

Divisions Affected – All

EDUCATION AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE 22 NOVEMBER 2024

Co-optee Recruitment Update

Report by Director of Law and Governance and Monitoring Officer

RECOMMENDATION

1. **The Committee is RECOMMENDED to: -**
 - 1.1 **NOTE** the update on activity undertaken to fill the Committee's vacant co-optee posts.
 - 1.2 **NOTE** that in the absence of additional parent governor representatives coming forward and subject to confirmation of their eligibility and necessary formalities, one parent governor co-optee vacancy will be filled for two years from the committee's February 2025 meeting.
 - 1.3 **AGREE** to appoint Katie N and Hana G as co-opted young people members, subject to completion of the necessary formalities for two years from the committee's February 2025 meeting

Executive Summary

2. 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 two co-opted young people.

Background

3. Within the Council's constitution it is outlined that the Education and Young People Overview and Scrutiny Committee membership includes space for six co-opted members, four of whom relate to education, and two to young people.

4. When the Education and Young People Overview and Scrutiny Committee was established by Council in December 2023, its terms of reference included the following in relation to co-opted members:

“In addition to the county councillors the Education and Young People Overview & Scrutiny Committee shall include in its membership the following voting representatives: (a) one Church of England representative appointed by the Oxford Diocesan Board of Education; (b) one Roman Catholic representative appointed jointly by the Archbishop of Birmingham and the Bishop of Portsmouth to represent the Roman Catholic Church; (c) two persons who shall be parent governors of maintained schools elected in accordance with a procedure approved by the Council. (d) two persons who, at the time of their original appointment, shall be aged 25 or under and either living in Oxfordshire or working for an organisation in Oxfordshire supporting or representing children and young people.”

5. The committee currently has filled the co-optee positions for the Church of England and Roman Catholic representatives, but has vacancies for parent governor and younger people co-optees.
6. The use of the word ‘shall’ in reference to the membership of the Committee means that the Committee does not have discretion to do otherwise, and must seek to fill these vacancies. Officers have been seeking to do so.

Progress Updates

Parent Governor Nominees

7. The need to include co-opted members from parent governors is set out in legislation. Under s. 3 of the Parent Governor Representatives (England) Regulations 2001 it is a requirement that ‘a local education authority shall appoint at least two but not more than five parent governor representatives to each of their education overview and scrutiny committees and sub-committees.’ Since its inception, the Education and Young People Overview and Scrutiny Committee has become the scrutiny committee responsible for education and therefore must include opportunity for at least two parent governor representatives.
8. The 2001 Regulations prescribe the process for selecting these representatives, which is to hold an election amongst parent governors between those who are eligible and have put themselves forward for nomination.
9. All parent governors were contacted using the Council’s communication tool, Governor Hub, to publicise the opportunity. In May and October 2024 parent governors were given via Governor Hub and Schools News a month in which to respond with the supplied expression of interest form in order to be part of the election. No expressions of interest were received in May. As such, no eligible governors were able to be put forward for an election, and no election took place. However, one parent governor has put themselves forward in response to the October recruitment drive. In the absence of further applicants it would not be necessary under the 2001 Regulations to run an election. Subject to

formally establishing their eligibility and completing formalities around becoming a co-opted member, this individual will become a co-opted member of the committee.

10. It is unlikely given the historic and national challenges in securing parent governor co-opted members, but if more governor representatives come forward before the deadline than there are vacancies, an election will have to be run amongst parent governors to establish the nominees.
11. Under the 2001 Regulations, if no or insufficient numbers of nominees are received, the Council must attempt to fill the vacant position(s) every six months.

Young People

12. Adverts for the role of co-opted young people onto the committee were originally developed and publicised in Schools News on 3 May 2024. However, following internal requests to review the process to ensure sufficient safeguards were in place for what is a pioneering step in involving young people, interviews were delayed until November 2024. Originally three young people put themselves forward, but only two wished to pursue their original interest following the delay. These candidates were Katie N, and Hana G.
13. The two remaining candidates were interviewed by a panel made up of the Chair, Cllr Simpson, the Scrutiny Manager, and a member of the Engagement and Consultation team. Questions were agreed between the Scrutiny and Comms & Engagement teams, and a scoring matrix developed. The interviews took place on 06 and 08 November.
14. The unanimous view of the panel was that both candidates were very strong and would bring considerable enthusiasm to the committee and deepen the level of scrutiny it provides. As such, the panel's recommendation to the committee is to agree to appoint Katie N and Hana G to the vacant positions of co-opted young people to the committee.

Next Steps

15. A co-optee is not merely an external advisor to the Committee, but a full member of it. This means they have access to the same information provided to other committee members, and can participate on equal terms. The only difference is that in the rare instances that the Education and Young People Overview and Scrutiny Committee wishes to vote on an issue, unless that topic relates to education provided by the Council, the Constitution determines they will be unable to do so. As a consequence of this status, it is necessary that co-opted members are bound by the Members' Code of Conduct, and sign a Declaration of Interest form.

16. Subject to the committee's agreement and the necessary paperwork being satisfactorily completed, Katie N and Hana G will be co-opted members from the next committee meeting (scheduled for 28 February 2025).
17. The agreed terms of reference for the Education and Young People Overview and Scrutiny Committee state that 'Co-opted Members shall normally serve for a period of 2 years. Co-opted members may serve for one further consecutive period of 2 years with the agreement of the Committee. After this, the Committee must run an open recruitment process for any further two-year extensions. No co-opted member may serve for longer than eight years in total.' Any appointment made, therefore, should be for 2 years in the first instance.
18. As referenced above, the specific inclusion of younger people on a committee is novel, and it not without risks. This is particularly the case as one of the recommended co-optees is presently a minor. A full schedule of safeguarding measures, some of which will apply to members, is being developed and will be finalised if the panel's recommendation is accepted.
19. In addition to the issues of safeguarding, support to understand and fully participate in the formal and rule-based environment of a committee is also being explored. An external organisation, Oxfordshire Youth, who have provided support to young people involved in the Youth Parliament, have been contacted to scope a support package to cover: co-optee and member training on working with one another; support in understanding the papers, drawing up lines of enquiry and ways to express those views safely in a public environment; attendance at pre-meets in support of the co-optees, attendance at committee meetings as a source of support, and support in helping the co-optees reach out to groups of young people to understand their views better (something which both co-optees have expressed a desire to do). This scope has been put together with the input of the Consultation and Engagement team, who have experience of working with young people through youth engagement.

Corporate Priorities

20. 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 Education and Young People Overview and Scrutiny Committee's remit it is expected that there will be positive impacts on 'Prioritise the health and wellbeing of residents', 'Support carers and the social care system' and 'Create opportunities for children and young people to reach their full potential'.

Financial Implications

21. 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.

22. Any decision to appoint a co-opted member of the committee under the age of 18 or additional support needs will require additional services to help them understand, navigate and be safe in a public environment, as detailed above. Owing to underspends elsewhere, these costs can currently be absorbed from within the existing Governance budgets but are expected to cost approximately £800 per meeting with a typical yearly schedule of 5 meetings total £4,000. However, long-term support would require budgetary provision.

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Legal Implications

23. The legal implications are detailed within the body of this report. There are no further implications to highlight.

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Staff Implications

24. Support for new co-opted members will create additional demands around understanding, navigating and remaining safe. However, as referenced, it is planned that additional, specialist support will be brought in to support this work. Beyond this, there will be some limited coordination work involving the Scrutiny Manager, who will also need to attend Education and Young People meetings. However, the level of additional work can be absorbed.

Equality & Inclusion Implications

25. As younger people, potentially with additional support needs, it is incumbent on the Council to ensure that adequate support is provided. The package of support and work coming out of it, training for members for instance, is expected to provide such support.

Risk Management

26. As alluded to elsewhere in the report, co-opting young and potentially vulnerable young people onto the committee is not without risk. The primary risk being safeguarding and support of their welfare. The primary steps being taken to

mitigate these risks are the provision of an external support package (as detailed above) and the development of specific safeguarding protocols for the delivery of the Education and Young People Overview and Scrutiny Committee.

27. The final details of the protocols are to be agreed, but are expected to include:
- DBS checks for all Scrutiny staff
 - Enhanced training for all Scrutiny staff on safeguarding
 - A named safeguarding lead (the Scrutiny Manager) and an escalation point (their line manager)
 - Training for members on working with vulnerable young people in a committee environment
 - A 'no phone call' policy for staff and members with young people
 - Only staff holding co-optee e mail addresses and all communications going through them. For minors, e mails to copy in a parent or other nominated person.
 - No one to one engagement with members and the co-optees
28. Failure to fill the co-optee vacancies on Education and Young People 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, but it would also mean the Committee would be operating outside the membership determined by Council in the Constitution.

Consultations

29. None arising from this report.

Anita Bradley
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Annex: None

Background papers: None

Other Documents: None

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