

## TRAFFORD COUNCIL

**Report to:** Annual Meeting of the Council  
**Date:** 25 May 2022  
**Report for:** Decision  
**Report of:** Monitoring Officer / Director of Legal and Governance

### Report Title

#### COUNCIL COMMITTEES

### Summary

To agree the Committees of the Council, their size, political composition, membership and terms of reference for the 2022/23 municipal year.

### Recommendation(s)

- 1) That the Standing Committees and their composition, as set out in Appendix 1 to the report, be approved.
- 2) That the Terms of Reference for each Committee, as set out in Appendix 2 to the report, be approved.
- 3) That the membership of Committees for the 2022/23 municipal year, as set out in Appendix 3 to the report (and which is to be circulated separately), be approved.
- 4) That the appointment of Committee Chairs and Vice-Chairs, as set out in Appendix 3 (circulated separately), be approved and the nomination of Opposition Spokespersons (where appropriate), be noted.
- 5) That the Council approves the appointment and memberships of the three Sub-Committees of Licensing Committee, as set out in Appendix 4 (which is to be circulated separately).
- 6) That the Appointments and Appeals Panel be formally appointed, the membership for which will be drawn from all members of the Council.

[When sitting, the Panel shall comprise a smaller number of members selected for specific purposes and shall include representation from all parties and appointed on the basis of 2:1:1:1. When acting as an Appeals Panel, the membership shall be restricted to a pool of Members who have undertaken the necessary Members Appeals Training. Please refer to the Terms of Reference (Appendix 2) for details on the role of this Panel.]

- 7) That the Council appoints to the Health and Wellbeing Board, as set out in Appendix 5, and the Board be recommended to endorse the Council's membership.
- 8) That the Council delegate to the Chief Executive, in accordance with the written request of the relevant Group Leader, the power and authority to change the membership of committees and sub-committees as may be needed from time to time.

Contact person for access to background papers and further information:

Name: Ian Cockill  
Extension: 1387

Background Papers: None.

**1. COMPOSITION OF COUNCIL COMMITTEES**

1.1 The Local Government and Housing Act 1989 requires the composition of committees to be in accordance with the political balance of the 63 members of the Council and this shall be reviewed as a result of any changes to that balance. Currently the political make-up of the Council is as follows:

- Labour Group - 41 members
- Conservative Group - 13 members
- Liberal Democrats Group - 5 members
- Green Party Group - 4 members

1.2 The regulations require that the composition of committees is in accordance with the political balance of the 63 members of the Council and that this is reviewed as a result of any changes to that balance.

1.3 Subject to the need to allocate each political group a total allocation of seats in proportion to its strength on the Council and with no requirement to offer any seats to an Independent since an individual does not constitute a group, the Membership of each Ordinary Committee should be made up of the following proportions: -

- Labour (41/63) - 65.08%
- Conservative (13/63) - 20.63%
- Liberal Democrats (5/63) - 7.94%
- Green Party (4/63) - 6.35%

1.4 The proposed Committee structure is set out in Appendix 1.

## Item 7: APPENDIX 1

### PROPOSED COMMITTEE ENTITLEMENTS FOR THE MUNICIPAL YEAR 2022/23

Committee	No. of Members	Ex-officio Members	Co-opted Members	Proposed Places			
				LAB	CON	L/D	GP
<u>Ordinary Committees</u>							
Accounts and Audit	9	-	1	6	2	1	0
Employment	9	-	-	6	2	1	0
Planning and Development Management	13	-	-	8	3	1	1
Licensing *	15	-	-	10	3	1	1
Standards	11	-	5^^	7	2	1	1
Scrutiny	11	2#	-	7	2	1	1
Health Scrutiny	11	2#	-	7	2	1	1
Children and Young Peoples Scrutiny	11	2#	5^	8	2	0	1
<b>POLITICALLY BALANCED PLACINGS</b> (excluding other Committees)	<b>90</b>	<b>6</b>	<b>11</b>	<b>59</b>	<b>18</b>	<b>7</b>	<b>6</b>
<u>Other Committee(s)</u>							
Health and Wellbeing Board**	5	-	16^^	3	1	1	0
<b>OVERALL PLACINGS</b>	<b>95</b>	<b>6</b>	<b>27</b>	<b>62</b>	<b>19</b>	<b>8</b>	<b>6</b>

\* Committees for which political balance rules may be disapplied

\*\* Committee for which political balance rules do not apply

# The Chairmen of the three Scrutiny Committees shall be appointed as ex-officio non-voting members on each of the other Committees. (Temporarily suspended)

^ 2 Church and 3 Parent-Governor representatives

^^ 2 Parish representatives and 3 Independent members

^^ Corporate Director of Children, Families and Wellbeing, Corporate Director of Adult Services, Director of Public Health plus 13 External Partners

## **ACCOUNTS AND AUDIT COMMITTEE**

### **Statement of Purpose**

The purpose of the committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

### **Composition**

Membership of the Audit and Accounts Committee shall comprise 9 Members, be politically balanced and shall not include any Members of the Executive. A non voting member, with appropriate skills and experience, may be co-opted on to the Committee with the approval of the Council.

### **Terms of Reference**

#### **Internal and External Audit**

- a) Review and approve (but not direct) the Internal Audit Charter and Strategy, including internal audit resourcing.
- b) Review and approve (but not direct) the annual Internal Audit work programme. Consider the proposed and actual Internal Audit coverage and whether this provides adequate assurance on organisations main business risks, review the performance of Internal Audit.
- c) Receive summary internal audit reports and seek assurance on the adequacy of management response to internal audit advice, recommendations and action plans.
- d) Review arrangements made for cooperation between Internal Audit, External Audit and other review bodies and ensure that there are effective relationships which actively promote the value of the audit process.
- e) Receive the Annual Internal Audit report and opinion.
- f) Review and consider proposed and actual External Audit coverage and its adequacy and consider the reports of external audit and inspection agencies.
- g) Receive updates from External Audit on External Audit findings and opinions (including the audit of the annual financial statements and the value for money conclusion) and seek assurance on the adequacy of management response to External Audit advice, recommendations and action plans.

#### **Risk Management**

- a) Review the adequacy of arrangements for identifying and managing the organisation's business risks, including partnerships with other organisations. This includes review of the Council's risk management policy and strategy and their implementation.

- b) Review the robustness of the strategic risk register and the adequacy of associated risk management arrangements.
- c) Receive and consider regular reports on the risk environment and associated management action.

### **Internal Control Arrangements, Corporate Governance and the Annual Governance Statement**

- a) Review the effectiveness of corporate governance arrangements and internal control across the organisation and the adequacy of action taken to address any weaknesses or control failures.
- b) Conduct a review of the draft Annual Governance Statement (AGS), which is a key assurance statement required to be completed each year in accordance with the Accounts and Audit (Amendment) Regulations 2021.
- c) Approve the final version of the Annual Governance Statement.

### **Anti - Fraud and Corruption Arrangements**

- a) Review and ensure the adequacy of the organisation's Anti – Fraud & Corruption policy and strategy and the effectiveness of their application throughout the Authority.
- b) Review and ensure that adequate arrangements are established and operating to deal with situations of suspected or actual fraud and corruption.

### **Accounts**

- a) Approve the annual Statement of Accounts, including subsequent amendments.
- b) Consider the External Auditor's report on the audit of the annual financial statements.
- c) Be responsible for any matters arising from the audit of the Council's accounts, including the auditor's opinion on the accounts, identification of any misstatements, comments on the accounting and internal control systems and qualitative aspects of accounting practices and financial reporting.

### **Access and Reporting**

- a) To have the right of access to senior officers and all committees of the Council.
- b) To report directly to the Executive or Council, as appropriate, on matters within these terms of reference.

### **Delegation**

In exercising the power and duties assigned to the Committee in its terms of reference, the Audit and Accounts Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## **EMPLOYMENT COMMITTEE**

The Employment Committee shall consist of at least 9 members and be established in accordance with the political balance of the Council and shall have a quorum of 3 members.

The Employment Committee shall meet at least quarterly and also when convened by the Monitoring Officer.

### Terms of Reference

1. To determine and keep under review collective and corporate terms and conditions of employment.
2. To approve the Council's draft Pay Policy Statement prior to recommendation to full Council for approval and adoption.
3. To keep under review the consistent and lawful application of the Councils Pay Policy and publication requirements in respect of transparency of pay, termination payments and audit responsibilities.
4. Except in exceptional circumstances, to approve the job description, salary and benefits for Chief Officers prior to appointment.

(exceptional circumstances to be determined by the Proper Officer in consultation with the Chair of the Employment Committee.)

5. To approve any decisions for the re engagement or reemployment of former Chief Officers.
6. To consider and determine decisions about the recovery of exit payments or overpayment of pension for Chief Officers.
7. To consider any matter referred to the Committee by the Head of Paid Service or Corporate Director of People.
8. To consider, approve and adopt any new or significant revision to existing corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
9. To determine any other matters relating to the appointment, terms and conditions of employment, severance and dismissal of staff which are neither covered by policies of the Council, required to be decisions of full Council nor delegated to Officers under the Scheme of Delegation.
10. To review proposals for severance payments in excess of £100,000 prior to consideration of the proposals by full Council.

## Delegation

The Executive Member with responsibility for Strategic HR and the Corporate Director of People will notify/keep the Employment Committee informed of all other relevant HR related issues, as required.

In exercising the above powers and responsibilities, the Employment Committee shall have delegated power (subject to Council Procedure Rule 9 - Call-in of Decisions taken under Delegated Powers) to make decisions on behalf of the Council, except for any matter where:

- the Head of the Paid Service determines the matter should be considered by full Council, or
- the Council has resolved to determine the matter

[Note: The Committee may itself determine not to exercise its delegated powers and instead make recommendations to Council.]

## **LICENSING COMMITTEE**

### Terms of Reference

1. To exercise the Council's licensing functions under the Licensing Act 2003 with the exception of any function conferred on the Council under Section 5 of the Act (statement of licensing policy).
2. In respect of each 5 year period, in consultation with the Executive, to formulate or prepare for approval by the Council its policy with respect to the exercise of its licensing functions under the Licensing Act 2003.
3. To keep the policy with respect to the exercise of its licensing functions under the Licensing Act 2003 under review and recommend any revisions to the policy to the Council.
4. To exercise the Council's licensing functions under the Gambling Act 2005 with the exception of any function conferred on the Council under Section 349 of the Act (statement of licensing policy).
5. To exercise powers in relation to the following functions as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000:
  - (i) all licensing and registration functions except those relating to town and country planning and the regulation of the use of the highway;
  - (ii) functions under any 'relevant statutory provision' within the meaning of Part I of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer; and
  - (iii) associated functions under any local Act.
6. To establish one or more Sub-Committees under Section 10(1) of the Licensing Act 2003 and Section 154 of the Gambling Act 2005 consisting of three members of the Licensing Committee for the discharge of functions exercisable by the Committee under the Licensing Act 2003 and the Gambling Act 2005. The functions to be exercised by the Sub-Committees include the functions set out at Appendix 1 and Appendix 2. Licensing Act and Gambling Act Sub-Committees shall be chaired in accordance with the protocol set out at Appendix 3.
7. To establish a Safety at Sports' Grounds Sub-Committee consisting of three Members of Council to oversee the exercise of the Council's functions in relation to safety at sports' grounds.
8. To establish a Public Protection Sub-Committee for the discharge of all other licensing, registration and regulatory functions within the terms of reference of the Licensing Committee not covered by the sub-committees in paragraphs 6 and 7 above. That in establishing a Public Protection Sub-Committee this is to be a Sub-Committee of 9 Members (5:3:1) with up to 5 substitute Members for the Sub-Committee Members being allowed (3:2:0). The substitute Members for the Sub-Committee can only be nominated from the membership of the Licensing Committee.



## Delegation

In exercising the power and duties assigned to them in their terms of reference, the Licensing Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## Appendix 1 to the Licensing Committee's Terms of Reference

### Delegated Functions

#### Licensing Act

TABLE OF DELEGATED FUNCTIONS

<b>Matter to be dealt with</b>	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection is made	If no objection is made
Application for personal licence with unspent convictions		All Cases	
Application for premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application to vary designated premises supervisor		If a police objection is made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection is made	All other cases
Application for interim authorities		If a police objection is made	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision to Serve Counter Notice to Temporary Event Notice		All cases	

## Appendix 2 to the Licensing Committee's Terms of Reference

### Delegated Functions

#### Gambling Act

#### TABLE OF DELEGATED FUNCTIONS

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Sub-Committee of Licensing Committee</b>	<b>Officers</b>
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Application for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

## Appendix 3 to the Licensing Committee's Terms of Reference

### List of proposed Chairs

<b>Name</b>	<b>Order of Priority</b>
Chair of Licensing Committee	1
Vice-Chair of Licensing Committee	2
Opposition Spokesperson for Licensing Committee	3
Member of Licensing Committee	4
Member of Licensing Committee	5

Note: the order of priority is applicable when more than one chair is a member of the same Sub-Committee.

## **PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE**

### Terms of Reference

1. To exercise powers in relation to planning and development management over development proposals in the Borough in the context of Government and Council policies and guidance in order to maintain and improve the quality of life and the natural and built environment of the Borough.
2. To exercise powers in relation to the following functions as specified in schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended:
  - (i) town and country planning;
  - (ii) the protection and registration of common land or town and village greens and to register the variation of rights of common; and
  - (iii) the exercise of powers relating to the regulation of the use of highways.
3. To exercise powers under Section 101 of the Local Government Act 1972 in respect of the discharge of functions under the Planning Acts to any other local authority.

### Delegation

In exercising the power and duties assigned to them in their terms of reference, the Planning and Development Management Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## **STANDARDS COMMITTEE**

### Terms of Reference

1. To promote and maintain high standards of conduct.
2. To make recommendations to Council on the council's code of conduct and its register of interests.
3. To determine by way of its Hearing Panel whether a breach of the code has occurred; if so, whether to take any action and, if so, what action to take.
4. To determine appeals from the Monitoring Officer's decision on dispensations.

### Delegation

In exercising the power and duties assigned to the Committee in its terms of reference, the Standards Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## **SCRUTINY COMMITTEE**

### **Terms of Reference**

1. To act as the Council's Overview and Scrutiny Committee and Crime and Disorder Committee for the purposes of all relevant legislation including, but not limited to, the Local Government Act 2000 (as amended), and Police and Justice Act 2006.

### **General Role**

2. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
3. In relation to the above functions:
  - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
  - b) to consider any matter affecting the area or its inhabitants
4. In relation to any function within the remit of this Committee:-
  - a) as set out in (b) below to exercise the power to call in, for reconsideration, executive decisions made but not yet implemented set out in Section 21(3) of the Local Government Act 2000.
  - b) The call-in of an executive decision is to be exercised as follows:-
    - i) the decision must not have been designated as urgent by the decision taker
    - ii) the request to call in a decision must be made within 5 working days of the decision being published
    - iii) any 3 members of an overview and scrutiny committee or select committee can ask the Chair of this Committee or, in his/her absence, the Vice-Chair to call in an executive decision
    - iv) in deciding whether or not to approve the request to call in a decision, the Chair or Vice-Chair may consult the Vice-Chair and the chairs of the Select Committees as appropriate
    - v) if the Chair, or Vice-Chair as appropriate, approve the call in of a decision the request to call in the decision must be made to the Chief Executive within the timescale set out in (ii) above
    - vi) the Chair may decide, after consulting as appropriate, to call in a decision whether or not a request under (iii) has been received.
5. To put in place and maintain a system to ensure that referrals from overview and scrutiny to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.

6. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
7. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

### **Specific functions**

8. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy.
9. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
10. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
11. Receive, consider and action as appropriate requests:
  - a) from the Executive in relation to particular issues; and
  - b) on any matters properly referred to the Committee
12. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
13. In relation to the terms of reference of the Committee it may:
  - a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
  - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
  - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
  - e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
  - f) question and gather evidence from any other person with their consent.
  - g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;



- h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
- i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
- j) undertake any other activity that assists the Committee in carrying out its functions.

### **Delegation**

14. The Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

## **HEALTH SCRUTINY COMMITTEE**

### **Terms of Reference**

1. To act as the Council's Overview and Scrutiny Committee for the purposes of all relevant legislation including, but not limited to the Health and Social Care Act 2001 and the National Health Service Act 2006.
2. All health scrutiny powers provided under the Health and Social Care Act 2001 are delegated to the Health Scrutiny Committee.
3. The Health Scrutiny Committee will have the power to refer a proposed substantial variation in service delivery to the Secretary of State. If the Committee wish to exercise this power, then this must also be agreed by the Chair of the Scrutiny Committee who will be an ex-officio member of the Health Committee and will hold the power of veto in respect of any proposed referral of a substantial variation to the Secretary of State.

### **General Role**

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities in relation to health and well-being issues.
5. In relation to the above functions:
  - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
  - b) to consider any matter affecting the area or its inhabitants
6. To put in place and maintain a system to ensure that referrals from the Health Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

### **Specific functions**

9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy in relation to health and well-being matters.
10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.

12. Receive, consider and action as appropriate requests:
  - a) from the Executive in relation to particular issues; and
  - b) on any matters properly referred to the Committee
13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
14. In relation to the terms of reference of the Committee it may:
  - a) assist the Council, Executive and shadow Health and Well-being Board in the development of its budget and policy framework by in-depth analysis of policy issues;
  - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
  - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
  - e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
  - f) question and gather evidence from any other person with their consent.
  - g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
  - h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
  - i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
  - j) undertake any other activity that assists the Committee in carrying out its functions.

### **Delegation**

15. The Health Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

## **CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE**

### **Terms of Reference**

1. The Committee will be responsible for the review and scrutiny of decisions made or actions taken in connection with the provision, planning and management of education in the borough of Trafford and, in particular, all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time. Co-opted Members will be appointed to discuss education matters and will attend the Scrutiny Committee when they consider education matters.
2. To review and scrutinise decisions made or actions taken in connection with:
  - (a) the provision, planning and management of children's and young people's services and community lifelong learning in the borough of Trafford;
  - (b) all functions of the council insofar as they relate to the provision of opportunities for education, training and learning outside the school environment, including pre-school, adult and community learning.
3. The development of the council's LEA Strategic Plan (incorporating the Education Development Plan) and the Early Years Development Plan.

### **General Role**

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
5. In relation to the above functions:
  - (a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate.
  - (b) to consider any matter affecting the area or its inhabitants.
6. To put in place and maintain a system to ensure that referrals from the Children and Young People's Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

## **Specific functions**

9. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
10. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
11. Receive, consider and action as appropriate requests:
  - (a) from the Executive in relation to particular issues; and
  - (b) on any matters properly referred to the Committee.
12. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
13. In relation to the terms of reference of the Committee it may:
  - (a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
  - (b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
  - (c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - (d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
  - (e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
  - (f) question and gather evidence from any other person with their consent.
  - (g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
  - (h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
  - (i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
  - (j) undertake any other activity that assists the Committee in carrying out its functions.

## **Delegation**

The Children and Young People's Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

## **APPOINTMENTS AND APPEALS PANEL (EMPLOYMENT MATTERS) (THE “PANEL”)**

To act as the Council’s appeals body regarding appeals other than those for which specific arrangements have been established.

All elected members of the authority shall be eligible to be appointed as a Panel member. Smaller numbers of members will constitute individual panels.

The Appointment and Appeals Panel shall be constituted by the Monitoring Officer, unless a matter relates to the appointment, terms and conditions of employment, severance or dismissal of the Monitoring Officer in which case it shall be constituted by the Proper Officer, in accordance with relevant conditions of service and employment procedures, including Joint Negotiating Conditions (JNC) of Service in respect of Chief Officers.

Unless otherwise determined by the Monitoring Officer, all Panels constituted for the purposes of staff appointments and related matters shall be constituted in accordance with the political balance of the Council and will have a membership of at least 3, except when constituted for Investigating and Disciplinary functions when the minimum shall be 5.

The Panel shall:

- act as the Council’s appeals body regarding appeals other than those for which specific arrangements have been established;
- be (except in exceptional circumstances) responsible for staff appointments and related matters regarding short-listing and interview of external and internal applicants and appointments of Corporate Directors and Directors (Statutory and Non-Statutory Chief Officers and Deputy Chief Officers as defined in the Officer Employment Procedure Rules) in accordance with the Officer Employment Procedure Rules;
- short-listing applicants and appointments of Joint Council / Trafford Clinical Commissioning Group Director level posts. Appointment panels to consist of one member from each political party and 2 from the Governing Body;
- except in exceptional circumstances, approve the interim appointment of Chief Officers;
- act as an investigatory and disciplinary Panel in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001, as amended in 2015 and JNC Conditions of Service and the Appendix to the Officer Employment Procedure Rules;
- be responsible for appeals in accordance with the disciplinary and grievance procedures;
- be responsible for appeals by employees against grading.

For meetings of Appointment and Appeal Committees the quorum shall be as follows:

- (i) for a committee comprising 3 members the quorum shall be 2;
- (ii) for a committee comprising 5 members the quorum shall be 3;
- (iii) in all other cases the quorum shall be 4.

## HEALTH AND WELLBEING BOARD

### Terms of Reference

1. To provide strong leadership and direction of the health and wellbeing agenda by agreeing priority outcomes for health and wellbeing.
2. To develop a shared understanding of the needs of the local population and lead the statutory Joint Strategic Needs Assessment (JSNA).
3. To seek to meet those needs by producing a Joint Health and Wellbeing Strategy for Trafford and ensure that it drives commissioning of relevant services.
4. To drive a genuine collaborative approach to commissioning of improved health and care services which improve the health and wellbeing of local people and reduces health inequalities.
5. To promote joined-up commissioning plans across the NHS, social care and public health.
6. To have oversight of local Clinical Commissioning Group (CCG) and local authority commissioning plans.
7. To operate as a thematic partnership within the context of the Sustainable Community Strategy Trafford 2021 and align its work to the Trafford Partnership in that capacity.
8. To improve local Democratic accountability and engage with the Health and Wellbeing Forum which includes Trafford residents, service providers and other key stakeholders to understand health and wellbeing needs in Trafford.
9. To monitor and review the delivery of health and wellbeing improvements and outcomes through robust performance monitoring.



**TRAFFORD COUNCIL****MEMBERSHIP OF COMMITTEES 2022/23****Notes on Membership:**

- (1) The Council Membership is nominated by the Leader of the Council.
- (2) The Chair for the Health and Wellbeing Board will rotate on an annual basis between Trafford Council and NHS Trafford Clinical Commissioning Group.
- (3) \* Denotes that this position must be represented on the HWB as per the Health and Social Care Act 2012 (Note: at least one Councillor, one member of each relevant CCG, a representative of the local Healthwatch organisation plus any other members considered appropriate by the Council, must be appointed.)

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>	
HEALTH AND WELLBEING BOARD		5	
		(plus *Corporate Director of Children Services, Corporate Director of Adult Services, *Director of Public Health and 13 External Partners)	
<b>LABOUR GROUP</b>	<b>CONSERVATIVE GROUP</b>	<b>LIBERAL DEMOCRATS GROUP</b>	<b>GREEN PARTY GROUP</b>
Councillors:	Councillors:	Councillors:	Councillors:
Executive Member for Health, Wellbeing and Equalities	Shadow Executive Member for Health, Wellbeing and Equalities	Jane Brophy	
Executive Member for Adult Social Care			
Executive Member for Children's Services			
<b>TOTAL</b>	<b>3</b>	<b>1</b>	<b>0</b>

Membership of the Health and Wellbeing Board shall also comprise of:

- NHS Trafford Clinical Commissioning Group (3 representatives: Chair, Chief Operating Officer and Clinical Director/Representative)
- Chair of Health Watch
- Third Sector (2 representatives)
- Independent Chair Local Safeguarding Board
- Chair of the Safer Trafford Partnership - GMP
- Chair of the Trafford Sports and Physical Activity Partnership
- Chief Executive Officers of health care providers (2): (Manchester University NHS Foundation Trust and Greater Manchester West Mental Health NHS Foundation Trust)
- Greater Manchester Fire and Rescue Service Representative
- Greater Manchester Health and Social Care Partner Representative