



South Tyneside Council

item 9

Report to Council

Cabinet Portfolio/Lead Member: Cllr Tracey Dixon, Leader of the Council and Chair of Constitution Committee

Report of: Nicola Robason, Director of Governance & Corporate Affairs (Monitoring Officer)

Subject: Report to appoint Independent Representatives to Scrutiny Committees

Date: 5 September 2024

Wards affected: All Wards are equally represented by the work of the Council's Scrutiny Committees.

Council ambitions: The work of the Council's Scrutiny Committees will help us achieve all five of our Ambitions.

Does the report and any appendices contain information which has been identified as confidential or exempt?

☒ **No**, this report does not contain information identified as confidential or exempt.

For Executive Decisions only:

Is the decision a Key Decision?

☐ Yes

☒ No

Is it included in the Forward Plan?

☒ Yes

☐ No

If not in the Forward Plan is the report:

☐ General Exception Rule

☐ Special Urgency Rule

Relevant Scrutiny Chair:

Is the decision eligible for call-in by Scrutiny?

☐ Yes

☒ No

(If the decision is anything other than any executive decision made by the Cabinet or a Key Decision made by an officer under delegated powers, call-in is not applicable. This should be explained in the report).

Purpose of Report

1. This report provides information and a clear recommendation to Borough Council from Constitution Committee with regards to the appointment of Independent Representatives on the Council's Scrutiny Committees.

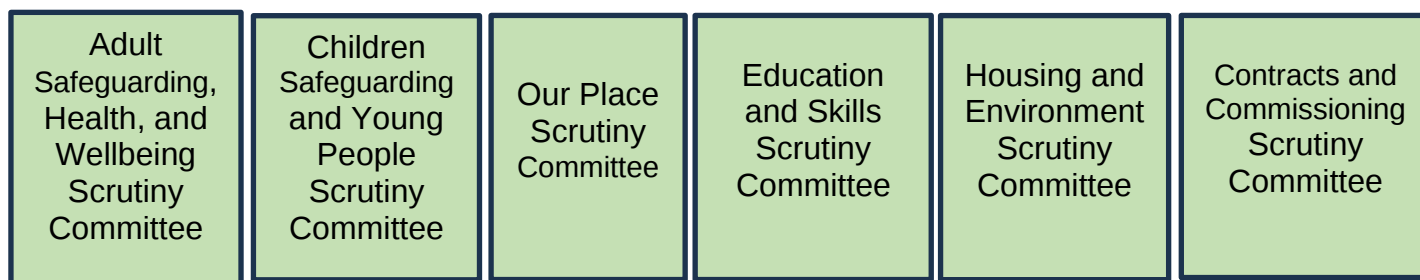
Background Information

2. At its annual meeting on 14 May 2024, Borough Council agreed that every Scrutiny Committee (except for Overview & Scrutiny Coordinating and Call-in Committee) shall appoint up to two Independent Representatives to the membership of the Scrutiny Committee to help inform and influence discussions.
3. These Independent Representatives will not be voting members of the Scrutiny Committee, but will provide challenge to help improve services, bringing a unique perspective to help identify what we do well and areas where we could do better, to influence service design, policy and decision making.
4. A light touch recruitment process commenced after the General Election on 4 July, during which we received applications from 12 candidates. The Recruitment Booklet is attached at Appendix 1 for information.
5. The Scrutiny and Democracy Support Officer (Statutory Scrutiny Officer) and the Director Governance and Corporate Affairs (Monitoring Officer) met with all 12 applicants between Wednesday 17 July and Monday 5 August to evaluate suitability for appointment.
6. The notes, together with observations and reflections from these 'interviews' were presented to Constitution Committee members when they met on 13 August 2024. Constitution Committee also used the interview notes to consider which scrutiny committee the candidates may be best suited to. This included considering any previous employment history, skills or life experiences that may be relevant.
7. Under Article 9.13.4 - the Constitution Committee is responsible for reviewing the Independent Representatives on the Scrutiny Committees annually and where appropriate make recommendations to Annual Council in this regard. It follows that it will be for the Constitution Committee to make a recommendation to Borough Council with regards initial appointment of the Independent Representatives to the various Scrutiny Committees.

Role Profile

8. Borough Council will recall from the discussion at Annual Council that the Council is looking for 12 individuals in total who will play a significant role in the Council's scrutiny function by contributing towards enhanced accountability, transparency and informed decision making.
9. The Council's scrutiny functions are dispensed by the Overview and Scrutiny Co-ordinating and Call in Committee and the six other Scrutiny Committees that were agreed at Annual Council and are shown below.

Overview and Scrutiny Co-ordinating and Call-In Committee



10. It is hoped that in the fullness of time, two Independent Representatives will be appointed to each of the following Scrutiny Committees:

- Our Place Scrutiny Committee
- Adult Safeguarding, Health, and Wellbeing Scrutiny Committee
- Children Safeguarding and Young People Scrutiny Committee
- Housing and Environment Scrutiny Committee
- Education and Skills Scrutiny Committee
- Contracts and Commissioning Scrutiny Committee

11. The Independent Representatives will have responsibility to the Council and to assist the Scrutiny Committees in discharging its responsibilities as set out in the Council Constitution.

12. An effective scrutiny function is an essential component of local democracy, enhancing accountability and transparency of decision making and enabling Councillors to make decisions that represent the views of residents. Government guidance makes it clear that scrutiny committees are powerful committees that can contribute to the development of the Council's policies and can also hold decision makers to account.

13. Scrutiny involves councillors of all political parties examining the delivery of services and influencing decision makers to ensure that they meet the needs, and improve the lives, of people in South Tyneside. The scrutiny function does this by:

- a) reviewing and challenging the impact of decisions and actions taken by the Cabinet, Leader of the Council (where appropriate) and partner organisations and making reports and/or recommendations to Full Council or the Cabinet.
- b) conducting investigations into services and policy areas of interest and concern to communities in South Tyneside including matters affecting the area or its inhabitants considering value for money, service improvement and performance management in undertaking those scrutiny reviews and investigations.
- c) involving communities in its work, reflecting their views and concerns, and

- d) supporting and assisting the Cabinet, the Council Leadership and partner organisations in the formulation of their future plans, strategies, and their decision making by making evidence-based recommendations to them on how services can be improved.

14. The Centre for Government and Public Scrutiny's four fundamental principles of good and effective scrutiny are:

- a) provide constructive 'critical friend' challenge.
- b) amplify the voice and concerns of the public.
- c) be led by independent minded people who take responsibility for their scrutiny role, and
- d) drive improvement in public services.

15. The role of the Independent Representative is a volunteer role which does not attract an allowance for salary of any kind. However, reasonable travel and subsistence expenses may be claimed if appropriate.

Application Process

16. Applications for the role of Independent Representatives were invited from a diverse range of individuals across South Tyneside – those in our South Tyneside communities representing or with experience of working in Voluntary Sector Organisations, those representing faith organisation, those from our South Tyneside Business community, social housing tenants living in a Council home, representatives of Healthwatch or healthcare and education professionals, those working in or representing the Private Sector and employers in South Tyneside.

17. Selection for the appointment of Independent Representatives has been based on an assessment of how the applicants meet the competencies, responsibilities, eligibility, and personal specification set out in the Recruitment Booklet.

18. In addition, and to be eligible to become an Independent Representative on a Scrutiny Committee, an applicant should:

- a) Not be active in local or national politics.
- b) Must not be a South Tyneside Council councillor or officer and must not have a close relationship with any councillor or officer of the Council.
- c) Not have current business dealings with the Council, such as providing works, goods, or services, which the Council considers to be significant.
- d) Must have no unspent criminal convictions.
- e) Must not be under the age of 16.

19. An Independent Representative will serve an initial term of three years, with the option to renew for a further 2 year term if agreed by the appointed Independent

Representative and Borough Council. Notice of intent to resign from the role can be given at any time, with no 'period of notice' required.

Independent Representatives

20. Having considered all information provided by each candidate during the recruitment process and having considered it against the criteria set out in the Recruitment Booklet, Constitution Committee recommend to Borough Council the appointment of the following Independent Representatives to the Scrutiny Committee shown by their name.

Name of Independent Representative	Scrutiny Committee	Reason for Recommendation
Paul Cuskin	Adult Safeguarding, Health, and Wellbeing Scrutiny Committee	Extensive non-clinical career and experience in Health and Wellbeing. Chairperson of Healthwatch when established.
Hana Elhamruni	Education and Skills Scrutiny Committee	Significant and relevant employment experience, specifically in ICT and tech. A real innovative thinker with exceptional analytical skills.
John Everitt	Contracts and Commissioning Scrutiny Committee	Significant and relevant employment and commercial experience in managing contracts, considering and analysing contract data.
Trevor Foreman	Housing and Environment Scrutiny Committee	A real depth of knowledge regarding housing issues and involvement in South Tyneside Homes Check and Challenge Panel.
Chris Harwood	Contracts and Commissioning Scrutiny Committee	Significant and relevant employment and commercial experience in tendering for contracts, considering and analysing contract data.
David Hern	Our Place Scrutiny Committee	Extensive career and significant experience in construction and Project Management of Town Centre regeneration.

Report to appoint Independent Representatives to Scrutiny Committees

Stephen Marley	Children Safeguarding and Young People Scrutiny Committee	Extensive career and experience working with and supporting children and young people, with a real emphasis on mental health.
Michael Maughan	Our Place Scrutiny Committee	Employment and education demonstrated relevant experience and analytical and innovative skills.
Martin Steele	Housing and Environment Scrutiny Committee	Significant knowledge and experience about the importance of tenant voice and has been a Tenant Board Member.
Norma Thompson	Adult Safeguarding, Health, and Wellbeing Scrutiny Committee	Extensive career and experience in Public Health, within the NHS and across Voluntary Organisations.

Financial and Resources

21. There are no significant finance and resource implications arising as a direct result of this report. The role of Independent Representative is a volunteer role, but reasonable travel and subsistence expenses may be claimed.
22. Everything the Council does needs to be seen in the context of an increasingly challenging financial environment and all Council committees will consider this. The demand for services is increasing whilst the funds available to meet those needs continues to fall. Despite these challenges the Council has a drive and commitment to ensure it is doing the absolute best for residents and communities in the delivery of its Vision and Ambitions for South Tyneside. This includes strengthening the way the voice of the public is heard in policy development and local decision making.

Legal and Governance

23. The Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent, and accountable to local people. The terms of reference for the Constitution Committee and in respect of the Scrutiny Framework was agreed by Borough Council at its Annual Meeting in May 2024.
24. The Regulator for Social Housing introduced transparency, influence, and accountability standards, including Tenant Satisfaction Measures, which enable tenants to scrutinise their landlord's performance and give landlords insight about where they can improve. Outcomes landlords must deliver about being open with tenants and treating them with fairness and respect so that tenants can access services, raise complaints, influence decision making and hold their landlord to

account is critical, and tenant involvement on the Housing and Environment Scrutiny Committee is an integral part of good governance that we have chosen to expand across all Scrutiny Committees.

25. There is no legal requirement to appoint Independent Representatives, but Borough Council agreed that Independent Representatives will play a vital role in further increasing oversight and transparency by asking questions on behalf of the communities of South Tyneside, will increase openness and will strengthen the voice of local people.

Risk

26. The Constitution has been updated by Borough Council and so we must ensure effective arrangements are in place as per the requests of Borough Council. The improvements with the introduction of Independent Representatives are considered best practice and will mitigate the risk of any challenge to our decision-making processes.
27. There is a risk that despite the interview and selection process, an Independent Representative could be appointed who has motivations that do not align to the role and purpose of an Independent Representative. Throughout the recruitment process every effort has been made to understand true motivations for appointment and only those that satisfied all criteria and role profile standards are recommended for appointment by Constitution Committee.

Equality and Diversity and Community

28. The decisions recommended in this report do not give rise to any equality or diversity implications and there are no policy changes required or being proposed as a consequence of any equality or diversity concerns.
29. South Tyneside Council is committed to promoting equality, challenging discrimination, and developing community cohesion. We therefore welcomed and encouraged applications from all sections of our community.
30. All applicants have also been asked to share with us any additional support needs they may require ensuring we are giving everyone opportunities to have equally successful outcomes.
31. Elected Members are reminded of their duties under the Equality Act 2010 to have regard to the need to eliminate discrimination and promote equality of opportunity for those with protected characteristics.

Environmental and Sustainability

32. The decisions recommended in this report do not give rise to any environmental or sustainability implications save for the recruitment process was largely paperless (unless specific requests were made) as a small but positive way in which the Council can improve its sustainability and diminish its environmental impact.

Council Ambitions, Policies, Strategies and Plans

33. Our Vision is based on five 'Ambitions'. We want all residents in South Tyneside to be financially secure; be healthy and well throughout their lives; be connected to jobs, skills, and learning; be part of strong communities; and we want to support our residents by targeting support to make things fairer.
34. The work of the Council's committees supports those Ambitions and helps ensure that all policies, strategies, and plans are known and understood, with all work across all Committees focused on our Vision and Ambition to target support at the residents and parts of the borough that need it most, reducing inequalities and making things fairer.
35. This report aligns entirely with the Council's Vision and Values demonstrating alignment to our agreed 'Council Values' that define what we stand for as an organisation and the things that are most important in terms of how we work and act in a way that is 'PROUD'.

Consultation and Engagement

36. The Constitution Committee made a recommendation to Borough Council with regards to the introduction of Independent Representatives. This was agreed by Borough Council at its Annual Meeting on 14 May 2024.
37. Work was done to promote the opportunities on the Council's website, across North East Jobs (public sector vacancies in the North East) and the role was promoted by way of a dedicated piece in the Shields Gazette to attract potential candidates.

[South Tyneside Council looking to appoint 'independent representatives' to scrutiny committees \(msn.com\)](https://www.msn.com/en-gb/news/uk/south-tyneside-council-looks-to-appoint-independent-representatives-to-scrutiny-committees/news-A1B2C3D4E5F6?hpid=hp_hp-top-table-main-scotland-politics%3A-south-tyneside-council-looks-to-appoint-independent-representatives-to-scrutiny-committees%3Ahomepage%2Ftrending&hpt=hp_hp-top-table-main-scotland-politics%3A-south-tyneside-council-looks-to-appoint-independent-representatives-to-scrutiny-committees%3Ahomepage%2Ftrending)

38. All appointed Independent Representatives will participate in training events to develop skills, knowledge and experience and will engage in networks developed for scrutiny operating outside the Council's area.

Recommendations

39. Borough Council are asked to:
- a. note the Constitution Committee have reviewed all applications and have assessed the suitability of candidates against the role criteria.
 - b. agree the recommendations of Constitution Committee to appoint those candidates as per the table in Paragraph 21 for an initial term of three years (noting the option to renew for a further two year term if agreed by the appointed Independent Representative and Borough Council).

Reasons for Recommendations

40. To ensure Council appoints appropriate Independent Representatives to Scrutiny Committees as agreed by Annual Council on 14 May 2024.

background papers background papers background papers

Report to appoint Independent Representatives to Scrutiny Committees

The following is a list of the background papers (excluding exempt papers) relied upon in the preparation of the above report:

Background Paper	File Ref:	File Location
Appendix 1 – Recruitment Booklet	 Appendix 1 - Recruitment Booklet f	