rural communities.

5.7. Implications for Children & Young People/Cared for Children

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

5.8. Public Health Implications

5.8.1. There are no direct implications for public health.

5.9. Climate Change Implications

5.9.1. There are no direct implications for Climate Change

6. Ward Members Affected

6.1. Not applicable

7. Contact Information

7.1. Any questions relating to this report should be directed to the following officer:

Name: Josie Griffiths

Job Title: Head of Audit and Risk

Email: josie.griffiths@cheshireeast.gov.uk

Appendix 1

Proposed timeline for recruitment of co-opted independent members of the Audit and Governance Committee

For Council to approve candidates at 21st July 2021 meeting

w/c 24 th May 2021	Report on suggested approach including draft application pack to be considered and approved by Audit and Governance Committee
w/c 7 th June 2021	Web page to be launched, press release published by Communications team, social media campaign begins Application period opens
w/c 14 th June 2021	Application deadline: Friday 18 th June 2021
w/c 21 st June 2021	Shortlisting of candidates to take place by a panel including the Chair of Audit and Governance Committee supported by officers if needed.
w/c 28 th June 2021	Interviews to be held
w/c 5 th July 2021	Provisional offers to be made to successful candidates subject to reference check
w/c 12 th July 2021	Report to be submitted to Council nominating successful candidates
w/c 19 th July 2021	Thursday 21 st July 2021 - Council Induction training for co-opted independent members
w/c 26 th July 2021	Thursday 29 th July 2021 – Audit and Governance Committee Co-opted independent members introduced to Committee.



CHESHIRE EAST BOROUGH COUNCIL

AUDIT AND GOVERNANCE COMMITTEE

Appointment of an Independent Member

Application Pack

May 2021

<p style="text-align: center;">AUDIT AND GOVERNANCE COMMITTEE APPOINTMENT OF CO-OPTED INDEPENDENT MEMBERS</p>

This application pack includes;

- Background to Cheshire East Council
- The Council's Audit and Governance Committee
- Applicant Information; role description and role specification
- Cheshire East Council Member's Code of Conduct
- Application Process

Expectations of applicants

The Council is currently recruiting for two co-opted independent members of the Audit and Governance Committee.

The successful applicant will need to be available to attend approximately 5 meetings of the Committee in any year and any associated training and development events. We expect that applicants will need to be able to attend a combination of virtual and physical meetings. Applicants will need to be contactable throughout the year. The appointment will be made for 4 years.

Applicants must disclose to the Council any matter that might damage the reputation of the Council, or indicate a real or perceived conflict of interest with the role of the Audit and Governance Committee.

Previous experience of audit committees may be helpful but is not essential.

Co-opted independent members should not be (or have been, within the last 3 years) an Elected Member or employee of Cheshire East Council; or any of its wholly owned companies; or Everybody Sport and Recreation (ESAR).

Co-opted independent members should not be (or have been, within the last 5 years) a Councillor/Elected Member with any other Local Authority (including town or parish councils).

Co-opted independent members should not be affiliated with any political party, or have been affiliated, within the last 5 years.

The council seeks to reflect and represent all of its residents and welcomes applications from the Cheshire East community. The successful candidate will be resident in the Cheshire East area.

The co-opted independent member is not a job vacancy; should you be appointed you will not be an employee of the Council. The successful applicant will receive specific training to enable them to undertake their new role effectively.

The closing date for receipt of applications is Friday 18th June 2021

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CHESHIRE EAST COUNCIL

Background

Cheshire East Council was established in April 2009 as part of the structural changes to local government in England. It brought together the boroughs of Macclesfield, Congleton and Crewe and Nantwich which, with part of Cheshire County Council, forming the third largest unitary authority in the North West with around 372,700 residents.

The Council is responsible for, amongst other things, maintaining the roads, providing transport services, commissioning school places and specialist support services for vulnerable children and their families, educating children, providing social care to elderly and vulnerable people and looking after waste and recycling.

Cheshire East is a great place, full of potential. We have strong employment opportunities, attractive places to live and standards of education are high. The challenge is how we maintain our position, continuing to create sustainable growth that will support the wellbeing of our residents and the economy on which that depends, whilst protecting existing residents and green spaces.

Our elected members have a pivotal role in bringing about improvements to the quality of life of people living in the Borough. They do this by making decisions, delivering change, challenging and scrutinising proposed actions and taking up issues raised with them by their constituents.

THE AUDIT AND GOVERNANCE COMMITTEE

The Audit and Governance is a key component of the Council's arrangements to support good governance at Cheshire East Council. It provides

- i. an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards;
- ii. independent review of the Council's governance, risk management, control frameworks and oversees the financial reporting and annual governance processes; and
- iii. promotes high standards of ethical behaviour by developing, maintaining and monitoring Codes of Conduct for Councillors and co-opted Members (including other persons acting in a similar capacity).

The Audit and Governance Committee, like all of the Council's Committees, must be politically balanced. However, the success of the Audit and Governance Committee depends upon its ability to remain apolitical. It must adopt a non-political approach to its meetings and discussions at all times.

The co-option of independent members will help to bring additional knowledge and expertise to the committee and also reinforce its political neutrality and independence.

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.

Where the Council has delegated to the Committee decisions such as the adoption of financial statements, the independent member should not be able to vote on those matters.

The detailed functions in respect of governance, risk and control; internal audit; external audit; financial reporting; accountability arrangements; related functions and standards arrangements can be found in the Council's [Constitution](#).

INDEPENDENT MEMBER ROLE PROFILE

1. To promote and support the good governance of the Council and its affairs
2. To promote and support open and transparent government
3. To provide support and encouragement to new Councillors
4. To be committed to the values of the Council, set out in our [Corporate Plan](#)
5. To be committed to the values expected of those in public office, established in the Seven Principles of Public Life:
 - Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership

INDEPENDENT MEMBER PERSON SPECIFICATION

The successful candidate will be able to demonstrate the following

1. Good advocacy skills; able to present relevant and well-reasoned arguments, and provide effective and constructive challenge
2. Ability to set aside own views and, at all times, remain open-minded, objective and impartial and act with integrity
3. Ability to analyse, interpret and absorb information and evidence effectively and quickly
4. Good communication and interpersonal skills; a confident public speaker

5. Ability and willingness to challenge ideas and contribute positively to policy development
6. To pay particular attention to the need to avoid predetermination and bias when participating in the decision-making of regulatory committees
7. Understanding the role of officers, members and other agencies and ability to have constructive and challenging dialogue with other Members and Officers
8. Respect for, and desire to work with different groups and individuals with a commitment to supporting continual improvement and development within the Council
9. Practical experience in financial management/accountancy within the public or private sector
10. Understanding and compliance with confidentiality requirements

Demonstrating the following would be desirable:

11. Knowledge and understanding of meeting law, rules and conventions
12. Understanding of delegated powers
13. Understanding of strategic, policy and service contexts for decisions, focusing on material issues
14. Knowledge of and commitment to the values of the Council
15. An understanding of the roles and purpose of Internal and External Audit

BEHAVIOUR and CODE OF CONDUCT

Cheshire East Council adopted its Members Code of Conduct in January 2018.

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.

For information, a copy of the current code of conduct can be found here; http://www.cheshireeast.gov.uk/council_and_democracy/your_council/councillor_conduct.aspx

APPLICATION PROCESS

Closing Date

The closing date for receipt of applications is Friday 18th June 2021

Please submit your application form to:

Director of Governance and Compliance
Cheshire East Council
C/O Municipal Buildings
Earle Street
Crewe
CW1 2BJ

Or monitoringofficercec@cheshireeast.gov.uk

Selection of candidates will be strictly in accordance with the role description and role specification outlined in this pack and will be based on the information contained in your application only, as supported by references.

Acknowledgements

Your application will be acknowledged and you will be advised as to whether you have been selected for interview or not in due course.

Selection

Short listing for this appointment will be based upon an assessment of how applicants meet the criteria in the 'Person Specification' as evidenced by the application.

It is suggested therefore that you include information on how you meet the criteria.

The Interview Panel will be made up of senior members of the Council.

Referees

Please note that your 2 referees will be contacted without further notice to you unless you indicate to the contrary.

**APPLICATION FOR APPOINTMENT AS AN INDEPENDENT MEMBER
OF THE AUDIT AND GOVERNANCE COMMITTEE**

1 PERSONAL DETAILS

TITLE :

FULL NAME:

HOME ADDRESS:

CONTACT TELEPHONE NO:

EMAIL:

2 Have you ever been a Councillor, co-opted member or officer of Cheshire East Council or a Councillor, co-opted member or officer of a parish or town council which falls within Cheshire East?

YES/NO

If your answer to this question is yes, please give the date on which you ceased to be a Member or employee.

3 Are you related to, or a close friend of, a member or employee of Cheshire East Borough Council?

YES/NO

If your answer to this question is yes, please give details below

4 Are you, or have you been a member of a political party?

YES/NO

If the answer to this question is yes, please give details below

5 Please indicate whether there is any matter concerning your own conduct which, if it were generally known, might affect public confidence in your ability to contribute to the work of the Audit and Governance Committee.

6 Please confirm that you are able to meet the attendance requirements of the role i.e. attending ad hoc meetings (called at short notice) at Council venues or by way of telephone conference.

7 Please say why you wish to be considered for the post of Independent Member and what you could offer the Council. Give brief details of your experience (e.g. employment/business/professional/voluntary/public service) and qualifications, and any other matter which you consider relevant to your suitability for

appointment. Please also explain how you meet the role specification outlined in the application pack.

Continue on a separate sheet if required

8 References: Please give the name, address, and telephone number of two referees who are not related to you and are not members of a borough/town or parish council within Cheshire East and who are able to comment on your suitability for appointment. (Your referees will be contacted without further notice to you, unless you indicate to the contrary).

Referee 1

Name:

Address:

Telephone Number:

Referee 2

Name:

Address:	
Telephone Number:	

Data Protection Act

Information from this form will be processed in accordance with the Data Protection Act 2018. In signing it you agree to this data being held and processed and if appointed to the position you also agree to further personal information, including sensitive data (e.g. bank details) being held and processed by Cheshire East Council in accordance with the Act.

DECLARATION

I wish to be considered for appointment as an Independent Member of the Audit and Governance Committee and confirm that, if appointed, I will undertake to observe the code of conduct for councillors and co-opted members of Cheshire East Council, as adopted by the Council.

The information which I have given is true and complete to the best of my knowledge and belief.

SIGNATURE	
DATE	

Please return the completed application form to:

Director of Governance and Compliance
Cheshire East Council
C/O Municipal Buildings
Earle Street
Crewe
CW1 2BJ

Or monitoringofficercec@cheshireeast.gov.uk

Deadline for receipt of applications: **Friday 18th June 2021**

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