



Purpose: For Decision

FULL COUNCIL

Date **19 JANUARY 2022**

Title **NOMINATIONS AND APPOINTMENTS TO COMMITTEES AND OTHER BODIES AND ALTERNATIVE ARRANGEMENTS FOR APPOINTMENTS**

Report of **MONITORING OFFICER**

EXECUTIVE SUMMARY

1. The purpose of this report is to receive nominations for the vacancy for a Conservative Group member on the Corporate Scrutiny Committee, for nominations for the vacancy for Chairman of the Corporate Scrutiny Committee and to make appointments to such positions.
2. It is also to receive nominations for vacancies on the Standing Advisory Council for Religious Education (SACRE) and to make appointments to such vacancies.
3. Finally, although no other nominations have been put forward and no other alternative arrangements for appointments in terms of changing political proportionality have been submitted (at the time of writing this report – 10 January 2022), this report gives an opportunity for changes to be made. Such changes should be notified to the Monitoring Officer as soon as possible.

RECOMMENDATIONS

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| <ol style="list-style-type: none">4. That Councillor Joe Robertson be appointed to the Corporate Scrutiny Committee to replace Cllr Stephen Hastings.5. Either:<ol style="list-style-type: none">(a) Appoint Councillor Joe Robertson as Chair of the Corporate Scrutiny Committee as a member of the opposition groupor:<ol style="list-style-type: none">(b) To receive and consider all nominations for the position of Chair of the Corporate Scrutiny Committee from any other non-executive member who is a member of the committee or appointed to serve on it. |
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6. That those named in Appendix 1 to this report be appointed to the Standing Advisory Council for Religious Education (SACRE).
7. That appointment(s) be made in the event that any other nominations are received from any political group to make changes to the relevant political group's seat allocation(s).

BACKGROUND

8. Following the change in the Conservative Group leadership last month due to the resignation of Cllr Stephen Hastings as group leader, nominations have been received for Cllr Joe Robertson, the new leader of the Conservative Group, to serve on the Corporate Scrutiny Committee in the place of Cllr Stephen Hastings.
9. Councillors will recall that at the Annual Meeting in May 2021 it was agreed that the Chairmanship of the Corporate Scrutiny Committee should be filled by a member of the main opposition group, Councillor Stephen Hastings.
10. It is for Full Council to confirm that it will continue with this approach and agree that Cllr Joe Robertson be appointed to serve as the Chairman of the Corporate Scrutiny Committee, but it is still able, should it wish, to seek nominations from any other non-executive member wishing to take up the role.
11. Since council last considered the matter, there have been a number of proposed changes in individual members serving on the Standing Advisory Council for Religious Education which the council have been notified of, and to which vacancies the council needs to make appointments.
12. Every local education authority is required by law to have a SACRE and the membership of this body is required by law to be made up of four groups in order to bring a wide range of interests and talents to its work and to reflect local communities:

Group A: faiths and beliefs representative of the local communities, including Christian denominations other than the Church of England.

Group B: representatives of the Church of England.

Group C: representatives of the teaching profession.

Group D: representatives from the Local Education Authority (LEA), including councillors and religious education advisers.
13. Councillors are therefore recommended to make appointments listed in Appendix 1 (outgoing members are shown with a line striking through their name).
14. At the time of writing this report (3 January 2022) there are no other changes which have been brought to my attention, but should any changes be proposed they should be notified to me as the Monitoring Officer as soon as possible.

CORPORATE PRIORITIES AND STRATEGIC CONTEXT

15. The [Corporate Plan 2021 – 2025](#) sets out the key areas of activity that will be the council's main areas of focus for the lifetime of this plan which will need to be central to everything the council does. Making the appointments facilitates the delivery of the corporate plan

Corporate Aims

16. As above.

CONSULTATION

17. Both group leaders and all non-aligned councillors have been consulted.

FINANCIAL / BUDGET IMPLICATIONS

18. No new financial/budget impacts are anticipated except minor alterations in any SRA payable, which is included within existing budgets.

LEGAL IMPLICATIONS

19. Appointments to committees and other bodies are a matter for the full council in the absence of any specific legislation permitting delegation of such authority.
20. The council is obliged to appoint to committee seats allocated to established political groups in accordance with the particular wishes of the respective political group (unless alternative arrangements for appointments have been put in place without dissent under section 17(1) of the Local Government and Housing Act 1989 and regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990).
21. With regard to SACRE, the council is responsible for making appointments but again does not have free rein but must appoint within the constraints of membership set by law.

EQUALITY AND DIVERSITY

22. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
23. The recommendations in this report comply with these statutory obligations.

SECTION 17 CRIME AND DISORDER ACT 1998

24. Section 17 of the Crime and Disorder Act 1998 (as amended by Police and Justice Act 2006) provides that: ‘...it shall be the duty of each authority ... to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all it reasonably can to prevent, crime, disorder, antisocial behaviour adversely affecting the environment, and substance misuse in its area’.
25. Section 17 applies to all duties, activities and decision making. Ignorance or failure to respond to the requirements of section 17 leaves the Council open to legal challenge.
26. The recommendation in relation to the appointments to the Corporate Scrutiny Committee facilitates this statutory duty because the Corporate Scrutiny Committee acts as the council’s statutory ‘crime and disorder committee’ required under section 19(1) of the Police and Justice Act 2006, and this is reflected in the terms of reference of the Corporate Scrutiny Committee.
27. There are no other direct implications arising from the other recommendations.

OPTIONS

28. To appoint Cllr Joe Robertson as Chair of the Corporate Scrutiny Committee as a member of the opposition group
29. To receive and consider all nominations for the position of Chair of the Corporate Scrutiny Committee from any other non-executive member who is a member of the committee or appointed to serve on it.
30. Nominations to SACRE have been received. The council has a duty to appoint and unless there is good reason not to appoint those nominated, council should appoint.

RISK MANAGEMENT

31. The recommendations are to ensure that the council meets its corporate governance requirements and responds to changing requirements and demands. These should lessen the risks arising from any challenge to the decision-making process by way of judicial review or other such legal action.

EVALUATION

32. Council has no option and must respect the duly expressed wishes of the respective political group and to appoint those nominated to their allocated seats.
33. An effective governance system is essential to enable business to be transacted openly and in a timely manner. The appointment of elected members to its committees and members to SACRE seeks to do this.

APPENDICES ATTACHED

34. Appendix 1 sets out the proposed appointments to SACRE.

BACKGROUND PAPERS

35. None.

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