

Selection of Continuity Board members: options appraisal

As noted in agenda item 2.2 there are different views on involvement of current CIC and Trust Board members in the new Board.

As the external consultant for the CIC and the Trust, in order to help with making progress on this question I have made the following appraisal of the different options, as I understand them, and I have offered my recommendations.

Options	Pros	Cons	Consultant's recommendation
<p>Option 1 The following would apply:</p> <ul style="list-style-type: none"> The two local authorities would each determine their new representatives. All the other current CIC and Trust Board members would be invited to continue into the new Board. The Chair would be appointed by the new Board. 	<p>This would be the simplest option to administer as it would not require any recruitment and selection to take place.</p> <p>It would also provide maximum continuity.</p>	<p>This option would not provide the open and transparent process that the Reference Group has agreed is necessary to establish stakeholder and public confidence.</p> <p>It would not provide the opportunity to recruit new people to achieve the range of qualities and skills needed for the new governance arrangements (parent charity and trading subsidiary).</p>	<p>Not recommended. Stakeholder and public confidence including from the two local authorities are essential for future success.</p>
<p>Option 2 The following would apply:</p> <ul style="list-style-type: none"> The two local authorities would each determine their new representatives. The Chair would be appointed by a public competitive recruitment process. A small group of current CIC and Trust Board members would be selected to continue into the new Board for a limited period (Continuity Board Members). 	<p>This option would provide the open and transparent process that the Reference Group has agreed is necessary to establish stakeholder and public confidence.</p> <p>It would provide a degree of continuity while also providing the opportunity to recruit new people to the initial new</p>	<p>This option would be less simple to administer because it would require a process of recruitment and selection to take place.</p>	<p>Recommended. As noted above, stakeholder and public confidence including from the two local authorities are essential for future success.</p>

<ul style="list-style-type: none"> Other Board members would be appointed by a public competitive recruitment process. <p>The sub-options with regards to appointment of the Continuity Board members are set out below.</p>	<p>Board to achieve the range of qualities and skills needed.</p>		
<p>Option 2a 4 Continuity Board members selected (2 from the CIC and 2 from the Trust).</p>	<p>This would achieve a balance and avoid any fears that either the CIC or the Trust predominates in the new arrangements.</p> <p>The recruitment panel would be able to select the best 2 from the CIC and the best 2 from the Trust according to merit.</p>	<p>The selection for merit is constrained by the requirement that 2 must be from the CIC and 2 from the Trust.</p> <p>Having only 2 Board from the CIC and 2 from the Trust requires a concession on both sides – although it should be remembered that this is not the only route available to current Board members.</p>	<p>Recommended. This may not be a perfect solution but it does still involve a selection according to merit and it does ensure a balanced degree of continuity from both the CIC and the Trust.</p>
<p>Option 2b 4 Continuity Board members selected (the best four regardless of whether they are from the CIC or the Trust).</p>	<p>This would allow the panel to select the best of those who are available from the combined pool.</p>	<p>This option may well not result in a balance and is bound to provoke fears that either the CIC or the Trust would predominate in the new arrangements.</p>	<p>Not recommended. While in theory this option may be more attractive (indeed, I raised it in the first place) in practice it is likely to prove a barrier to a successful merger, because of the significant risk of imbalance.</p>
<p>Option 2c 5 Continuity Board members selected (at least 2 from the CIC and 2 from the Trust).</p>	<p>This would allow continuity from both the CIC and the Trust, as well as providing an enhanced element of selection according to merit compared to option 2a.</p>	<p>This option reduces the proportion of the new Board that would be recruited through open competition. It would also produce an imbalance between CIC and the Trust in terms of Continuity Board Members.</p>	<p>Recommended as a fall-back. But only if neither 2a nor 2b are deemed acceptable.</p>

The Reference Group is asked to consider the options appraisal and come to an agreement about this.

It should be noted that ultimately it is the members of the CIC (i.e. the two local authorities) and the members of the Trust who have the authority to make the decision.

Steve Wyler Consultant, 15/10/21