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19 June 2025

To: All Members of the Overview and Scrutiny Committee

Dear Member,

Overview and Scrutiny Committee - Thursday, 19th June, 2025

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

10. APPOINTMENT OF NON - VOTING CO-OPTED MEMBERS (PAGES 1 - 10)

Yours sincerely

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Report for: Overview and Scrutiny Committee 19th of June 2025

Title: Appointment of non – voting co-opted Members

Report authorised by: Fiona Alderman, Director of Legal and Governance

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager

Ward(s) affected: All

Report for Key/ Non Key Decision: N/A

1. Describe the issue under consideration

- 1.1 The report seeks formal approval of the appointment of two non – voting co-opted members to the Scrutiny Panels as required by the Constitution and the non – voting co-optee protocol agreed by Standards Committee in March 2025.
- 1.2 The Committee is asked to appoint Amanda Bernard, Chair of SENDPower, a parent carer forum which represents the voices of SEND families in the borough to the Children and Young People's Scrutiny Panel. SendPower is a community organisation with an established contact with the Council and co -production partner. This appointment is endorsed by the Corporate Director for Children's Services.
- 1.3 The Committee is further asked to appoint Helena Kania to the Adults and Health Scrutiny Panel as a non – voting co-opted member. Helena has served as a scrutiny co-optee since 2003 and has expertise in the health sector, both public health and NHS. Helena represents disability Action Haringey and Public Voice. This appointment is endorsed by the Director for Adult Social Care.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 That Amanda Bernard be appointed to the Children and Young People's Scrutiny Panel as a non voting co-opted member for the municipal year 2025/2026.
- 3.2 That Helena Kania be appointed to the Adults and Health Scrutiny Panel as a non – voting co-opted member for the municipal year 2025/26.

4. Reasons for decision

- 4.1 As required by the Council's Constitution.

5. Alternative options considered

- 5.1 No alternative options

6. Background information

- 6.1 In relation to scrutiny, the Local Government Act 2000 made provision for the co-option of non-elected members to Overview and Scrutiny Committees in order to bring additional expertise and skills to scrutiny work and to increase public engagement with scrutiny.
- 6.2 In January 2021 the Standards Committee agreed a protocol on non – voting co-opted members which put in place the process for recruitment, completion of register of interest form and made clear, adherence to the Member Code of Conduct.
- 6.3 The Standards Committee considered and agreed an updated protocol on non voting co-opted member appointments at their meeting in March 2025. This was in accordance with their responsibilities for maintaining high standards of conduct and considering amendments to the Constitution and recommending proposals to full Council for approval.
- 6.2 The updated and agreed the protocol attached at Appendix 1 responded to observations and comments made by the Constitution Working Group.
- 6.3 There was a need to update the protocol to ensure that it was as robust as possible and given that the last update was completed in 2021. The decision making for appointments of non – voting members was previously assigned, in the Constitution, to the scrutiny panels. This was felt to be an anomaly as the Panels do not have decision making powers. This responsibility has been added to the terms of reference for Overview and Scrutiny Committee and updates to the Constitution agreed by Full Council on the 24th of March.
- 6.4.1 The Panels can appoint up to 3 non- voting members and nominations can come forward from established community groups or be individuals that provide additional expertise and skills.
- 6.4.2 Given the increased focus of scrutiny for the coming municipal year will be upon the budget and performance due the council's financial position, a wider advertisement of the non – voting member position will be taken forward next year. Current non voting co-optees were written to and invited to express an interest in the roles and responded in accordance with the application form and have been endorsed by senior officers.
- 6.4.3 The applications have been considered against the protocol as well as the endorsements of senior officers.

6 Statutory Officers comments (Chief Finance Officer (including procurement), Director of Legal & Governance, Equalities)

Finance

- 7.1 There is no payments for non - voting co-opted members and no financial implications.

Legal

- 7.2 The Director of Corporate Governance has been consulted in the preparation of this report. Section 9FA Local Government Act 2000 provides that an Overview and Scrutiny committee of a local council may include persons who are not members of the Council. Part 4 Section G (3.1) of the Overview and Scrutiny Procedure Rules, as set out in the Council's Consitution, applies.

Equality

- 7.3 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
- 7.4 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 7.5 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

7 Use of Appendices

Non – Voting Member Protocol.

8 Local Government (Access to Information) Act 1985

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Protocol for Non - Voting Co-opted Members – March 7, 2025

Introduction

- 1.1 The primary purpose of establishing a protocol for the co-option of non-statutory, non-voting Scrutiny members is as follows:
- To set out how the appointment and role of non- voting Scrutiny Panel members is taken forward.
- 1.2 Each Scrutiny Panel is entitled to have up to three non-voting co-optees to assist Scrutiny with its work, who will be approved by the Overview and Scrutiny Committee on an annual basis. Non-voting co-optees are intended to bring an additional element of external challenge to the work of the Scrutiny Panels. By bringing a diverse spectrum of experience and adding a different perspective to many items, they are expected to add value to Scrutiny by performing the following roles:
- To act as a non-party political voice for those who live and/or work in Haringey; and
 - To bring specialist knowledge and/or skills to the Overview and Scrutiny process and-bring an element of external challenge by representing the public.
- 1.3 For the purposes of this protocol, the term ‘Co-opted members/Co-optees’ refers to Co-opted non-statutory, non-voting Scrutiny members. Sections 2.4, 3, 4 and 5 of this protocol could also be applicable to Standards Committee which is also able to appoint up to 6 non-voting co-opted members as set out in the Constitution at Article 9 - paragraph 9.02.

2. Non - Voting Co-opted members

- 2.1 Most members on Scrutiny Committees are elected members and voting co-opted members, although provision is available for Overview and Scrutiny to appoint up to three co-optees to each Scrutiny Panel. The decision making on appointment of non – voting co-opted members should take place at the start of the Municipal year.
- 2.2 Non-voting Co-opted members will be an integral part of Scrutiny Panels and are able to contribute to questioning of witnesses and analysis of evidence. Scrutiny Panel chairs are advised to invite individuals who have specific and detailed knowledge of a particular issue to act as expert witnesses or independent external advisers instead of being applicable to the appointment process at section 3.5 below, as this will provide them with greater scope to contribute to evidence received by panels.
- 2.3 It is expected that appointed non-voting co-optees will:
- Attend formal meetings of the Panel, which are usually held in the evening.
 - Attend additional meetings and evidence gathering sessions such as site visits.
 - Prepare for meetings by reading the agenda papers and additional information to familiarise themselves with the issues being scrutinised.

- Prior to meetings, consider questions they may wish to put to Cabinet Members, officers, and external witnesses.
- Help the Panel to make practical suggestions for improvements to services.
- Contribute to the preparation of reviews and the formulation of recommendations.
- Contribute to the development of the annual Scrutiny work programme.
- Establish good relations with members, officers and other co-optees.
- Abide by the relevant sections of the Council's Constitution in terms of the rules and procedures for Overview and Scrutiny; and
- Keep abreast of key issues for the authority and bear these in mind when scrutinising services and making recommendations for improvement.
- Attend training sessions conducive to their Scrutiny role

2.4 Non-voting co-opted members should also note the following:

- Co-optees on Scrutiny Panels will have no voting rights.
 - Each co-opted member will be appointed for a period of one year by the Overview and Scrutiny Committee, at their first meeting of the Municipal year. Subject to there being no issues regarding their membership, this will be reviewed on an annual basis by the Overview and Scrutiny Committee.
 - Employees and existing Councillors of Haringey Council are excluded from applying to be Co-optees.
- Co-optees are expected to act in accordance with the Member Code of Conduct.

2.5 Scrutiny involves working with councillors and officers as a critical friend in an unbiased and collaborative manner maintaining the shared focus of the Scrutiny Work Programme and the Panel's terms of reference. The expectation is that all participants in the panel meetings approach the agenda and work items with an open mind and avoid being influenced by party political or personal motivations.

2.6 The Overview and Scrutiny will have the authority to review and amend the criteria set out at paragraphs 2.3 and 2.4 to meet the needs of the Scrutiny work plan and ensure the Committee meets its statutory role and responsibilities, which may impact on the eligibility of non – voting co – optees to sit on the Panels.

3. Appointment process

- 3.1 Primarily, Scrutiny will seek nominations from established community groups that have a working relationship with the Council for non-voting co-optee positions. Where the Panel identifies that a non-voting Co-opted member maybe beneficial to the work of the Panel and its work programme for the coming municipal year. The Chair of Scrutiny and Panel Chair, supported with advice from Scrutiny Officers, will identify the appropriate community organisation to invite nominations for this role. The community groups will be known through established contact with the Council.
- 3.2 To aid understanding of the requirements for this public facing role, community groups include constituted and un-constituted not-for-profit groups, community organisations and registered charities who provide support to local people in Haringey.

- 3.3 Alternatively, where a particular experience/ expertise is required to assist the Panel for the duration of the municipal year, consideration can also be given to advertising the position on Council's website and social media.
- 3.4 Community organisations will be sent:
- Information on the role of Overview and Scrutiny non -voting co-opted members.
 - Protocol for co-opted non-voting members
 - Information on the relevant Scrutiny Panel, the Scrutiny Work programme, and the skills and experience being sought to allow the community organisation to identify the appropriate individual to nominate.

Where the Panel is seeking particular experience not available through contact with community organisations and the role is advertised, an application form will be sent to interested applicants. This will include a number of questions that have been devised by the Chair of Overview and Scrutiny, the Panel Chair and Scrutiny Officers which will draw out the experience, community involvement and expertise needed for participation in this role.

Recruitment Process for Scrutiny Panel non – voting co-opted members

- 3.5 The Scrutiny Panel Chair, in consultation with the Overview and Scrutiny Chair, along with relevant Scrutiny officer will shortlist suitable candidates that have been considered from community groups or who offer particular expertise and experience. This will include an assessment against the Scrutiny Work Plan, their role in the community and the criteria at section 2.3 above. Applicants will also be asked to attend a short interview with the Chair of Overview and Scrutiny and Panel Chair with officers present. Prior to the interview, they will need to provide two references, including one from the community organisation that they are representing to evidence participation with the community group. The reference checks will be completed by the Human Resources Compliance Team prior to the appointment report being considered by the Overview and Scrutiny Committee.
- 3.6 Given that applicants will likely be living or working in the borough and in use of Council services, internal references may be sought and the stipulations listed below will apply, prior to appointment. This is to ensure that legal requirements and Member Code of Conduct can be adhered to.

Stipulations: applicants are to note that:

- Where they have been in contact with the Council and are subject to actions arising from the requirements of the Council's Unreasonable Behaviour Policy or are known to the Council as a Person of Concern, they will not be eligible to apply.
- Where they had contact with the Council services and are deemed vexatious, abusive, offensive, they will not be eligible to apply.
- Where they are involved in legal proceedings with the Council, they will not be eligible to apply for a position until completion of the proceeding

- Where the applicant has an ongoing dispute against the Council, they will not be eligible until resolution of the issue.
- 3.7 Further to the above requirements being met, there will be a discussion with the relevant Director of the service and Democratic Services Manager on the planned appointment to ensure there is no conflict of interest and that the due diligence has been completed on the appointment process as outlined above.

4. Term of office

- 4.1 According to the recruitment process at section 3.5, non-voting co-opted members will be appointed for the duration of the Municipal year and the Overview and Scrutiny Committee will annually review their membership according to consideration of their work plan.
- 4.2 Any non-voting co-opted members shall be appointed at the first Overview and Scrutiny Committee meeting of each Municipal year. A report shall be made to this meeting that specifies how they will add value to the work of the Panel and, in particular, the specialist knowledge and/or skills that the proposed non-voting co-optees will provide; and the basis on which they can represent the local community and articulate their concerns.
- 4.3 Co-optees may terminate their membership by giving one month's notice to the Democratic and Scrutiny Team Manager.
- 4.4 If during the municipal year, a non-voting co-opted member is deemed by the Chair of the Scrutiny Panel (with advice from the Overview and Scrutiny Chair) to not be carrying out their role in accordance with the criteria set out at 2.3, the Panel can recommend to the Overview and Scrutiny Committee that a decision report is taken forward to remove the non – voting member from the Panel membership. This is to maintain the integrity of the Scrutiny function of the Council. In making such a recommendation, consideration will be given to the extent to which the non-voting co-optee was unable or prevented from supporting the Panel's work.
- 4.5 A complaint about the procedure followed in 4.4 can be taken forward if required, which would be through the Council's Complaints Procedure and subsequently through the Local Government and Social Care Ombudsman process.

5. Code of Conduct

- 5.1 Non-voting co- opted members, are invited to sign the Council's code of conduct which sets out the standards of behaviour expected before the Overview and Scrutiny Committee that appoints them.

- 5.2 Non – voting co-optees must also sign a declaration of interest form identifying any interests which an individual may have which require recording. Advice will be provided on these requirements.

Induction, training and ongoing support

- 5.3 Non-voting co-optees will receive an individual induction prior to attending their first Scrutiny meeting.
- 5.4 The induction will involve meeting with the Chair of the Panel they are joining and the Scrutiny officer responsible for the Panel.
- 5.5 Non-voting co-optees are voluntary positions and there is no allowance provision for this role.

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