

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Executive

Council: 28 May 2008

Subject: Lay Membership of the Audit & Performance Review Committee (A&PRC)

1. Purpose

- 1.1** This report outlines some issues for clarification regarding the role of lay members on the Audit & Performance Review Committee (A&PRC).

2. Background

- 2.1** A number of reports have been considered by the A&PRC, and by Council on the review of the role, membership and remit of the A&PRC. (A&PRC 18.9.07, Council 26.9.07, A&PRC 12.12.07 and Council 30.1.08).

- 2.2** At the meeting on 30.1.08, Council agreed to appoint 4 lay members to the A&PRC. These members to represent the business community, voluntary sector, community councils and tenants & residents groups in West Dunbartonshire, and the appointment of one member from each to be made by their respective parent bodies. It was also agreed that these lay members should not be members of any political party.

- 2.3** Nevertheless, although there had been some discussion of other issues in previous reports, a number of points were not explicitly covered by the motion which was agreed. These include:

- the role which lay members might play
- the eligibility of lay members
- the voting rights of lay members
- training opportunities for lay members

The proposals in paragraph 3 and recommendations in paragraph 8 provide some further detail which may be of assistance.

3. Main Issues

Role of Lay Members

- 3.1** The review process highlighted the opportunity to include lay members as part of scrutiny arrangements. It was suggested that lay members could provide a valuable external viewpoint on the business of the committee. This is an approach which has been adopted in various ways in some other local authorities, (e.g. Scottish Borders Council Audit Committee).

- 3.2 The involvement of lay members can provide an additional opportunity for stakeholder involvement in scrutiny processes. It is suggested this complements, (but does not duplicate), the role already played by the Community Participation Committee and other forums involving local representatives.

Eligibility of Lay Members

- 3.3 While Council agreed that lay members should not be members of political parties, it is suggested that additional basic eligibility criteria should include:

- aged 18 or over,
- not an employee of West Dunbartonshire Council, and
- to have at least one of the following three associations with West Dunbartonshire
 - a resident of West Dunbartonshire, or
 - work or run a business within West Dunbartonshire, or
 - work as a volunteer or in the voluntary sector within West Dunbartonshire

It is suggested that, if an individual ceased to meet these criteria during the course of their membership, then the position should be vacated and a new appointment made.

Length of service on A&PRC

- 3.4 The length of lay membership of the A&PRC could be tied to the period between elections, or could be shorter to allow a rotation of participants. It is suggested that the length of membership should be for a *minimum* of 2 years, to allow the development of knowledge and experience. However, given the lead in period, committee may wish to consider a term which runs until the next local government elections in the 1st instance. Members may also wish to consider whether lay members would be eligible to stand for a 2nd or further term.

Remuneration & Expenses

- 3.5 There are currently no arrangements for remuneration of non elected members of other Council committees, (e.g. Community Participation Committee [CPC], and Education & Lifelong Learning Committee). Community representatives on the CPC do receive travel expenses. It is suggested that it would be appropriate to pay travel and subsistence costs of lay members of the A&PRC.

Skills and Training

- 3.6 It is suggested that Induction Training should be offered to all lay members, (covering such issues as the role and remit of the committee, voting arrangements and the wider council structures – including decision making and scrutiny). Lay members should be encouraged to attend this training. It is suggested it would be appropriate to run session(s) immediately before the start of a committee.

Voting Rights

- 3.7 In terms of legislation, any lay members of a *decision making* committee could exercise voting rights, as long as the number of *elected* members constituted two thirds of the overall membership. However, the A&PRC does not have delegated powers, and all recommendations must be agreed by Council. Therefore although the 'two thirds rule' would be met (on the basis there are 8 elected members), it does not apply in this case. It is suggested that lay members of the A&PRC should be offered the option of exercising a vote when the committee is considering recommendations to be made to Council

4. Personnel Issues

- 4.1 There are no personnel issues, other than the resources required to organise the training. These could be met from within existing resources.

5. Financial Implications

- 5.1 The financial implications relate to travel & subsistence expenses and training. These can be met from within existing resources.

6. Risk Analysis

- 6.1 The presence and voting rights of lay members on the A&PRC do not pose a significant risk, as the committee does not have delegated powers, but conversely could add to the quality of the scrutiny which is undertaken.

7. Conclusions

- 7.1 It is suggested that a number of issues regarding the role of lay members of the A&PRC require further clarification. These are set out in paragraphs 3.1 – 3.7. Members are particularly asked to comment on the options in paragraph 3.4, concerning length of membership and the number of terms.

8. Recommendations

- 8.1 Members are asked to agree the recommendations set out in paragraphs 3.1. - 3.3 and 3.5 - 3.7.
- 8.2 Members are asked to consider and agree the options for length of membership and number of terms of membership outlined in paragraph 3.4.

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Date: 16 May 2008

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Appendices: **None**

Background Papers: Report to A&PRC 18.9.07,
Report to Council 26.9.07,
Report to A&PRC 12.12.07
Report to Council 30.1.08

Wards Affected: **All**