

Report to Constitution and Members Services Standing Scrutiny Panel

Date of meeting: 20 February 2012

Subject: Appointments at Annual Council - Review

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Recommendations/Decisions Required:

- (1) That the Panel consider the operation of the Appointments Panel last year and recommend changes required to Council as thought necessary;**
- (2) That the Panel consider the protocol needs further consideration to either:**
 - (i) Reinststate it; or**
 - (ii) delete it; or**
 - (iii) amend its scope; and**
- (3) To consider a suggested change to Article 5 of the Constitution in relation to the nomination of the Vice Chairman appointment to Council;**
- (4) To recommend to Council (if appropriate) 15 May 2012 as the date for the Appointments Panel for 2012;**

Introduction for the Panel:

1. (Senior Democratic Services Officer) Members will recall discussions in 2011 on how the process of the annual meeting could be improved. This resulted in a report to Council which introduced the idea of having an Appointments Panel and made improvements to the process of agreeing nominations for Committee places and Outside Body Appointments.
2. The Council requested that the operation of the new system be reviewed after one year.
3. This report sets out a review of the experiences of last year together with some issues requiring decision on the future operation of the Panel.

Report:

4. The original request to the Panel to look at the operation of the Annual Council meeting covered a number of issues which included briefing information; liaison and consultation between political groups, pro rata on outside organisations

and the process of appointment; simplifying paperwork at the Annual Meeting; suggestions for improvement of the civic ceremonial aspects of the annual meeting and a review of the appointment process of the Vice-Chairman of Council.

5. The final report to Council is attached as Appendix 1 to this report for reference.

Operation of the Appointments Panel

6. Last year we operated the Appointments Panel for the first time. As envisaged last year documentation was circulated by officers prior to the election period. This information comprised:

- (a) A pre-election pro rata exemplification table
- (b) A pro rata advice sheet
- (c) Counsel opinion on calculating pro rata
- (d) New Group Constitution Forms
- (e) Individual group member forms
- (f) Terms of Reference of the Panel (attached for reference – Appendix 2)
- (g) A blank Committee nominations sheet (showing previous years nominations)
- (h) A blank outside organisations sheet for council appointed bodies
- (i) Vice Chairman nomination forms (as appropriate)

7. On the Friday after the election count further information on the post election pro rata position was emailed to members.

8. It had been agreed that the Appointments Panel would meet on 12 May 2011. This did not prove possible as nominations had not been completed in time. The meeting was held on the fall-back date of 17 May. This enabled a supplementary agenda to be circulated prior to Council on 24 May meeting the target set by Council of not having tabled schedules of appointment recommendations.

9. Members are asked whether they wish to recommend any changes to the method of operation of the Panel for this year or indeed whether they believe that the Panel should be the vehicle to bring forward nominations.

Protocol on the Allocation of Chairmanships and Vice-chairmanships and Outside Organisations

10. Members will recall that the protocol (attached Appendix 3) was suspended for the period of one year (except for sections 6(a) to (c)) to allow the new system to operate. The Panel have been asked to review this element in the light of operational experience.

11. This Panel could recommend:

- (i) To reinstate the protocol; or
- (ii) To continue its suspension for a further year; or
- (iii) As (ii) above with a review during the next year by this Panel; or
- (iv) Recommend the rescinding of the protocol linked to the inclusion of a 'statement of principles' within the Panels Terms of Reference which would have the

effect of limiting the scope of recommendations to Council. For example, the allocation of Chairmanships and Vice Chairmanships

Election and Nomination of the Vice Chairman of Council

12. The appointment of the Vice Chairman of Council is governed by Article 5 of the Constitution. Last year it was agreed that no changes would be made to the nomination process save that nomination forms would come to the Appointments Panel.

13. It is therefore suggested that the words in Article 5.02 (c) be amended to read:

“5.02(c) (c) The process of agreeing a nomination for Vice-Chairman of the Council shall be co-ordinated by the Leader of the Council in consultation with independent members and the Leaders of all political groups **and notified each year to the Appointments Panel for onward recommendation to the Annual Council meeting**”;

Date for the Appointments Panel for 2012

14. It is suggested that Tuesday 15 May 2012 should be the recommended date for the Appointments Panel meeting this year.

15. Group Leaders and Deputies, Senior Management and unaffiliated members have been consulted on last year and any views expressed will be made known

Resource implications:

Budget provision: Nil none required

Personnel: existing

Land: none

Community Plan/BVPP reference: none

Relevant statutory powers: Local Government and Housing Act 1989 sec 15 and 16

Background papers:

Environmental/Human Rights Act/Crime and Disorder Act Implications: none

Key Decision reference: (if required) not a key decision