

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, 27 February 2025.

PRESENT: Mr N J Collor (Chairman), Mr A Brady, Mr R W Gough, Rich Lehmann, Mr D Jeffrey, Miss S J Carey and Mr H Rayner

IN ATTENDANCE: Mr B Watts (General Counsel), Mr T Godfrey (Senior Governance Manager) Mrs K Goldsmith (Scrutiny Research Officer), Ms K Reynolds (Governance Advisor) and Miss R Emberley (Democratic Services).

UNRESTRICTED ITEMS

8. Apologies and Substitutes

(Item 1)

Apologies were received from Mr Hook, Mr Simkins and Mr Dance.

Mr Rayner was in attendance as a substitute for Mr Simkins and Miss Carey was in attendance as a substitute for Mr Dance.

9. Declarations of Interest

(Item 2)

Mr Brady confirmed that he was a Member of the Governance and Audit Committee.

10. Minutes of Previous Meeting

(Item 3)

RESOLVED that the minutes of the meeting held on 13 December 2024 were correctly recorded and that a paper copy be signed by the Chair.

11. Revisions to the Terms of Reference of the Kent and Medway NHS Joint Overview and Scrutiny Committee

(Item 4)

1. The report was presented by Scrutiny Research Officer, Kay Goldsmith.
2. Some of the key points highlighted were as follows:
 - a) When the Medway Health Scrutiny Committee and the Kent Health Overview and Scrutiny Committee (HOSC) determine that an NHS proposal for change is substantial, the matter is passed to the Kent and

Medway Joint Health Overview and Scrutiny Committee (JHOSC) for consideration.

- b) Changes to health scrutiny regulations required the current Terms of Reference for JHOSC be amended in two ways:
 - To reflect who will make a call-in request, if this route is chosen.
 - Establish who will make representations to the Secretary of State, in the event a call-in is requested.
 - c) The options available were set out in the report and Members were directed to the Appendix which demonstrated how the Terms of Reference would look, if the Committee adopted the recommendations put forward by HOSC.
 - d) Kent County Council and Medway Council both needed to agree the Terms of Reference before they were updated and therefore no changes to the Constitution could be made until a similar paper was presented to Medway Council.
3. In answer to comments and questions raised by Members, the following was said:
- a) Further context could be included in the report delivered at full Council, which would set out the changes made to the existing JHOSC Terms of Reference clearly.
 - b) It was confirmed that the call-in request was available to everyone, including individuals. Previously, only HOSC could refer a proposal to the Secretary of State.
 - c) When considering a call-in request, the Secretary of State may factor in the views of the local HOSC as part of their decision making.
4. RESOLVED that:
- Members discussed and commented on the report.
 - Members recommend to the County Council that the changes to the Terms of Reference be adopted and the Constitution updated accordingly.

12. Governance and Audit Committee Terms of Reference Update *(Item 5)*

- 1. The report was presented by Governance Advisor, Katy Reynolds
- 2) Some of the key points highlighted were as follows:

- a) The report had been produced in response to the findings of the Annual Review of Effectiveness of the Governance and Audit Committee, carried out in December 2024.
 - b) The Terms of Reference were reviewed and the proposed updates contained in the report aimed to ensure that the Governance and Audit Committee was properly constituted and had a clear remit.
 - c) Members were directed to Appendix A and Appendix B of the report, which had clear tracked changes for comparison.
- 3) In answer to questions and comments from Members, the following was said:
- a) It was considered best practice to exclude the Chair of the Scrutiny Committee from sitting on Governance and Audit Committee, however, the previous Terms of Reference had taken a more restrictive approach by excluding all committee chairs from Governance and Audit Committee membership. This had significantly reduced the pool of eligible Members and substitutes for the Committee.
 - b) The May 2025 election needed to be considered; there may be several Members with relevant expertise who could provide valuable support to the Governance and Audit Committee but may already be Chairs for other Committees (or in other positions of responsibility). It was explained that without the proposed changes to the Terms of Reference, there was the risk that there might not be sufficient capacity of Members after the election.
 - c) It was clarified that in central government, the Office of Budget Responsibility reviewed public statements; this was not in the remit of the Governance and Audit Committee.
 - d) It was confirmed that the Whistleblowing Policy and the Bribery Act Policy were still included in the Terms of Reference.
 - e) The survey contained in the Annual Review of Effectiveness of the Governance and Audit Committee was used to gain an understanding of where improvements could be made, as well as looking broadly at the operation of the Committee.
 - f) It was confirmed that newly elected Members to the Governance and Audit Committee would receive training focused on the Council's budget and Governance framework, as well as the role of the Committee, to ensure they were able to start quickly and effectively.
 - g) A further meeting of the Selection and Member Service Committee would be arranged before the full Council meeting to update Members on the Governance Working Party developments.
- 4) **RESOLVED** that the Selection and Member Services Committee

recommend the proposed changes to the Governance and Audit Committee's terms of reference to County Council for agreement and for the Constitution to be updated accordingly.