

## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Tuesday, 24 <sup>th</sup> September 2024
<b>Report Subject</b>	Recruitment of a Lay Member to the Governance and Audit Committee
<b>Report Author</b>	Chief Officer (Governance)

### **EXECUTIVE SUMMARY**

Under the Local Government and Elections (Wales) Act 2021, at least 1/3 of the membership of the Governance and Audit Committee must be lay members. Whilst the current Governance and Audit Committee consists of six elected Councillors and three lay members, the Committee has received the notice of resignation from one of the lay members and therefore appointment to this position is required to ensure the Committee remains quorate.

Council already has approved criteria for the appointment of lay members. It is recommended that a member panel consisting of the Chair of Council, Chair of the Governance and Audit Committee, the Cabinet Member for Finance plus two other members of the Governance and Audit Committee should interview candidates and make a recommendation to Council for appointment.

### **RECOMMENDATIONS**

1	That a lay member be recruited to the Governance and Audit Committee to replace the departing lay member.
2	That the recruitment panel consisting of the Chair of Council, Chair of the Governance and Audit Committee plus the Cabinet Member for Finance makes a recommendation to Council for appointment.

### **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE RECRUITMENT OF A LAY MEMBER</b>
1.01	Local Government and Elections (Wales) Act 2021 requires that 1/3 of the membership of the Governance and Audit Committee must be co-opted members. On the Governance and Audit Committee these are called lay members. The Committee currently consists of 6 elected Councillors and 3 lay members. However, the committee has received notice that one lay member intends to resign from their position.

	<p>The Governance and Audit Committee works well because of its relatively compact size, which enables members to develop lines of questioning on complex issues without excluding other members who wish to speak. The Governance and Audit Committee considered its own requirements in 2019 and recommended the current size, and it is suggested that the current membership of nine should therefore be maintained.</p>
1.02	<p>The Act defines a lay person as follows -  “lay person” (“lleygwr”) means a person who—  (a) is not a member or an officer of any local authority,  (b) has not at any time in the period of twelve months ending with the date of that person’s appointment been a member or an officer of any local authority, and  (c) is not the spouse or civil partner of a member or an officer of any local authority;”</p> <p>For the purposes of this section “local authority” means a principal Council (i.e. a County or County Borough Council), a Community Council and either a Fire and Rescue or National Park Authority in Wales.</p>
1.03	<p>The Act does not prescribe the skills, qualifications or experience required of a lay person. In 2021, where required Welsh Local Authorities increased their Lay membership to meet the requirements of the Act. WLGA, in consultation with all 22 Local Authorities, set out the following:</p> <p>In addition to satisfying the criteria in 1.02, suitable applicants will need to be non-political with an understanding and commitment to the 7 Principles of Public Life (the Nolan Principles) and able to demonstrate the following qualities and characteristics:</p> <ul style="list-style-type: none"> <li>• Interest and knowledge/experience of financial, risk and performance management, audit, accounting concepts and standards, and the regulatory regime within Wales;</li> <li>• Objective and independent of mind with an unbiased attitude and ability to apply discretion;</li> <li>• Supportive of good governance principles and their practical application towards the achievement of organisational objectives;</li> <li>• Strategic thinker with excellent communication skills;</li> <li>• Ability to understand and weigh up evidence and challenge respectfully.</li> </ul> <p>These criteria are entirely compatible with the legislative requirements and should ensure that any candidate is capable of understanding and undertaking the complex technical work of the Committee.</p>
1.04	<p>It is proposed that advertisements be placed in the press (as required by the legislation) but also online and on social media. The applicants will be shortlisted by the s.151 Officer and Monitoring Officer prior to interview by a panel. I would recommend that the panel consist of:</p> <ul style="list-style-type: none"> <li>• The Chair of Council;</li> <li>• The Cabinet Member with responsibility for Finance;</li> <li>• The Chair of the Governance and Audit Committee;</li> </ul>

	<ul style="list-style-type: none"> <li>• Plus two other Councillors (based on political balance).</li> </ul>
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
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2.01	Statutory guidance to the Local Government Measure 2011 requires that the position of lay person is advertised in the local press. The cost of doing this will be in the order of £6,267.
2.02	The recruitment and selection process can be managed within existing resources.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
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3.01	None.
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<b>4.00</b>	<b>RISK MANAGEMENT</b>
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4.01	Adverts will be placed bilingually in order to attract applications from Welsh speakers, and would be sent to local community groups representing people with disabilities to ensure that no potential candidate is accidentally excluded by the medium through which the vacancies are advertised.
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<b>5.00</b>	<b>APPENDICES</b>
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5.01	None.
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<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
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6.01	<p><b>Contact Officer:</b> Gareth Owens, Chief Officer Governance  <b>Telephone:</b> 01352 702344  <b>E-mail:</b> <a href="mailto:gareth.legal@flintshire.gov.uk">gareth.legal@flintshire.gov.uk</a></p>
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<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
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7.01	<p><b>Co-opted Member/Independent Member/Lay Person</b> - the Council consists of a Chairman and 69 Members who are all elected. By contrast, legislation sometimes provides for a person to be appointed to a Committee without being elected through a process called co-option i.e. recruitment and appointment by councillors. Lay persons on the Audit Committee and Independent Members on the Standards Committee are co-opted members.</p>
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