

KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 30 November 2023.

PRESENT: Mr. N J Collor (Chairman), Mr. R W Gough, Mr. D Jeffrey, Rich Lehmann, Mr. P Oakford (*substitute*), Mr. H Rayner (*substitute*), Dr L Sullivan

IN ATTENDANCE: Mr J Cook (Democratic Services Manager), Mr T Godfrey (Senior Governance Manager), Ms L Tricker (Democratic Services Officer), Mr B Watts (General Counsel)

UNRESTRICTED ITEMS

16. Declarations of Interest

(Item 2)

There were no interests declared.

17. Minutes

(Item 3)

Mr Lehmann highlighted section 11 of the minutes and stated that recommendation C should be reworded to say, 'relevant Group Leader(s)'. The Committee agreed this amendment and the minutes of the meeting held on 19 October 2023.

RESOLVED that the minutes of the meeting held on 19 October 2023 were an accurate record and that they be signed by the Chair.

18. Outside Bodies: Protocol

(Item 4)

1. Mr Godfrey introduced the report and explained that it provided a clearer framework for the outside bodies process and a single point of reference. Other local authorities had already introduced a Protocol for outside bodies, and a comparative exercise had been undertaken to ensure KCC was in line with these local authorities in regard to guidelines for nominations and appointments. Mr Watts thanked Mr Godfrey and colleagues for the report and explained that some outside bodies carried personal liabilities and the Protocol outlined indemnities. The Protocol also outlined training which could be provided, for example generic trustee training, directorship training and community practice for trustees. The Protocol would be put onto KNet for easy access for Members and would be sent to all Members.
2. A Member questioned if group leaders would be able to make nominations outside of the committee process. It was confirmed that nominations to

outside bodies could only be made through the committee.

3. Members discussed the need for liability insurance for those appointed to some outside bodies.
4. Members discussed point 4b within the Protocol and it was proposed that the wording be changed to “The Committee may choose to delegate authority to make one or more nominations/appointments to the Monitoring Officer, or another appropriate officer. All instances of this delegated authority being exercised should involve relevant consultation with the Chair of Selection and Member Services Committee and will be reported to the Committee at the following meeting.” The proposal was seconded, agreed by Members, and point 4b within the Protocol was amended.

RESOLVED that the Selection and Member Services Committee:

- a. Approved the outside bodies protocol.
- b. Agreed that the Committee’s activity in connection to its power of appointment to outside bodies will be undertaken in line with this protocol.

19. Petition Scheme Review

(Item 5)

1. Mr Cook introduced the report and explained that it presented potential changes to the eligibility and verification process of petitions, following a further comparative exercise into other local authorities. This had found that KCC was in line with other comparable local authorities in using a risk-based approach when verifying petitions. Although a more detailed verification process could be used this could be expensive for the Council due to GDPR and data protection issues, as well as officer time, and would provide a limited return on investment due to the limited evidence of petition fraud in Kent. The Committee was also asked to comment on the threshold for County Council and Cabinet Committee petitions, which could be progressed to County Council for final decision.
2. Members engaged in discussion regarding reducing the threshold for County Council and Cabinet Committee petitions. Some Members felt that reducing these thresholds would increase engagement from the public. Other Members disagreed and felt that reducing the threshold would mean a labour-intensive process for officers and a busier County Council agenda, during a time when Council Members needed to focus on financial issues. Members felt that the threshold could be lowered at a later date if necessary.
3. Members discussed the need to have a minimum age limit on petitions, as some school children may want to sign a petition. The age for criminal punishment in the UK was 11, and Members discussed making this the minimum age to be able to sign a petition. It was confirmed that there was currently no age limit on petitions, and putting this in place would be difficult due to the need to verify signatures and ages.
4. Members questioned how e-petitions and paper petitions were dealt with, and felt that both formats should be checked and verified in the same way

and checked to ensure signatures were not duplicated. Mr Cook confirmed that the same guidance for paper and e-petitions was provided by officers when a member of the public came to the team with a request.

5. A Member raised a concern with the verification process and asked if dip sampling could be undertaken to ensure that people who signed lived, worked, or studied in the borough. Mr Cook stated that any petition verification would lead to resources being stretched within the Democratic Services team and other directorates and could have data protection implications.
6. Mr Rayner proposed option 1 within the report, which stated “no changes be made to the petition scheme”. This was not seconded and therefore was not agreed.
7. Mr Jeffrey proposed the following option: a 3000-signature threshold for County Council petition; a 1500-signature threshold for a Cabinet Committee petition; a petition could not be submitted if one similar had been presented in the previous 6 months; and the scheme would be reviewed 12 months after adoption. This proposal was seconded by Mr Lehmann. A vote was held: 2 in favour; 3 against; 2 abstentions. Therefore, the proposal was not agreed.
8. After further discussion, it was agreed that a further report on the petition scheme would be presented to the Committee at its next meeting.

RESOLVED that the Selection and Member Services Committee:
Agreed to defer the report to the next Committee meeting.

20. Governance Update *(Item 6)*

1. The Chair expressed his concern regarding the lateness of the report and felt that Members may not have had enough time to read it. Mr Watts apologised and explained that it was a discussion report only.
2. Mr Jeffrey explained that the report was based on informal discussions with Members on internal governance within KCC, linking to the work of the external governance audit and how meetings could be improved, for example more regular breaks during meetings. Part 3 of the report proposed a Member Working Party who would look at governance issues, such as Cabinet Committees, the Chair of Scrutiny Committee, Member training, and standing orders. Mr Watts added that as the Monitoring Officer, his statutory duty was to ensure effective corporate governance, and felt that the Working Group would be a positive step at improving internal governance.
3. Members welcomed the review into internal governance and felt that it would be beneficial to increase the time limit for County Council questions, and to have more regular breaks during meetings.

4. Members questioned when the Working Group would be able to report back to the Committee on its findings. Mr Jeffrey hoped that the Working Group would be able to meet at least three times, before being able to report back at the next meeting in March 2024, ready for implementation at the start of the 2024/25 municipal year.
5. Mr Hook proposed the options listed in the report at 2b(i); 2b(ii); 2b(iii); and 2b(iv). Mr Rayner seconded the proposal, and it was agreed by all Members of the Committee.

RESOLVED that the Selection and Member Services Committee:

- a. Noted and commented on the report.
- b. Discussed section 2 of the report and agreed items 2b(i); 2b(ii); 2b(iii); and 2b(iv) within the report for onward presentation to County Council for approval.
- c. Agreed the establishment of a Member Working Party chaired by the Cabinet Member for Communications and Democratic Services to work on a cross party basis.