

SELECTION AND MEMBER SERVICES COMMITTEE

Tuesday, 23rd June, 2020

2.30 pm

Online





AGENDA

SELECTION AND MEMBER SERVICES COMMITTEE

Tuesday, 23 June 2020, at 2.30 pm
Online

Ask for: **Andrew Tait**
Telephone: **03000 416749**

Membership (8)

- Conservative (6): Mr B J Sweetland (Chairman), Mr M C Dance, Mr R W Gough, Mr E E C Hotson, Mr G Lymer and Mr C Simkins
- Liberal Democrat (1): Mrs T Dean, MBE
- Labour (1) Mr D Farrell

Webcasting Notice

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council.

By entering the meeting room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

- 1 Membership
To note the appointment of Mr C Simkins in place of Mr J P McInroy
- 2 Substitutes
- 3 Declarations of Interests by Members in items on the Agenda for this meeting.
- 4 Minutes - 27 February 2020 (Pages 1 - 4)
- 5 Presentation on the future of the Selection and Member Services Committee
- 6 Selection Panel for the Member Remuneration Panel (Pages 5 - 8)
- 7 Other Items which the Chairman decides are Urgent

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Monday, 15 June 2020

KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 27 February 2020.

PRESENT: Mr J P McInroy, Mr D L Brazier (Substitute for Mr R W Gough), Mr M C Dance, Mrs T Dean, MBE, Mr D Farrell, Mr G Lymer, Mr P J Oakford (Substitute for Mr E E C Hotson) and Mr B J Sweetland

ALSO PRESENT: Mr R H Bird

IN ATTENDANCE: Mr B Watts (General Counsel) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Election of Chairman

(Item 3)

(1) Mr M C Dance moved, seconded by Mr G Lymer that Mr B J Sweetland be elected Chairman of the Committee.

Carried with no opposition

(2) Mr Sweetland thereupon took the Chair.

2. Minutes - 2 December 2019

(Item 4)

RESOLVED that the Minutes of the meeting held on 2 December 2019 are correctly recorded and that they be signed by the Chairman.

3. The future role of the Selection and Member Services Committee - Oral Update

(Item 5)

(1) The General Counsel updated the Committee on the content of informal discussions that had taken place in advance of the formal report which he would make to the next meeting on 30 April 2020.

(2) The General Counsel referred to the review of the Constitution that had taken place at the County Council meeting in October 2019. This had led to the creation of the informal Constitution Working Party which had already held its first meeting. This Working Party would make recommendations to the Committee for discussion and review prior to consideration by the County Council itself.

(3) The General Counsel said that one intended future role for the Committee would be that of considering more general issues for Members. This task was

currently being undertaken by informal Member Groups who did not report formally to the County Council.

(4) The General Counsel referred to the County Council's decision to allocate £1.6m for Member Grants in the financial year 2020/21. Taken together with the projected roll over from 2019/20, this meant that there would be approximately £2.8m under that budget heading. It was therefore intended to provide full transparency in respect of how that money was being spent. Reports would be regularly presented to the Committee to enable it to consider whether the Member Grant guidelines were adequate and appropriate. Any recommendations arising out of this process would be referred to the County Council.

(5) The difference between the role of this Committee and that of the Governance and Audit Committee was that whilst the latter had to consider whether processes were sound and robust, it was Selection and Member Services Committee which would have the formal role of recommending changes and improvements. This was particularly important when dealing with issues outside the Monitoring Officer's statutory remit.

(6) The General Counsel said that other issues that should be formally considered by the Committee were Member Training, Community Engagement and Member ICT.

(7) The General Counsel concluded his remarks by confirming that a detailed report, including draft revised Terms of Reference for the Committee would be presented to the next meeting.

(8) The General Counsel confirmed that a copy of the information provided to the Member Remuneration Panel would be made available to Members of the Committee. He added that, as required by the Constitution, the Panel would be formally reviewing the entire scheme of Special Responsibility Allowances.

(9) Mrs Dean stressed the importance of Members receiving notification as soon as possible of the cut-off date for Community Grants in the year of the County Council Elections, and from the service departments as to how long it was expected to take to implement the agreed projects. The General Counsel confirmed that the guidance on the cut-off date was in the process of being finalised through the Corporate Management Team. The service departments had also been made aware of the need to provide Members with the implementation dates earlier than usual during an election year.

(10) Mrs Dean then referred to the short notice of a training event and that it had been timed in a way which clashed with other important County Council business. Such clashes had also occurred recently at times which prevented Members from attending meetings with their colleagues from District Councils. There was a clear need to improve practice in respect of diarising Member meetings.

(11) The General Counsel replied that Democratic Services did take a strong line on ensuring that the diary was properly maintained and that double-bookings were avoided. This was, unfortunately, not always possible because of the way in which local authority business arose. He agreed to investigate whether a record of the specific briefing to which Mrs Dean had referred could be made available to those who were unable to attend.

(12) The Chairman said that every effort should be made to ensure that Members received more than five days' notice of meetings and other events. He suggested that consideration of the minimum period of notice could be undertaken during the review. Another question was whether meetings could be held on the same day, in succession to one another. He was personally in favour of this practice and believed it had worked successfully during his tenure as Chairman of the Policy and Resources Cabinet Committee. One possible role for Selection and Member Services Committee could be to consider whether the number of the County Council's Committees and Sub-Committees could be reduced.

(13) Mr Dance said that he agreed with the comments made about Member Grant rollover. It was equally important to ensure that the allocation of funding was achieved before the cut-off date.

(14) The General Counsel said that the purpose and governance of Member Grants was an issue that Selection and Member Services Committee needed to discuss. The original concept had been to fund small community projects and the rules had been written accordingly. Some Members were now funding projects that were far larger in scale than had been envisaged. As a result, issues had arisen which needed to be addressed for the sake of clarity and transparency.

(15) Mr Bird said that the training session to which Mrs Dean had referred related to children's and young persons' mental health services. This was a significant issue that had been addressed through the Health Reform and Public Health Cabinet Committee. Yet notification of the training had been limited to HOSC Members with the Members of the Health Reform and Public Health Cabinet Committee not being invited to attend.

(16) The General Counsel agreed to investigate the arrangements, circulate a response to All Members of the Committee and include it in the Minutes.

(17) The General Counsel replied to a question from Mr Oakford by saying that each item of spending under the Member Grants heading had to conform to the guidelines which were currently in place. If these guidelines were satisfied, Members were entitled to decide on their own priorities. The appropriate Cabinet Member was able to reject proposals if they did not meet the criteria or if the proposed scheme provided very little or no demonstrable value to the community. A report setting out draft guidelines would be presented for discussion at the next meeting of the Committee.

(18) In response to points made by Mr Bird, Mr Farrell and Mr Brazier, the General Counsel said that the Corporate Management Team had discussed the question of officers seeking to influence Members either directly or through Parish Councils to fund routine maintenance spending out of their Member Grants. He would highlight the concerns expressed at the next Corporate Management Team meeting.

(19) RESOLVED that the report be noted and that Members' comments be recorded in the Minutes.

4. Independent Person (Standards)

(Item 6)

(1) The General Counsel introduced the report which explained that the County Council was required under the Localism Act 2011 to appoint an Independent Person with whom the Monitoring Officer could engage on alleged breaches of the Kent Member Code of Conduct.

(2) RESOLVED to recommend the appointment of Mr Michael George to the County Council as the Independent Person for the Member Code of Conduct for the four year term from 1 July 2020 to 30 June 2024.

5. Recruitment of the Independent Member Remuneration Panel

(Item 7)

(1) The General Counsel introduced the report which recommended a recruitment process to the Committee for the Member Remuneration Panel when the terms of office of its Members expired on 31 October 2020.

(2) RESOLVED that:-

(a) agreement be given to the recruitment process for the Member Remuneration Panel for the period from 1 November 2020 to 31 October 2024; and

(b) the Group Leaders be invited to nominate an Honorary Alderman or a person who is neither an existing Member nor an individual planning to seek election to the County Council to be on the Selection Panel by 5 pm on Monday, 1 June 2020.

6. Appointment of Trustee to the Yalding Educational Foundation

(Item 8)

RESOLVED that Mr Nicholas Arthur be appointed as the County Council's Trustee on the Yalding Educational Foundation for a five -year term.

By: Ben Watts, Monitoring Officer
To: Selection and Member Services Committee – 23 June 2020
Subject: Selection Panel for the Member Remuneration Panel
Classification: Unrestricted

1. Introduction

- a) Independent members of the Member Remuneration Panel are recommended to the Council for appointment by a panel of three people who are not elected Members. It is the role of the Selection and Member Services Committee to make arrangements for the appointment of this selection panel.
- b) The term of office for the current Member Remuneration Panel members expires on 31 October 2020 so a recruitment process will take place later this year. The current members are:
 - Mr Stephen Wiggett (Chair)
 - Mr Haider Khan
 - Ms Margaret Ryder

2. Proposed Recruitment Process

- a) On 27 February 2020, the Selection and Member Services Committee agreed that the Group Leaders be asked to nominate an Honorary Alderman or a person who is not an existing Member or an individual planning to seek election to the County Council to be on the selection panel.
- b) After the deadline for nominations had passed, nominations had been received from two Political Groups (the Liberal Democrat Group and the Conservative Group).
- c) The selection Panel is to be composed of three people who are not Members of the Council (section 17.10 of the Constitution). All Group Leaders were informed that two nominations had been received. The Conservative Group have indicated that they are willing to nominate a second Honorary Alderman to be part of the selection panel.

3. Recruitment Process

- a) Following confirmation of the selection panel, the role of Independent Member of the Remuneration Panel will be publicly advertised from mid-July to the end of August.
- b) The selection Panel will meet and shortlist candidates for interview soon after and will conduct the interviews by the end of September.

- c) The recommendations of the selection Panel shall be presented to full Council at its meeting of 22 October 2020 when the new members of the new Member Remuneration Panel shall be appointed for the period 1 November 2020 to 31 October 2024.

4. Legislation

- a) The statutory basis for the independent Members Remuneration Panel is contained in 'The Local Authorities (Members' Allowances) (England) Regulations 2003'.¹
- b) The legislation requires that "Before the beginning of each year, an authority shall make the scheme... for the payment of basic allowance for that year."² The scheme needs to make provision for the following where it is intended that they shall be paid:
- Special responsibility allowance(s).
 - Dependants' carers' allowance.
 - Travelling and subsistence allowance.
 - Co-optees allowance³.
- c) Before a scheme is made or amended, the authority must have before it recommendations made by an independent remuneration panel. This panel must consist of at least three people, none of whom may be a Member of an authority, or one if its committees or sub-committees, and must not be disqualified from being or becoming a Member of an authority.⁴

5. Recommendation

The Committee is asked to agree that the selection panel for Members of the Member Remuneration Panel be made up of 1 Honorary Alderman nominated by the Liberal Democrat Group and 2 from the Conservative Group.

Background Documents

Item 7, *Recruitment of the Independent Member Remuneration Panel*, Selection and Member Services Committee, 27 February 2020,
<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=143&MId=8150&Ver=4>

¹ SI 2003 1021, <http://www.legislation.gov.uk/ukSI/2003/1021/contents/made>

² Ibid. section 10(1).

³ Ibid. section 10(2) & 21

⁴ Ibid. section 20(2).

Report Author:

Tristan Godfrey
Scrutiny Research Officer
tristan.godfrey@kent.gov.uk
Tel:03000 411704

This page is intentionally left blank