

From: Ben Watts, General Counsel
To: Selection and Member Services Committee, 28 October 2024
Subject: Member Role Descriptions
Status: Unrestricted

1. Introduction

- a) The Appendix sets out the current Member role descriptions.
- b) The role description for 'All Members' came as part of a recommendation of the independent Member Remuneration Panel (MRP) in June 2009. The MRP recommended that the Council adopt role descriptions for all positions to which a Special Responsibility Allowances was attached in July 2010. In consultation with the MRP, the role descriptions were updated in March 2012 as part of the adoption of the Cabinet Committee arrangements. The current set of role descriptions are as they were at this time.

2. Role Descriptions: Review

- a) All of the roles for which there are descriptions still exist, though not all of them attract an SRA (specifically, Deputy Leader of an Opposition Group). These are as follows:
 - All Members
 - Leader of the Council
 - Deputy Leader of the Council
 - Cabinet Member
 - Deputy Cabinet Member
 - Chairman of the Council
 - Vice-Chairman of the Council
 - Committee Chair
 - Cabinet Committee Chair
 - Additional responsibilities for the Chair of the Scrutiny Committee
 - Additional responsibilities for the Chair of the Planning Applications Committee
 - Leader of an Opposition Group
 - Deputy Leader of an Opposition Group
- b) The legal, constitutional, and political context has changed since the descriptions were originally adopted. It is therefore timely to review the existing ones. The Members' Governance Working Group is considering the role descriptions as part of its work.
- c) This is the final year of the current 4-year Members' Allowances Scheme and, following a recruitment exercise later in the year, the MRP will be asked to make recommendations for a replacement scheme.

3. Points to Consider

- a) It would be useful to be clear of the purpose of role descriptions. Members are not employees and so role descriptions are not the same as job descriptions for Officers with a contract of employment. Some aspects of the descriptions mirror aspects of the Constitution, such as the Leader chairing Cabinet meetings. Other aspects are broader 'expectations' of the roles.
- b) There is also a need to be mindful of the accountability aspects of the role descriptions. For example, perceived adherence to the role descriptions could potentially be used by individuals in reference to Member complaints.
- c) With the description of roles attracting SRAs, there is also a need to be mindful of other developments in the governance area. For example, the Grant Thornton governance review reported to the Governance and Audit Committee in October 2023 contained the following recommendation – “Roles which attract Special Responsibility Allowances are only held by members who have completed the required training and development for those roles.”¹ Any formal connection between training/development and SRAs would need to follow a review and recommendation from the MRP.
- d) To raise awareness of the role descriptors (and any future updated versions), it is being recommended that a link to them be added alongside the Constitution and Appendix on the KCC website². Although not part of the Constitution, this would be an appropriate place to make them available.
- e) There is one element of the role descriptor for Chairman of the Council which has been superseded by changes to the Constitution and needs removing - “To witness the sealing of official KCC legal documents in the period immediately after a County Council Election until such time as the Leader appoints his or her Cabinet.” Other wording does not reflect the usage in the Constitution – “Committee Chairman” rather than “Committee Chair.”

4. Recommendation

The Selection and Member Services Committee is asked to:

- a) Ask the Monitoring to remove the reference to sealing from the role descriptions of the Chairman of the Council and update role titles to align it with the Constitution.
- b) Ask the Monitoring Officer to arrange for a link to the Member role descriptions be placed on the KCC website with the Constitution.
- c) Request the Members' Governance Working Group to report their recommendations on the role descriptions to this Committee in due course.
- d) Ask the Monitoring Officer to request of the Member Remuneration Panel that it considers the role descriptions as part of their next review of the Members' Allowances Scheme.

¹ P.15,

<https://democracy.kent.gov.uk/documents/s121463/Kent%20County%20Council%20Governance%20Report%20Report.pdf>

² <https://www.kent.gov.uk/about-the-council/how-the-council-works/constitution>

5. Background Documents

None.

6. Report Author and Relevant Director

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