



Combined Authority Board		Agenda Item
20 September 2023		14c
Title:	Co-option of Independent Members	
Report of:	Edwina Adefehinti, Interim Chief Officer Legal and Governance and Monitoring Officer	
Lead Member:	Edna Murphy (Lead Member for Governance)	
Public Report:	Yes	
Key Decision:	No	
Voting Arrangements:	By a majority of voting members, subject to that majority including the vote of the Mayor, or the Deputy Mayor acting in place of the Mayor.	

Recommendations:

A	Review the suggested update to the Combined Authority constitution and adopt the proposed changes as revisions to the Constitution, so that a co-opted independent member and substitute from constituent authorities can be appointed.
B	To delegate the recruitment, selection and appointment of independent co-opted member(s) to the Audit and Governance Committee and that the arrangements for the selection of such members be delegated by the Audit & Governance Committee to the Chairman of the Audit and Governance Committee in consultation with the Monitoring officer.
C	Agree that the role of any independent co-opted member(s) from a constituent authority is not remunerated but note that they will receive expenses in line with the authority's current expenses policy.

Strategic Objective(s):

The proposals within this report fit under the following strategic objective(s):

5	Achieving Best Value and High Performance
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1. Purpose

1.1	The purpose of the report is to request that the Combined Authority Board consider and approve the draft wording contained in Paragraph 2.2 to be inserted in the constitution and to make recommendations to adopt the proposed amendments to the constitution.
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2. Proposal

2.1	To include additional wording in the constitution that codifies the power of the Audit & Governance committee to co-opt independent members and to agree to delegate the process for recruiting and appointing co-optees as proposed in Recommendation B above.
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2.2	<p>The additional wording is below:</p> <ul style="list-style-type: none"> • At the beginning of each municipal year the Committee may appoint an independent member subject to a resolution agreed by simple majority. • A co-opted independent member is a committee member who does not represent any political party or constituent authority for the purposes of the Audit and Governance committee but recruited to join the committee from a Constituent Council. • The role description of an independent member of Audit Committee is the same as for an elected member with the only substantial difference being around decision making responsibilities. An independent member cannot vote so will not be able to take part in the decision although they can actively contribute to the discussions leading up to the vote. The objective of including such members is to increase the knowledge and experience base of the committee, reinforcing its independence. • The appointed independent co-opted member will not have voting rights. Therefore, their involvement on the Committee will be in a consultative manner, with their views being taken into account by voting members of the Committee. • The Audit and Governance committee has authority to determine the process for recruiting and appointing a co-optee and substitute.
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3. Background

3.1	At its AGM on 31 May 2023, the Combined Authority Board recommended that Audit & Governance Committee and Overview & Scrutiny Committee consider co-opting independent members from constituent authorities on the basis of skills and knowledge.
3.2	On 9 June 2023, the Audit & Governance committee resolved to co-opt an independent member (and substitute) from a Constituent Council. The co-opted member would not be given voting rights. The co-option would be for the municipal year 2023/24. The co-opted independent member will be expected to provide advice and bring valuable experience and knowledge to the Committee in discharging its function

4. Appendices

4.1	None
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5. Implications

Financial Implications	
5.1	As the Independent Member will not be remunerated there are no direct financial implications from the proposal.
Legal Implications	
6.1	The Combined Authority is obliged to adopt and maintain a constitution and standing orders.
6.2	Under the Local Government Act 1972 and the Constitution, the Combined Authority Board has the power to delegate its functions, which are not reserved to it, to Committees, Sub-Committees, Officers, Joint Committees or other Local Authorities.
6.3	The purpose of the Audit & Governance Committee is to give assurance as to the governance and sound financial management of the Combined Authority. This will likely be strengthened by including members who are independent from the Combined authority Board and scrutiny functions and who are suitably qualified with experience in the area of governance, audit, finance, regulation and compliance or risk management to provide specialist knowledge and insight.

Public Health Implications	
7.1	None directly
Environmental & Climate Change Implications	
8.1	None Directly
Other Significant Implications	
9.1	None Directly
Background Papers	
10.1	None