

# Leader Decision Making Session

14 May 2024

## Appointment of Cabinet Portfolios, Delegation of Executive Functions and Appointments to Bodies

### Recommendations

That the Leader

1. confirms the appointment of the Deputy Leader as set out in the Appendix,
2. appoints councillors to the Cabinet and determines their portfolios and delegations as set out in the Appendix,
3. confirms and/or amends the delegation of executive functions to members, officers and/or other bodies as set out in the Constitution in line with this decision and authorises the Executive 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, and
4. appoints to the bodies listed as set out in the Appendix.

### 1. Appointments to Cabinet

The Leader may appoint up to a maximum of nine other members to form a Cabinet. The appointments and their portfolios are a matter for the Leader. The Leader must also appoint a Deputy Leader from within the Cabinet members. The Leader is invited to appoint the Cabinet, determine the portfolios and delegation of executive functions.

The Leader may also choose to appoint Cabinet support members whose role is to support the Portfolio Holder in the exercise of their functions.

The Leader is invited to confirm the appointments set out in the Appendix.

### 2. Delegation of Executive Functions

The Leader is invited to confirm and/or amend the delegation of executive functions to members, officers and/or other bodies as set out in the Constitution as is necessary in line with this decision.

The Executive Director for Resources is authorised to make such modifications to the Council's Constitution, and otherwise as may be required, to effect the Leader's decisions.

### **3. Appointments to Member Bodies**

#### **3.1. Joint Negotiating Bodies**

There are two negotiating bodies – one for teaching staff and one for other staff. The bodies provide a forum for discussions with relevant trade unions in relation to conditions of service of members of staff and to recommend to the Staff and Pensions Committee any changes or amendments to those conditions of service.

The membership of each is two Cabinet members and two non-Cabinet members. The Leader is required to appoint the two Cabinet members to each body and is invited to confirm the appointments set out in the Appendix.

#### **3.2. Adoption Panel**

The Adoption Panel is a statutorily required body and its membership is prescribed by legislation. There is no longer a legal requirement for an elected member to be appointed to the Panel when the Council is the adoption agency. The Council may nevertheless choose to appoint an elected member to sit on the Panel, although not to the position of Chair as the regulations state that this must be an independent person, which would not include an elected member of the Council. The Leader is invited to appoint one County Councillor to the Panel and is invited to confirm the appointment set out in the Appendix.

#### **3.3. Fostering Panel**

Regulation 23 of the Fostering Services (England) Regulations 2011 sets out the requirements of the constitution and membership of Fostering Panels. There is no longer a legal requirement for an elected member to be appointed to the Panel when the Council is the fostering service provider. The Council may nevertheless choose to appoint an elected member to sit on the Panel, although not to the position of Chair as the regulations state that this must be an independent person, which would not include an elected member of the Council. In Warwickshire the Council has determined that one County Councillor should sit on the Fostering Panel and the Leader is invited to confirm the appointment set out in the Appendix.

### **4. Appointment to External Bodies**

#### **4.1. Eastern Shires Purchasing Organisation (ESPO) Management Committee and Finance and Audit Committee**

ESPO is a joint committee between consortium authorities whose purpose is to improve and maintain effective and efficient and economical arrangements for the supply of goods and services to its constituent authorities.

Each member authority has 2 places on the Management Committee (one to be a Cabinet member). The Leader is invited to confirm the two appointments to the ESPO Management Committee.

The Leader is also asked to make an appointment from one of those appointed members to sit on the ESPO Finance and Audit Committee. The purpose of this sub-committee is to oversee the financial planning process undertaken by ESPO.

## 5. Financial Implications

All of the proposals set out in the report can be accommodated within the 2024/25 approved budget.

## 6. Environmental Implications

None

### Background Papers

None. The information in this report is drawn from the Council's current published Constitution.

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**On rising of Council – 14 May 2024  
Leader Decision Making Session**

**Appendix to the Report:**

**Appointment to Cabinet, Delegation of Executive Functions and  
Appointments to Bodies Report**

Decisions Proposed by the Leader:

1. That [ ] be appointed as Deputy Leader.
2. That the terms of reference of the Cabinet Portfolios (and Cabinet Support as applicable) and the appointments to them be as set out below:

<b>Portfolio</b>	<b>Appointee</b>

The General Powers and the Specific Powers as set out in the Council's Constitution are confirmed by the Leader and will be delegated as she considers necessary to align with the Portfolio Holders and their Terms of Reference as listed above.

### **Cabinet Support**

<b>Portfolio</b>	<b>Appointee</b>

3. That the following are appointed to the bodies listed below:

<b>Body</b>	<b>Councillor</b>	<b>Councillor</b>
Joint Negotiating Body – Staff (2 Cabinet members)		
Joint Negotiating Body – Teachers (2 Cabinet members)		
Adoption Panel (1)		
Fostering Panel (1)		
ESPO Management Committee (2 – of which 1 to be a Cabinet member)		
ESPO Finance and Audit Committee*		

\* To be one of the members appointed to sit on the ESPO Management Committee

4. That the delegation of executive functions to members, officers and/or other bodies as set out in the Constitution are confirmed.
5. The current Portfolios and Terms of Reference are available [here](#)
6. The Portfolios and Terms of Reference for municipal year 2024/25 will be confirmed at the Leader Decision Making session of 14 May 2024.