

**AUDIT, GOVERNANCE AND STANDARDS COMMITTEE –
SELECTION PROCESS FOR THE APPOINTMENT OF NON-
VOTING PARISH COUNCIL REPRESENTATIVES**

Final Decision-Maker	Council
Lead Head of Service	Angela Woodhouse, Head of Policy, Communications and Governance
Lead Officer and Report Author	Debbie Snook, Democratic Services Officer
Classification	Public
Wards affected	All

Executive Summary

This report recommends a selection process for the appointment of non-voting Parish Council representatives on the Audit, Governance and Standards Committee, in the event of more than one candidate being nominated by Parish Councils to fill a vacancy, and consequential amendments to the Council's Constitution.

Purpose of Report

Decision

This report makes the following recommendations to this Committee:

1. That the Council be recommended to agree that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, the selection process outlined below be followed culminating in a recommendation being made to the Council:

Completion of an expression of interest form by each candidate in support of their nomination; and

Interview by the Democracy and General Purposes Committee if appropriate.

2. That to facilitate this process, the Council be recommended to agree the following changes to the Constitution:

Part 2 – Responsibility for Functions

Section 2.2.9 – Democracy and General Purposes Committee

FUNCTIONS	DELEGATION OF FUNCTIONS
<p>6. To be responsible for the appointment of independent persons to the Independent Remuneration Panel for Councillors' Allowances.</p>	<p>N/A</p>
<p>6. Consider applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct; and for the Independent Remuneration Panel and make recommendations to Council to appoint such persons.</p>	<p>N/A</p>
<p>7. In the event of more than one candidate being nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, to consider expressions of interest in support of the nominations, and make a recommendation to Council as to the person to be appointed.</p>	<p>N/A</p>
<p><i>Subsequent paragraphs to be renumbered</i></p>	

Timetable	
Meeting	Date
Democracy and General Purposes Committee	3 July 2019
Council	17 July 2019

AUDIT, GOVERNANCE AND STANDARDS COMMITTEE – SELECTION PROCESS FOR THE APPOINTMENT OF NON- VOTING PARISH COUNCIL REPRESENTATIVES

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The recommendations will not in themselves materially affect achievement of corporate priorities. However, they will support the Council's overall achievement of its aims through improved governance arrangements.	Debbie Snook, Democratic Services Officer
Cross Cutting Objectives	The recommendations will have no impact on the cross cutting objectives.	Debbie Snook, Democratic Services Officer
Risk Management	See paragraph 5.1 below.	Debbie Snook, Democratic Services Officer
Financial	The proposals set out in the recommendations are all within already approved budgetary headings and so no new funding is required. Participation of the Parish Council representatives in the Audit, Governance and Standards Committee provides some independent input to the work of the Committee.	Section 151 Officer & Finance Team
Staffing	The recommendations if accepted will be delivered within current staffing resources.	Debbie Snook, Democratic Services Officer
Legal	Acceptance of the recommendations will provide a transparent and consistent selection process within the Council's Constitution for the appointment of non-voting Parish Council representatives on the Audit, Governance and Standards Committee in the event of more than one candidate being nominated by Parish Councils to fill a vacancy.	Keith Trowell, Practice Area Team Leader – Corporate Governance

Privacy and Data Protection	Accepting the recommendations will increase the volume of data held by the Council. This data will be held and processed in accordance with the data protection principles contained in the Data Protection Act 2018 and in accordance with the Local Government (Access to Information) Act 1985.	Debbie Snook, Democratic Services Officer
Equalities	No impact identified as a result of the recommendations set out in the report. However, the individual needs of candidates will be considered as part of the revised appointment process to ensure it remains equitable and accessible	Equalities and Corporate Policy Officer
Public Health	None identified.	Debbie Snook, Democratic Services Officer
Crime and Disorder	None identified.	Debbie Snook, Democratic Services Officer
Procurement	None identified.	Debbie Snook, Democratic Services Officer

2. INTRODUCTION AND BACKGROUND

- 2.1 The Audit, Governance and Standards Committee now comprises nine Councillors plus two non-voting Parish Councillors appointed by the Council for a three year term of office.
- 2.2 The Hearing Panel, which is required to determine all complaints referred to it by the Monitoring Officer where a Member of a Council in the Borough is alleged to have breached their respective Councillors' Code of Conduct under the provisions of the Localism Act 2011, now consists of three Councillors (plus one non-voting Parish Councillor when a Parish Councillor is the subject of the complaint) drawn from the Audit, Governance and Standards Committee.
- 2.3 Parish Council representatives are appointed by the Council upon the nomination of the Maidstone Area Committee of the Kent Association of Local Councils (KALC) and any other Parish Councils in the Borough that are not members of KALC.

- 2.4 The Council agreed at its meeting on 12 December 2018 that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, then a selection process will be followed and the resulting candidate selected will be recommended to Council for appointment.
-

3. AVAILABLE OPTIONS

- 3.1 To do nothing, but the Council has agreed that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, then a selection process will be followed and the resulting candidate selected will be recommended to Council for appointment.
- 3.2 To recommend to Council a selection process for the appointment of non-voting Parish Council representatives on the Audit, Governance and Standards Committee, in the event of more than one candidate being nominated by Parish Councils to fill a vacancy, and consequential amendments to the Council's Constitution.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is proposed that the Council be recommended to agree that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, the selection process outlined below be followed culminating in a recommendation being made to the Council:

*Completion of an expression of interest form by each candidate in support of their nomination; and
Interview by the Democracy and General Purposes Committee if appropriate*

- 4.2 It is further proposed that to facilitate this process, the Council be recommended to agree changes to the functions of the Democracy and General Purposes Committee which is already responsible for considering applications from persons wishing to act as Independent Persons in connection with Councillor and Statutory Officer conduct and to serve on the Independent Remuneration Panel, and making recommendations to Council to appoint such persons.
-

5. RISK

- 5.1 The risk is that the Council will be asked to make an important appointment with limited knowledge of the candidates, but the selection process will mitigate against this and inform the Council's decision. The Council will still retain its right to not accept the recommendation of the Democracy and General Purposes Committee if it feels it appropriate to do so.
-

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 The Council has stipulated that if more than one candidate is nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee, then a selection process will be followed and the resulting candidate selected will be recommended to Council for appointment.
-

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If the recommendations are agreed by the Committee and the Council, the amendments will be made to the Council's Constitution and the selection process will be followed in the event of more than one candidate being nominated by Parish Councils to fill a vacancy in the office of non-voting Parish Council representative on the Audit, Governance and Standards Committee.
-

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None