

County Council

17 May 2022

Appointments to Committees and Other Bodies

Recommendations

That Council

- (1) confirms the Committee structure and delegations of non-executive functions to member bodies as set out in the Constitution (subject to any amendments proposed and agreed at this meeting)
- (2) agrees the appointment of members to the Committees and other bodies as set out in Appendix 1 (subject to any amendments proposed and agreed at this meeting)
- (3) agrees an amendment to the Constitution as it applies to the Health and Wellbeing Board consequent upon the establishment of the Integrated Care System and endorses the appointment of the Chair of the Health and Wellbeing Board as the Council's nominee on the Integrated Care Partnership and the Strategic Director for People as the Council's nominee on the Integrated Care Board
- (4) approves the appointment of the Service Manager (Universal Services) as the Proper Officer for Registration Services and authorises the post holder to carry out the duties and powers of the Proper Officer
- (5) endorses the transfer of the Education Service to the People Directorate and approves the consequential budget transfer, and authorises the Chief Executive to take such steps as she considers necessary to implement the change
- (6) confirms the delegations of non-executive functions to officers as set out in the Constitution subject to any changes to those delegations or to such other delegations previously made as are required to implement Recommendation 5 above, and authorises the Strategic Director for Resources to make such amendments to the Council's Constitution as may be required as a consequence of this and any other changes agreed at this meeting
- (7) authorises the Chief Executive to agree the final appointments to the Police and Crime Panel in consultation with Group Leaders as she considers to be necessary to meet the requirements of geographical and political proportionality required and to work with District and Borough representatives to achieve that end

1. Introduction

- 1.1 Article 5 of the County Council's Constitution requires, as a minimum, the establishment of the following bodies:
 - a. Cabinet
 - b. Overview and Scrutiny Committee (at least one)
 - c. Audit and Standards Committee
 - d. Regulatory Committee
 - e. Staff and Pensions Committee
- 1.2 The Cabinet is appointed by the Leader of the Council (who was appointed at the Council's Annual Meeting in May 2021 for a 4-year period and is automatically a member and Chair of Cabinet). A maximum of nine other members may be appointed to the Cabinet and their appointment and portfolios are matters for the Leader. The Leader must also appoint a Deputy Leader from the Cabinet members. The Leader will confirm the appointment of the Cabinet at a Leader Decision Making Session and any changes in the delegations to portfolio holders and support (non-decision making) roles for additional members. The agenda for the Leader Decision Making session will be circulated to all members for information.
- 1.3 Committees are appointed by the County Council. These are currently the Audit and Standards Committee, Regulatory Committee, Staff and Pensions Committee and the four Overview and Scrutiny Committees; Adult Social Care and Health, Children and Young People, Communities and Resources and Fire & Rescue. This report seeks the Council's confirmation (or amendment) to the current structure, taking account of the rules set out in the following section, and appointments of members to those seats. (The remit of each Committee is set out in the Council's Constitution and available on the Council's website).
- 1.4 Section 3 of this report also seeks confirmation of membership on a number of other member bodies which fall within the responsibility of Council to appoint, including appointments to some strategic external organisations.
- 1.5 Sub-Committees are appointed by their parent Committee. The Pension Fund Investment Sub-Committee is appointed by the Staff and Pensions Committee (meeting on the rising of this meeting). The Dispensations Sub-Committee is appointed as required from time to time by the Strategic Director for Resources and taken from membership of the Audit and Standards Committee.
- 1.6 The Chairs and Vice Chairs of all Committees will also be appointed at a meeting of each Committee immediately following this Council meeting, other than the Chair of the Audit and Standards Committee which has an independent chair (John Bridgeman) and the Council is invited to confirm his appointment.

2.0 Allocation of seats between political groups

2.1 The composition of the Council is 42 Conservative Group; 6 Labour Group; 5 Liberal Democrat Group; 3 Green Group and 1 Independent. The Local Government and Housing Act 1989 requires that appointments to committees and sub-committees must achieve political balance in their membership. (There are exceptions to this notably for geographically based committees on which all local members sit).

2.2 The other ground rules are:

Committees: the aggregate allocation of all committee seats must be proportional to the party groups' overall membership on the Council. Within those allocations each individual committee must be split as close to the overall proportions as possible.

Sub-committees: the sub-committee is split proportionally – there is no aggregation.

Panels, Working groups: the national rules do not apply but the Council has applied the proportionality rule as a matter of good practice.

2.3 The overall rules can be set aside in favour of local arrangements provided this is agreed by the Council with no-one voting against it.

2.4 The allocation to committees agreed at the Annual Meeting in May 2021 is set out below and the Council is invited to confirm the allocation of seats for 2022 and to make/confirm membership (completing the tables in the appendix to this report).

2.5 Group Leaders are also invited to identify their Group Spokespersons and allocation of Special Responsibility Allowances to their spokespersons. The table below shows the current distribution of seats and the political balance entitlement.

Committees	Con	Lab	LD	GR	WRA	Total
Audit & Standards Committee (6)	4	1	1			6
Regulatory Committee (12)	10	1			1	12
Staff & Pensions Committee (6)	4	1	1			6
Adult Social Care & Health (10)	7	1	1	1		10
Children and Young People (10)	8	1	1			10
Communities (10)	7	1	1	1		10
Resources and Fire & Rescue (10)	7	1	1	1		10
Political Balance Entitlement 2022	47	7	6	3	1	64

3.0 Appointments required to be made/confirmed by Council

The Council is invited to confirm appointments to the committees and bodies

set out in the Appendix

3.1 Audit and Standards Committee

The membership of the Audit and Standards Committee is comprised of 6 elected members and two co-opted (independent) members. The Committee is chaired by John Bridgeman, one of the independent members. The Council is invited to confirm the appointment of John Bridgeman as the Chair of the Committee.

3.2 Health and Wellbeing Board

The Health and Wellbeing Board is a committee of the Council but the rules regarding proportionality do not apply to the Board which has a mixed membership of councillor and non-councillor (including statutory officer) appointments. The membership is four county councillors which to date has included the Cabinet Portfolio Holders for Adult Social Care and Health and Children, Families and Education plus the Leader of the Council. The Council also appoints the Chair of the Board.

The current County Councillor membership is:

Conservative: Councillors Margaret Bell, Jeff Morgan and Isobel Seccombe
Liberal Democrat: Jerry Roodhouse

The current chair of the Board is Councillor Margaret Bell, the Portfolio Holder for Adult Social Care and Health.

With effect from the establishment of the Integrated Care System (July 2022) the Clinical Commissioning Group's seat on the Health and Wellbeing Board will be replaced by the Chair of the Integrated Care Board to reflect the changes brought about by the Health and Care Act 2022. Such change to the Health and Wellbeing Board's composition and to the Council's Constitution will be made at that time and this report seeks Council's approval for the Strategic Director for Resources to make such changes as are necessary to effect that change.

The establishment of the Integrated Care System (ICS) will also necessitate appointments by the Council to the relevant boards and groups comprising the ICS. Membership of such groups is largely determined by Regulations and Guidance. The model Constitution for Integrated Care Boards prescribes the composition of the Board which can only be departed from with the consent of NHS England. This report therefore also seeks approval to the Council's nominees to

- the Integrated Care Board, which will take on the commissioning functions of the CCGs as well as some of NHS England's commissioning functions and;
- the Integrated Care Partnership, which comprises a range of partners, including NHS providers, that work together to deliver care by agreeing

to collaborate rather than compete

3.3 Coventry and Warwickshire Joint Health Overview and Scrutiny Committee

The Council on 18 July 2017 agreed to the establishment of the Coventry and Warwickshire Joint Health Overview and Scrutiny Committee. Warwickshire County Council and Coventry City Council each has five seats and appointments by each authority reflects the political balance of that authority.

The current County Councillor membership is:

Conservative: Councillors Clare Golby, John Cooke, Chris Mills, Penny-Anne O'Donnell

Labour: Councillor John Holland

3.4 Horton Joint Health Overview and Scrutiny Committee

The 'Horton JHOSC' was formed in 2018 following a recommendation from the Secretary of State. This is a joint committee of nine non-executive voting members and one co-opted non-voting member. Having due regard to the patient flow for the Horton General Hospital (HGH), the committee has eight members from Oxfordshire, one from Northamptonshire and one from Warwickshire. Members are appointed to the committee from the relevant overview and scrutiny committee of the respective local authorities and are reflective of the political balance accordingly.

Since the establishment of the Horton Joint Health OSC, the Council has appointed a member of its Adult Social Care and Health OSC as the most appropriate committee from which to draw representation to this joint committee. This approach remains appropriate given the overlap between the nature and remit of the respective committees. Historically, the Council's practice has been to appoint the sitting Chair of the Adult Social Care and Health Overview and Scrutiny Committee to represent the Council on the Horton Joint Overview and Scrutiny Committee.

The current County Councillor representative is Councillor Clare Golby

3.5 Corporate Parenting Panel

The Council approved a new Corporate Parenting Policy in September 2017. The membership of the Panel now includes the Cabinet Portfolio Holder for Children, Families and Education as Chair, plus five other members.

The current membership is:

Conservative: Councillors Jeff Morgan, Pete Gilbert, Marian Humphreys, Penny-Anne O'Donnell

Labour: Councillor Caroline Phillips

Liberal Democrat: Councillor Jerry Roodhouse

The Council is invited to confirm the Portfolio Holder for Children's Services as the Chair.

3.6 Standing Advisory Council for Religious Education

This is a statutory body that advises the Cabinet on religious worship and religious education within schools. The membership includes representatives of religious denominations and teacher representatives. The County Council membership is five councillors. There is no statutory requirement for political proportionality.

The current membership is:

Conservative: Councillors Parminder Singh Birdi, John Cooke, and Justin Kerridge

Labour: Councillor Barbara Brown

Liberal Democrat: Councillor Sarah Boad

3.7 Warwickshire Waste Partnership

The Waste Partnership comprises five County Councillors and a councillor from each of the five district and borough councils. It operates under a Memorandum of Understanding and the Chair is appointed by the Partnership.

The current County Councillor membership is:

Conservative: Councillors Bhagwant Singh Pandher, Daren Pemberton, Heather Timms, and Andrew Wright

Labour: Councillor Sarah Millar

3.8 Local Pension Board and Fire & Rescue Pension Board

The terms of reference for these two statutory boards specify that the tenure of membership (up to a maximum of nine years) is three years. Each has an independent Chair also appointed for a three-year term. If a member resigns during their term of office the replacement is appointed for three years. Confirmation of re-appointments is for the Scheme Manager (the County Council as the administering authority).

Appointments to the Board are made for a period of three years. As the required appointments have recently been confirmed, no appointment decisions are needed at this time.

3.9 The Police and Crime Panel

Police and Crime Panels are joint committees of the principal authorities in a police area, which in Warwickshire means the County Council and the five District and Borough councils. The current membership of the Panel is:

County Council Members

Conservative: Councillors Dave Humphreys and Bhagwant Singh Pandher
Labour: Councillors Barbara Brown and John Holland
Liberal Democrat: Councillor Jenny Fradgley

District/Borough Members

North Warwickshire Borough Council; Councillor David Reilly (Conservative)
Nuneaton & Bedworth Borough Council: Councillor Claire Golby (Conservative)
Stratford upon Avon District Council: Councillor Christopher Kettle (Conservative)
Rugby Borough Council: Councillor Derek Poole (Conservative)
Warwick District Council: Councillor Ian Davison (Green)

Co-opted Members: Andy Davis and Andrew Davies

The chair is appointed by the Panel and the current chair is Councillor David Reilly.

The composition of the panel has to meet the principle of 'fair representation'. This means that each Council within the police area must have at least one member. The composition should also take account, as far as practical, of both political and geographical proportionality. This means the Councillor members, when taken together, should represent all parts of the police area and also represent the political make-up of the relevant authorities when taken together. The composition of the Panel will be reviewed in light of the results of the local elections and this report seeks authority for the Chief Executive to finalise appointments in liaison with Group Leaders and with the District and Borough Councils.

3.10 Joint Negotiating Bodies

The Council has two Joint Negotiating Bodies one for staff and one for teachers. Each has four elected members appointed, (two appointments are made by the Leader and two appointments are made by the Council). The current Council appointments on the joint negotiating bodies are -

Joint Staff Negotiating Body – Councillors Barbara Brown and Bill Gifford

Joint Teachers Negotiating Body – Councillors Barbara Brown and Bill Gifford

3.11 Appointment to strategic external bodies

There is also a need for Council to confirm its appointments to key strategic bodies, namely the Local Government Association, County Councils Network,

Coventry and Warwickshire Local Enterprise Partnership. The Council is invited to appoint to these (see recommendation 11 in the Appendix to this report).

4.0 Appointments to other external bodies

There are some appointments to external bodies that are made by the Leader and which the Leader will confirm at the Leader decision making session following this meeting.

5.0 Members Allowances Scheme

An Independent Remuneration Panel has recently undertaken a review of the Council's Member Allowances Scheme and the Panel's report will be considered elsewhere on the agenda.

If there are any proposed changes in the political management structure and responsibilities this may impact on the allowances payable under the member allowances scheme and members may then need to consider whether any changes should be referred to the Independent Remuneration Panel.

6.0 Schemes of Delegation

6.1 The Council's Constitution sets out the delegation of powers to member bodies. The Council is invited to confirm these - except in so far as they may be inconsistent with any changes to the arrangements made for the member bodies set out above.

6.2 The Council's Constitution also sets out the delegation of non-executive functions to officers and this report invites the Council to confirm these, subject to the following;

6.2.1 Following the appointment by Council in July 2021 on a temporary basis of the Service Manager (Universal Services) as the Proper Officer for Registration Services, it is considered appropriate now to make that appointment permanent given this post holder has day to day responsibility for Registration Services.

6.2.2 In recognition of the national agenda in relation to education as set out in the Education White Paper (March 2022) and also to maximise the outcomes for our children and young people by facilitating a holistic and strategic approach to service delivery, all children focused services will be brought together under the leadership of the Strategic Director for People. This change will require a consequential transfer of the budget related to Education Services and is expected to be effective from July 2022. The budget agreed by Council in February 2022 can be found [here](#) (the Budget and Medium Term Financial Strategy are Item 3 in the Agenda where links to the relevant reports and supporting papers can be seen) and both the

capital and revenue budget allocated to Education Services will transfer to People Directorate as a result of this change.

- 6.2.3 This change will also result in some minor changes to the officer Scheme of Delegation as set out in the Constitution and this report authorises the Strategic Director for Resources to make such changes and seeks Council's confirmation that any previous education related non-executive delegations to the Strategic Director for Communities, are from implementation of this change, to be read as to the Strategic Director for People

7.0 Financial Implications

All of the proposals set out in the report can be accommodated within the 2022/23 approved budget.

Appendices

Appendix 1 – Draft Recommendations

Background Papers

2022/23 Budget and 2022-2027 Medium Term Financial Strategy

<https://warwickshireintranet.moderngov.co.uk/ieListDocuments.aspx?CId=275&MId=3283&Ver=4>

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The report was circulated to the following members prior to publication:

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Other members: