

From: Ben Watts, General Counsel

To: **County Council – 22 October 2020**

Subject: Proposed Amendments to the Terms of Reference of the Selection and Member Services Committee

Classification: **Unrestricted**

Past Pathway of report: Selection and Member Services Committee, 29 July 2020

Summary:

The purpose of this report is to set out the proposed amendments required to the Terms of Reference of the Selection and Member Services Committee

Recommendation:

The Council is asked to agree the changes to the Terms of Reference of the Selection and Member Services Committee, following the recommendation of the Selection and Member Services Committee, as set out in paragraph 2 of the report.

1. Introduction

- a) Building on earlier discussions at the Selection and Member Services Committee and informal discussions elsewhere, I gave a presentation to the Selection and Member Services Committee on 23 June 2020 setting out the options for and importance of enhancing and developing the role of the Selection and Member Services Committee.
- b) In the current operating environment, it has become even more apparent that there is a need for Members to be able to clearly see the issues relating to their role being discussed. At each recent meeting, the Chairman has allowed a number of Members who are not part of the standing membership of the Committee to speak on a range of issues that were important.
- c) I was asked by the Committee to use this presentation as a basis for discussions with the political groups and to request individual responses from Members. This was then to be turned into a formal report to the Selection and Member Services Committee on its future role within KCC.
- d) This report was presented to the Selection and Member Services Committee on 29 July 2020. Any changes to the Terms of Reference required the Committee to recommend these changes to County Council which was subsequently agreed. There was a further discussion of the future work of the Selection and Member Services Committee at its meeting of 30 September 2020.

2. Changes to the Terms of Reference

- a) The proposed changes as set out in the Appendix¹ are needed to enable the Committee to do the following:
- i. **Reviewing Member Grants.** It has been recognised that recent unprecedented events may require a different approach with Selection and Member Services taking a greater role. Currently, the Monitoring Officer and his team review the legality of the scheme and individual grants but reviewing the grants in aggregate and operation of the scheme would allow for the development of new guidance.
 - ii. **Member Development Sub-Committee.** The Committee already has a role in developing the role of Members and there is also the Member Development Steering Group but the two are not formally connected. It is proposed that the Steering Group be converted into a Sub-Committee of this Committee so there is a natural reporting route for its work.
 - iii. **Informal Member Working Groups.** Some Members have expressed concern about the number of informal Member Working Groups and the transparency surrounding their work. Where the outcomes of their work are not reported elsewhere, this Committee would be an appropriate place.

3. Operational Changes

- a) The Committee also discussed a range of areas it could consider on a regular basis as part of its work programme which are covered by the existing Terms of Reference. These are set out below and would be unaffected by the proposed changes:
- i. **Reviewing the changes made to the internal democratic process during the COVID-19 pandemic and identifying and maintaining positive changes.**
 - ii. **Review the balance between physical and virtual meetings.**
 - iii. **Providing a platform to explain to the public the work that is carried out by Members to provide a greater explanation of the time commitment and expectations placed on Members and the role they play in communities.**
 - iv. **Providing information on the work of the Chairman, Lord Lieutenant and Civic Office. This will also provide an opportunity for non-executive Members to understand the opportunities to link the Civic Office to their divisions.**
 - v. **Recommending changes to the Constitution necessary as a result of local government gaining new statutory powers/functions.**
 - vi. **Oversight of preparations for the new Council – pre- and post-elections 2021. This could include oversight of the induction programme for new/continuing Members, arrangements for those Members who do not return after May and contributing to the design of any programmes or materials designed to inform prospective candidates as to the role of being an elected Member.**

¹ Additions to the Constitution are underlined. There are no deletions from the current Terms of Reference of the Selection and Member Services Committee.

- vii. Council and Member facilities, accommodation, and Member IT provision.
- viii. Member support arrangements – agree principles prior to the election to help develop a clear sense of direction.
- ix. The Electoral and Boundary Review Committee has a clear role in certain matters relating to elections, particularly reviews of electoral and local government boundaries. Where there are other matters relating to elections falling outside the Terms of Reference of the Electoral and Boundary Review Committee and where formal engagement with Members is needed, the Selection and Member Services Committee would be an appropriate forum for this.

4. Resourcing and Support

- a) Expanding the scope and increasing the work of this Committee will require an increase in the frequency of meetings and have an opportunity cost in terms of Officer support for other areas of activity within Democratic Services. Members are asked to take this into account in their discussions and give their views on potential mitigations.

5. Recommendation:

The Council is asked to agree the changes to the Terms of Reference of the Selection and Member Services Committee, following the recommendation of the Selection and Member Services Committee, as set out in paragraph 2 of the report.

6. Background Documents

None.

7. Contact details

Ben Watts, General Counsel
03000 416814
benjamin.watts@kent.gov.uk