

Co-option Scheme

1. Introduction

- 1.1 The Localism Act 2011 introduced a requirement for councils to establish a scheme of co-option for all non-elected Members with voting rights. Without a scheme, non-elected representatives cannot become co-opted Members and hold voting rights. The scheme does not cover the co-option of independent non-voting co-opted Members onto other Committees.
- 1.2 The purpose of this scheme of co-option is to:
 - Formalise the appointment of co-opted Members
 - Outline the role and expected contribution of co-opted Members
 - Clarify the induction to be provided to co-opted Members and the support and training to be made available
 - Provide Scrutiny Committees with the opportunity to appoint further co-opted Members
- 1.3 Co-opted Members can provide scrutiny committees with outside knowledge, experience and skills that can inform the work of scrutiny and supplement the role of councillors.
- 1.4 Nothing in this Scheme Rules alters Council's power to change the number, size, structure and membership, including co-opted members of its committees, notwithstanding the statutory education roles outlined above.

2. Statutory Co-opted Members

- 2.1 In Waltham Forest there are a minimum of four co-opted Members with full voting rights required by statute, all on the Scrutiny Committee responsible for education, namely the Children and Families Scrutiny Committee, as follows:
 - Two Parent Governor representatives
 - Two diocesan representatives, one each from the Church of England Diocese of Chelmsford and the Roman Catholic Diocese of Brentwood.
- 2.2 The Parent Governor Representatives and the diocesan representatives on the Scrutiny Committee exercising education functions are required by law (*The School Standards and Framework Act 1998 for Parent Governors and the Education Act 1996 for Diocesan representatives*). The legislation explains that these co-opted Members will have full speaking and voting rights for any decisions relating to education and school matters.
- 2.3 Parent Governor Representatives are elected by the Borough's parent governors in accordance with the Parent Governor Representative Procedure Rules, but once co-opted their role is to be an apolitical voice for *all* parents in the area.
- 2.4 The Church of England and Roman Catholic representatives are nominated by the Bishop of Chelmsford and Bishop of Brentwood respectively. Co-opted Members have the same rights of access to information as councillors, and are required to comply with the same Code of Conduct.

3. Non-Statutory Co-opted Members

- 3.1 There is an independent co-opted member of the Audit and Governance Committee who receives an allowance and is required to comply with the Code of Conduct.
- 3.2 Scrutiny Committees may co-opt non-voting members from time to time. They do not receive an allowance unless provided for in the Scheme of Members' Allowances and are not entitled to vote. They are expected to comply with the Officer-Member Protocol generally, but particularly in their relationship with officers.

4. Terms of office

- 4.1 Unless made specific at the time, non-voting members are co-opted for four years, subject to review by Annual Council. The term of four years may be renewed once by the relevant Committee.
- 4.2 A Scrutiny Committee may rescind an appointment if it feels it is necessary.
- 4.3 A person shall cease to be a co-opted member if they resign, become a member or officer of Waltham Forest Council, or are otherwise disqualified. If a person is co-opted by virtue of their membership or representation of an organisation from which the Council has sought nominations, they will cease to be a co-opted member when their membership or representation of that organisation ceases.
- 4.4 Non-statutory co-opted Members can be disqualified during their term of office if they do not attend four consecutive meetings of the committee to which they have been co-opted without giving an apology;
- 4.5 Other Committees of the Council established under the Local Government Act 1972, s.101, may not have voting members who are not Members of the Authority. There are special provisions for observers and independent advisors of the Pension Committee.

5. Powers and responsibilities

- 5.1 Statutory and non-statutory co-opted Members will:
- Be entitled to speak on any matter that is discussed by the committee to which they have been appointed
 - Be encouraged to contribute to the development of the scrutiny work programme and propose agenda items for future meetings
 - Have full voting rights on all education matters (excluding any non-statutory co-opted Members)
 - Be eligible to chair a scrutiny committee in the absence of the Chair or Vice-Chair, sub-committee or working group. Non-voting co-opted Member's may not exercise the Chair's second or casting vote.
 - Be expected to attend all meetings of the committee to which they have been appointed having read the agenda papers
 - Bring an external perspective to the work of scrutiny by utilising their specialist knowledge and experience
 - Be expected to represent the whole community and not just one sector or viewpoint
 - Act independently of party politics and lobbying interests

- If appropriate, be responsible for keeping the organisation or interest they were appointed to represent informed and engaged in scrutiny
- Be required to recognise that they may encounter sensitive information and to act with discretion

6. Support for Co-opted Members

6.1 Co-opted Members will be provided with the necessary level of support.

- All summons, agendas and committee reports will be sent to co-opted Members at the same time as elected Members and will comply with the public access to information regulations.
- An induction will be provided for new co-opted Members that will outline their expected contribution to scrutiny and familiarise them with the Members' Code of Conduct.
- Co-opted Members will be invited to attend Member training sessions that relate to their role on Scrutiny.