

Committee: Full Council

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Title: Protocol for selection of Panel Membership

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Lead Member: Councillor Oliver, Chair of the Audit and Standards Committee

Summary

1. This paper identifies an operational problem for officers in the routine selection of panel members from amongst the pool of qualified councillors to join various individual panels which need to be convened from time to time to consider specific cases/matter, whether Licensing & Environmental Health applications, Appointment Interviews for senior staff, or specific Standards complaints.
2. The report was considered at the Audit and Standards meeting on 27 June 2023 and is recommended to Full Council for approval.

Recommendations

3. To adopt the protocol for appointing members to panels.

Financial Implications

4. Nil

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - The Council's Constitution
 - The draft Protocol for appointing Members to Panels – appendix A

Impact

- 6.

Communication/Consultation	This protocol in draft form has been the subject of informal consultation with Party Group Leaders
Community Safety	nil
Equalities	nil

Health and Safety	nil
Human Rights/Legal Implications	As addressed in the report and draft protocol
Sustainability	Nil
Ward-specific impacts	All wards
Workforce/Workplace	The adoption of this protocol removes officers from the invidious and unacceptable position of having to select panel members in any combination that will at times prove immensely politically controversial without any guidance or framework.

Situation

7. There has been a loose 'custom and practice' in place by which officers have selected Panel Members over recent years, which has proved uncontroversial. However, in due course an intensely controversial issue arose, where the selection of the members of a particular panel was going to lead to inevitable allegations of being more likely to lead to one outcome or another of that panel's ultimate deliberations. This put officers in a lose/lose situation, where, without any guidance on panel formation, they had to form a panel. This panel formation process itself added substantial heat to an already fraught process, and there is a cross-party and officer consensus that this should be avoided in future. As a result therefore, this protocol has been drafted, drawing from the law and wider models of good practice, and has been considered by the Audit and Standards Committee, which has recommended the protocol to full Council for adoption into the Constitution.

Risk Analysis

8.

Risk	Likelihood	Impact	Mitigating actions
If the current status quo is maintained – ie no protocol to guide the selection of future panels – then the negative recent experience is almost certainly going to be repeated – which is nobody's interests.	4 - high	4 - high	This protocol has been drawn up, and Party Group Leaders' informally consulted.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.