

## Slough Borough Council

<b>Report To:</b>	Council
<b>Date:</b>	30 <sup>th</sup> November 2023
<b>Subject:</b>	Appointments to Committees and Panels
<b>Chief Officer:</b>	Stephen Taylor, Monitoring Officer
<b>Contact Officer:</b>	Kunwar Khan, Democratic Services & Scrutiny Manager
<b>Ward(s):</b>	All
<b>Exempt:</b>	No
<b>Appendices:</b>	None

### 1. Summary and Recommendations

- 1.1 This report seeks Council's approval to appoint co-opted members to the Audit and Corporate Governance Committee and to approve and note changes to membership of the Cabinet, Committees and Panels since the meeting of Council held on 27<sup>th</sup> July 2023.

#### Recommendations:

Council is recommended to resolve:

- a) That, subject to obtaining satisfactory references, the following individuals be appointed as non-voting co-opted members to the Audit and Corporate Governance Committee with effect from 1<sup>st</sup> December 2023 until the annual meeting of the Council in May 2027.
  - i) Tony Haines
  - ii) Rupa Sidpara
  - iii) Jen Simpson
- b) That delegated authority be given to the Monitoring Officer to consider the references and decide whether to make an unconditional offer to appoint each individual named at recommendation (a).
- c) That the following changes to Committees/Panels made under Procedure Rule 1.2 (vi) of Part 4.1 of the Constitution be noted:
  - iv) Planning Committee – Councillor Stedmond has been appointed to fill the vacancy resulting from the resignation of Councillor Manku from the Committee and was subsequently elected as vice chair of the Committee.
  - v) Trustee Committee – Councillor W Sabah has been appointed to fill the vacancy resulting from the resignation of Councillor J Sabah from the Committee.

- vi) That Mr Andrew Ramsey was appointed as a member representing Teachers (Representing Primary, Secondary & Special Schools) in Committee 3 on SACRE.
- d) That Councillor Anderson continue as Chair of the Member Panel on the Constitution for the remainder of the municipal year.
- e) That Councillor Shaik be appointed as Chair of the Corporate Improvement Scrutiny Committee effective from 1<sup>st</sup> December 2023.
- f) That Councillor Khawar be appointed as Vice-Chair of the Corporate Improvement Scrutiny Committee effective from 1<sup>st</sup> December 2023.
- g) That Councillor Akram be appointed as Vice-Chair of the Audit and Corporate Governance Committee effective from 1<sup>st</sup> December 2023
- h) That the following changes made to Cabinet portfolios and membership, taken by the Leader and effective from 1<sup>st</sup> December 2023, are noted:
- Councillor Bedi - Lead Member for Education and Children's Services
  - Councillor Kelly - Lead Member for Highways, Housing and Transport
  - Councillor Manku - Lead Member for Environment, Environmental Services and Open Spaces

**Reason:**

To ensure all seats on committees are filled in accordance with all legal and constitutional requirements, in line with the wishes of political groups regarding the seats allocated to them and in accordance with terms of reference of the Audit and Corporate Governance Committee.

**Commissioner Review**

Commissioners have reviewed the report and made no comments.

## **2. Report**

### **Introductory paragraph**

Full Council is required to make appointments to committees and outside bodies. The Council Procedure Rules at Part 4.1 of the Constitution permit for casual vacancies to be filled and subsequently reported to Full Council.

### **Options considered**

*Option 1 – Agree to make the appointments to Audit and Corporate Governance Committee as recommended in Section 1 (**Recommended**).*

This option ensures independent expertise on the Audit and Corporate Governance Committee, as recommended by CIPFA and in accordance with the terms of reference for the committee.

*Option 2 – Do not agree to make the appointments as recommended in Section 1 (**Not recommended**).*

The terms of reference for Audit and Corporate Governance Committee states there should be a minimum of one independent member and up to four. The independent members are non-voting and therefore do not impact on the political balance of the committee, however they bring skills and knowledge across a range of areas. A fair and open process has been followed and the individuals have relevant skills and knowledge and it would be unreasonable not to make an appointment, subject to receipt of satisfactory references.

## **Background**

### Audit and Corporate Governance Committee - Co-Opted Members

- 2.1 The Audit and Corporate Governance Committee, at its meeting in January 2022, agreed revised terms of reference, which made provisions for up to four non-voting, co-opted members to be appointed to the Committee. Skills and knowledge are financial management, audit, accountancy, regulatory work and corporate governance, including company board representation should be represented where possible. There are currently three co-opted vacancies on the Committee.
- 2.2 The vacancies were advertised online in August 2023 and following interviews by Group Leaders on 8<sup>th</sup> November 2023, it is recommended that subject to satisfactory references being received, the following individuals be appointed for a four year term of office (until the annual Council meeting May 2027).
  - i) Tony Haines – knowledge and experience of local government and finance. Certified Accountants Diploma in Financial Management. Worked for a number of companies supporting their financial systems.
  - ii) Rupa Sidpara - relevant experience in finance and audit. Chartered Accountancy Qualification. Chartered Accountant and experience working in both external and internal audit for a variety of local and national companies.
  - iii) Jen Simpson – relevant experience in finance and governance. Senior Human Resources practitioner with over 25 years' experience and familiar with the role and importance of audit and governance.

### Member Panel on the Constitution

- 2.3 At the Annual Meeting of Council held on 18<sup>th</sup> May 2023, Councillor Shah was appointed as chair of the Member Panel on the Constitution for the 2023/24 municipal year. Two meetings of the panel have been held to date on 5<sup>th</sup> July and 7<sup>th</sup> September. As Councillor Shah had been unable to attend, the panel agreed at the outset of both meetings that Councillor Anderson chair proceedings. Following discussions with the group leaders and the Members concerned Councillor Anderson has agreed to continue as Chair of the panel for the remainder of the municipal year. Councillor Shah will remain a member of the panel.
- 2.4 The Member Panel on the Constitution is an informal working group and not a constituted committee of the Council. Therefore there is no requirement for appointments to be made by Full Council, however as the original appointment was made by Full Council, it is being asked to note the change.

## Appointments to Committees and Panels

- 2.5 At the Annual Meeting of Council held on 18<sup>th</sup> May 2023 the Council agreed the establishment of committees for the 2023/24 municipal year and the Members appointed to each committee.
- 2.6 Members are requested to note the changes in membership to Committees and statutory bodies as set out below. These appointments were made Council Procedure Rule 1.2 (vi) which permits such casual vacancies to be filled under delegated authority upon the nomination of the political group which holds the vacant seat.
- i) Planning Committee** – a vacancy arose on the Planning Committee following the resignation of Councillor Manku from the Committee. The Conservative Group nominated Councillor Stedmond to the vacant seat with effect from 31<sup>st</sup> August 2023 and this was reported as a Significant Decision and published on the Council website on 1<sup>st</sup> September 2023. Councillor Stedmond was elected as Vice-Chair of the Planning Committee at its meeting held on 6<sup>th</sup> September 2023.
- ii) Trustee Committee** - a vacancy arose on the Trustee Committee following the resignation of Councillor J Sabah. The Labour Group nominated Councillor W Sabah to the vacant seat with effect from 30<sup>th</sup> August 2023 and this was reported as a significant decision on the Council website on 1<sup>st</sup> September 2023.
- iii) Standing Advisory Council on Religious Education (SACRE).** An appointment was sought to a vacant position on SACRE and Mr Andrew Ramsey was appointed as a member representing Teachers (Representing Primary, Secondary & Special Schools) in Committee 3 on SACRE with effect from 25<sup>th</sup> October 2023. The appointment was reported as a significant decision on the Council website on 25<sup>th</sup> October 2023.
- 2.7 Members are requested to note the changes made by the Leader to Cabinet portfolios as detailed below and the appointment of Councillor Manku as Lead Member for Environment, Environmental Services and Open Services.
- Councillor Bedi - Lead Member for Education and Children's Services
  - Councillor Kelly - Lead Member for Highways, Housing and Transport
  - Councillor Manku - Lead Member for Environment, Environmental Services and Open Spaces
- 2.8 As a consequence of Councillor Manku's appointment to the Cabinet, a vacancy has arisen on the Corporate and Improvement Scrutiny Committee (CISC). It is recommended that Councillor Shaik, the current Vice Chair on the Committee, be appointed as Chair of CISC and that Councillor Khawar be appointed to the Committee as Vice-Chair, both effective from 1<sup>st</sup> December 2023.
- 2.9 Members are informed that following constructive discussions between Group Leaders, Commissioners and officers regarding the Audit and Corporate Governance Committee (ACGC) and to promote cross party working, it is recommended that Councillor Ejaz Ahmed be asked to step aside as Vice-Chair of ACGC and that Councillor Akram be appointed as Vice Chair of ACGC.

### **3. Implications of the Recommendation**

#### **3.1 Financial implications**

- 3.1.1 Audit co-opted members will each receive an allowance of £548 per annum.
- 3.1.2 A Member appointed to Cabinet will receive a special responsibility allowance of £12,715.
- 3.1.3 A budget is available for this purpose.

#### **3.2 Legal implications**

- 3.2.1 The recommendations within this report meet legal requirements. The Local Government and Housing Act 1989 requires the Council to apply political proportionality rules when making appointments to committees. However these rules do not apply to non-voting co-opted members. The terms of reference for the Audit and Corporate Governance Committee confirms that the four co-opted members are all non-voting and therefore their appointment does not impact on the political balance on the committee.
- 3.2.2 The Government considered it proportionate to establish a simple principle that local authorities should have an audit committee with at least one independent member. However, it could be some time before the relevant statute is enacted and so in the intervening period, the Government encouraged local authorities to establish their audit committee arrangements in line with CIPFA's revised guidance, including appointing independent members.
- 3.2.3 The guidance issued by CIPFA recommends that local authorities include two co-opted independent members on their audit committee to:
  - Supplement the knowledge and experience of elected members in specific areas such as finance and audit;
  - Provide continuity outside the political cycle (this being of particular importance where members of the committee can change annually or because of elections);
  - Help achieve a non-political focus on governance, risk and control matters.
- 3.2.4 CIPFA specifically recommends two co-opted members rather than one, as this will allow for the recruitment of members with different but complementary knowledge and experience, increase the resilience and continuity of the committee and show commitment in supporting and investing in the committee.
- 3.2.5 Independent members are non-elected representatives who are recruited based on the suitability of their qualifications and experience in the area of audit and/or governance. They should provide:
  - specialist knowledge and insight to the workings and deliberations of the committee;
  - an effective, independent assurance of the adequacy of the risk management framework;
  - an independent review of the Council's financial and non-financial performance;
  - independent challenge to, and assurance over, the Council's internal control framework and wider governance processes.

- 3.2.6 The Independent Members would not have a vote in the same way as elected members of the Committee but will be part of the Committee in an advisory and consultative capacity.
- 3.2.7 The Council's process involved a job description taking account of the skills and experience required as set out in the committee's terms of reference. The roles were advertised and candidates were interviewed. The three candidates have experience in at least one of the areas set out in terms of reference. The Council will arrange for the co-opted members to have an induction and access to senior officers to discuss any lack of organisational knowledge. Whilst not voting members, the co-opted members are expected to comply with the code of conduct and complete a register of interests. The co-opted members will have access to the same information as other committee members are entitled to and will be expected to treat any information as confidential where required.
- 3.2.8 SACRE is established in accordance with the Education Act 1996. This requires individuals to be appointed to one of four committees representing faith groups, the Church of England, teachers and the Council. The vacancy that has arisen is from the teachers committee. Political proportionality does not apply to this committee.
- 3.2.9 Rule 1.2 of the Council Procedure Rules applies to appointments of members to committees and outside bodies. The Member Panel on the Constitution is neither a committee nor an outside body. It is a non constituted, informal member panel whose role is to review and advise on the Constitution. It has no decision-making powers. Appointments to the panel and decisions on who should chair the panel can be made outside of the Council Procedure Rules. As the original decision on membership and the chair was made by Full Council, the change in chairing arrangements is being reported to Full Council for noting to ensure transparency.

#### **4. Background Papers**

None