

**Divisions Affected – all**

# **Oxfordshire Joint Health Scrutiny Committee**

**11 May 2023**

## **CO-OPTED MEMBERS OF THE OXFORDSHIRE JOINT HEALTH SCRUTINY COMMITTEE**

### **Report of the Scrutiny Manager**

#### **RECOMMENDATION**

**The Committee is RECOMMENDED to: -**

1. Confirm the appointment of the interview panel's preferred candidate as a co-opted member to the Oxfordshire Joint Health Overview and Scrutiny Committee, subject to their fulfilment of the requirements of the Councillor Code of Conduct as it relates to co-opted members;

#### **Executive Summary**

1. Co-opted members have a dual function to the operation of a Scrutiny committee. Not only do they bring specific, relevant expertise but, coming from outside both the Council and the party-political system they provide greater public assurance of the independence and non-political output of the Scrutiny function. This report seeks to update the Committee on efforts made to date to identify nominees for co-option onto the Committee, to recommend the appointment of a nominee.

#### **Background**

2. Part 6.1B (3) of the Council's Constitution allows for up to three co-opted members to sit on the Joint Health Overview and Scrutiny Committee (JHOSC). Co-opted Members are normally to serve for a period of 2 years, and may be extended for a further term of two years.
3. Mrs Barbara Shaw was appointed to the Committee in April 2019 and her two year term expired in April 2021. This term was extended for a further two years, running out in April 2023.
4. At its meeting on 20 April 2023 the Committee was informed of the vacancy for Barbara Shaw's position, and the ongoing vacancy following the departure of Dr Alan Cohen. In light of the Committee's wish to ensure greater diversity

amongst its membership through its co-optees, feedback from suitable organisations that the Council might need to consider reimbursing co-optees owing to their level of expertise and the time required for the Council to consider changing its current policy in this area it was agreed by the Committee to pause the recruitment for the vacancy arising from Alan Cohen's departure. It was, however, agreed that a recruitment exercise be progressed for the vacancy arising from the expiry of Barbara Shaw's term.

5. At the time of the publication of this report the recruitment is ongoing, with the advert having been placed on the Council website and distributed to the Healthwatch mailing list and to the local Patient Participation Groups. Interviews are scheduled to be undertaken, as agreed by the Committee, by Cllr Hanna, Cllr Dallimore, and the Scrutiny Manager, on 10 May 2023. A verbal update will therefore be provided on the interview panel's recommended candidate.
6. Legal advice has been provided to confirm that a co-opted member who has served four years may apply and be reappointed to the committee if they have been appointed through an open recruitment process.

## **Corporate Priorities**

7. The primary corporate priority served by the appointment of co-optees to the committee is 'Play our part in a vibrant and participatory local democracy'. However, in strengthening the quality of Scrutiny provided towards the Health Overview and Scrutiny Committee's remit it is expected that there will be positive impacts on 'Prioritise the health and wellbeing of residents' also.

## **Financial Implications**

8. The role of co-optee is not a paid position, but co-optees do qualify for the same rights to travel and subsistence as Councillors, as detailed in Part 10.1 Sch 1 of the Constitution. Other financial implications are minimal, for example relating to posting out agendas and can be met from existing budgets.

Comments checked by: Lorna Baxter

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## **Legal Implications**

9. Owing to their status as non-voting members of the committee, HOSC members do not meet the definition within the Council's constitution which makes extends the requirements of the Councillor Code of Conduct to co-opted members. As such, typical requirements such as a DBS check and declaration of interest are not required. This, however, presents a legal and

reputational risk, as well as creating differential treatment of the Council's co-opted members.

10. Although it is not mandated within the constitution, the committee is advised to make its appointment subject to the completion of all checks as would be required under the Councillor Code of Conduct.
11. Other legal implications are detailed within the body of this report. There are no further implications to highlight.

Comments checked by: Paul Grant

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## **Staff Implications**

12. None arising from this report.

## **Equality & Inclusion Implications**

13. The Committee has previously expressed a wish to promote greater diversity amongst its membership through its co-opted members and steps are being taken to address this as detailed above.
14. There are no additional equality or inclusion implications beyond the Council's overall equality duties.

## **Sustainability Implications**

15. None arising from this report.

## **Risk Management**

16. Holding two vacancies on Health Overview and Scrutiny Committee would not only reduce the experience and knowledge available to the Committee and impair the public's confidence in the apolitical nature of Scrutiny.

## **Consultations**

17. None arising from this report.

Anita Bradley  
Director of Law and Governance and Monitoring Officer

Annex: None

Background papers: None

Other Documents: None

Contact Officer: Tom Hudson, Scrutiny Manager

May 2023