

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

SCHEME FOR THE CO-OPTION OF MEMBERS TO SELECT AND SCRUTINY COMMITTEES AND SCRUTINY WORKING GROUPS

The Royal Borough of Kensington and Chelsea, in exercise of the powers conferred by Schedule A1 of the Local Government Act 2000, has made the following scheme:

1. Definitions:

“Council” means the Council of the Royal Borough of Kensington and Chelsea.

“Councillor” means an Elected Member of the Council.

“Co-optee” means a person who is not an elected member nor an officer of the Council but who is a member of a Select or Scrutiny Committee.

“Select and Scrutiny Committee” means a Committee appointed pursuant to Section 9F of the Local Government Act 2000.

2. Co-opted members to the Council’s Select and Scrutiny Committees and Working Groups

Select and scrutiny committees

- 2.1 The Council recognises the valuable input and different perspectives co-opted members bring into the Council’s decision-making process. Their role depends in what capacity they are appointed, which could be as representatives of an organisation or an interest group or they may be co-opted for their expertise or experience.
- 2.2 A co-optee’s role is to complement, rather than replace, the role of Councillors who remain accountable to the electorate.
- 2.3 Voting co-opted members are by law subject to the Councillors’ Code of Conduct and requirements to register disclosable pecuniary interests and other specified interests as well as to declare any relevant interests at Council meetings. In accordance with the Code of Conduct, voting co-opted members also have to declare any other relevant significant interests in the business being discussed at the meeting. Whether or not the interest is a significant interest under the Councillor’s Code of Conduct will depend on all the circumstances, including whether a member of the public would reasonably consider it is likely to affect the individual’s ability to act in the public interest. An independent or co-opted person with voting rights serving on Council Committees is expected to comply with the Councillors’ Code of Conduct and therefore, should any of those persons also be nominated or appointed by the Council to an outside body, the same principles on managing conflicts shall

apply to them as Councillors. Individuals should refer to the Code of Conduct and can seek further advice from the Monitoring Officer.

- 2.4 Co-opted members of Committees are entitled to an Annual Allowance as set out in the Council's Members' Allowances Scheme. They are also entitled to be reimbursed for all travel costs, whether travel is within or outside the Borough. Co-optees are not entitled to reimbursement for subsistence.
- 2.5 For non-statutory co-optees the term of appointment is for three years with an opportunity (but not a guarantee) to extend to a second term.
- 2.6 If a co-opted member fails throughout a period of six consecutive months to attend any meeting of a committee, to which he or she has been co-opted, they will cease to be a member of the committee unless their absence is due to a reason which has previously been approved.
- 2.7 The Council co-opts people onto the following scrutiny and select committees:
 - The Family Services Select Committee - six co-opted members, four voting (two diocesan representatives and two parent governor representatives) and two non-voting (teacher representatives). The statutory co-opted members have voting rights in relation to education issues.
 - The Adult Social Care and Health Select Committee - one non-voting co-opted member who is a Healthwatch representative who is nominated by that organisation. Although there are no voting rights, the co-optee is still a full and equal member of the Committee.

Scrutiny Working Groups

- 2.8 Scrutiny working groups are informal, time limited bodies established by the Council's scrutiny and select committees to gather evidence and produce recommendations on a specific subject. The role and focus is usually on a discrete area of policy.
- 2.9 An independent perspective can be achieved by co-opting individuals with specialist knowledge and/or expertise to scrutiny working groups.
- 2.10 The working group will consider appointing co-optees as part of the scoping stage of the review and under normal circumstances there will be no more than one co-optee per working group to retain a balance with the number of councillors. The appointment would be approved by the parent select or scrutiny committee at a formal meeting. The minutes would make clear the basis on which the co-option is recommended, for example the person is an appointed representative of a relevant organisation or has relevant expertise or experience and that it would be for as long as the working group exists.
- 2.11 The Scrutiny Manager (as the designated statutory scrutiny officer) has delegated authority to appoint co-optees to working groups between meetings following consultation with the Chair and the Committee. A full report containing

the details of the delegated decision including the reason for the appointment would be included on the agenda of the next formal meeting of the Committee or the Overview and Scrutiny Committee depending on which met first.

- 2.12 Co-optees will sit alongside other members of working groups and will be able to hear evidence, ask questions and contribute to the findings.

3 Support for Co-opted Members to Select and Scrutiny Committees and Working Groups

3.1 Co-optees will be:

- Sent all agendas, documentation and communication relevant to the committee / working group to which they have been co-opted;
- Offered a comparable level of support as provided to councillors when acting in a scrutiny capacity; and
- Offered an induction to the role of co-opted member when they are first appointed, including being invited to attend scrutiny training events and be expected to attend any relevant training that is mandatory for elected members.