

Committee: Council

Date: 10 September 2014

Subject: Changes to Membership of Committees and related matters

Lead officer: Ged Curran, Chief Executive

Contact officer: Chris Pedlow, Senior Democratic Services Officer, (020 8545 3616)

democratic.services@merton.gov.uk

Recommendations:

- A. That the changes to the membership of Committees approved under delegated powers since the last meeting of the Council are noted.
 - B. To endorse the establishment of the new South West London Joint Health Overview and Scrutiny Committee along with its Terms of Reference and Rules of Procedure.
 - C. To nominate Councillor Brian Lewis Lavender and Councillor Greg Udeh to the South West London Joint Health Overview and Scrutiny Committee and Councillor Brenda Fraser and Councillor Suzanne Grocott as substitutes.
 - D. To appoint a Councillor to the Groundwork London's Local Authority Strategic Input Board.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report asks the Council to note the membership changes made under delegated powers since the publication of the agenda for the Council meeting held on 9 July 2014 and also details a change to political group membership
- 1.2. The report seeks to endorse the Terms of Reference and Rules of Procedure for the South West London Joint Health Overview and Scrutiny Standing Committee and to appoint two Members to the Committee.
- 1.3. To seek an appointment to fill the vacancy on Groundwork London's Local Authority Strategic Input Board.

2 DETAILS

- 2.1. The following membership changes have been made under delegated powers in accordance with section A4 of part 3F of the Constitution:

Appendix Two

Committee	Member resigning	replaced by	date
London Road Safety Council	Stephen Crowe	David Simpson	03/07/14
Sustainable Communities Panel	Stephen Crowe	David Dean	03/07/14
General Purposes	Suzanne Grocott	Stephen Crowe	03/07/14
Overview and Scrutiny Commission	Katy Neep (As substitute)	Peter Walker (As substitute)	08/07/14
Joint Regulatory Service Committee	Vacancy	Judy Saunders	10/07/14
Joint Regulatory Service Committee	Vacancy	Nick Draper	10/07/14
Children and Young People O&S Panel	Linda Taylor (moving from full member to substitute member)	Hamish Badenoch (moving from substitute member to full member)	18/08/14
Corporate Parenting Steering Group	Linda Taylor	Hamish Badenoch	19/08/14

2.2. **Establishment of the South West London Joint Health Overview and Scrutiny Standing Committee**

Background

- 2.2.1 Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 local authorities may establish a joint health overview and scrutiny committee to undertake health scrutiny functions on their behalf, and must establish a joint health overview and scrutiny committee to respond to consultation on proposals for substantial variation in health services affecting more than one local authority area.
- 2.2.2 Discussions between officers responsible for health scrutiny across South West London have concluded that the best way forward is the creation of a Standing Joint Health Overview and Scrutiny Committee, with responsibility for responding to consultations on substantial service change affecting multiple boroughs across the area. This will obviate the need to go through a separate decision-making process each time a consultation requiring the establishment of a Joint Health Overview and Scrutiny Committee is initiated, enabling local authorities to respond more rapidly and saving officer and member time. The draft terms of reference and rules of procedure are attached as Appendices 1 and 2. Points to note are:

- There will be two members of the Committee for each local authority represented, in accordance with local procedures. Local authorities are also encouraged to nominate substitutes to attend when their primary representatives are unable to.
- The Committee will have the power to establish sub-committees, and much of the work in relation to specific consultation will be undertaken in these sub-committees. The members of a sub-committee may be members of the main committee, but Boroughs may also nominate another representative to serve on a specific sub-committee.
- Where a consultation affects some, but not all, of the six South West London boroughs, voting membership of the relevant sub-committee will be restricted to the authorities directly affected. Thus, for example, the sub-committee responding to consultation on the Mental Health Trust's estates strategy would not include Croydon as a voting member.
- There is no minimum frequency of meetings of the Committee, and when there are no current consultations there will be no need for the Committee to meet.
- The life of the Committee will be for a maximum of four years. Boroughs will nominate members annually, and there will be an annual election for the Chair and Vice-Chair of the Committee.

2.2.2 At the Council meeting held on the 9 July the Council agreed that the current membership of the South West London Joint Health Overview and Scrutiny Committee represent Merton at the new standing joint health scrutiny committee, should a meeting be held prior to the Council having the opportunity to agree its constitution and formally appoint members.

2.2.3 The new South West London Joint Health Overview and Scrutiny Standing Committee first meeting took place on 17th July 2014 in Wandsworth Town Hall. Secretarial services for this meeting were provided by Richmond Borough Council. The initial meeting looked at:

- Formal dissolution of the Better Services, Better Value Joint Overview and Scrutiny Committee;
- Agreement of the terms of reference and rules of procedure;
- Election of a Chair and Vice-Chair;
- The draft consultation plan and consultation document on the Mental Health Trust's Estates Strategy
- Establishment of a sub-committee to consider and respond to consultation on the Mental Health Trust's Estates Strategy.

2.3. **Groundwork London's Local Authority Strategic Input Board.**

The Council has been invited to appoint a representative to the Groundwork London's Local Authority Strategic Input Board. A copy of their governance arrangement has been included as Appendix 3 to this report.

3 ALTERNATIVE OPTIONS

3.1. N/A

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. N/A

5 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

5.1. None for the purposes of this report.

6 LEGAL AND STATUTORY IMPLICATIONS

6.1. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

7 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

7.1. None for the purposes of this report.

8 CRIME AND DISORDER IMPLICATIONS

8.1. None for the purposes of this report.

9 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

9.1. N/A

10 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix 1 - Joint Health O&S Committee South West London – Terms of Reference

Appendix 2 - Joint Health O&S Committee South West London – Rules of Procedure

Appendix 3 - Groundwork London's Governance Arrangement

11 BACKGROUND PAPERS

11.1. Documents from the authorised officer confirming approval of the membership changes agreed under delegated powers.

**JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE
SOUTH WEST LONDON**

TERMS OF REFERENCE

1.1 The South West London Joint Health Overview and Scrutiny Committee is established by the London Boroughs of **Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth**, and the **Royal Borough of Kingston upon Thames (constituent boroughs)** in accordance with s.245 of the NHS Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

1.2 It will be a standing Joint Overview and Scrutiny Committee which will undertake scrutiny activity in response to a particular reconfiguration proposal or strategic issue affecting some, or all of the constituent Boroughs.

1.3 The length of time a specific matter / proposal will be scrutinised for will be determined by the Joint Committee.

1.4 The purpose of the Standing Joint Committee is to consider the following matters and commission sub-committees to carry out detailed scrutiny work as below:

(a) To engage with Providers and Commissioners on strategic sector wide *proposals* in respect of the *configuration* of health services affecting some or all of the area of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth, and the Royal Borough of Kingston upon Thames (the area.)

(b) Scrutinise and respond to the consultation process (including stakeholder engagement) and final decision in respect of any reconfiguration proposals affecting some, or all of the constituent Boroughs.

(c) Scrutinise in particular, the adequacy of any consultation process in respect of any reconfiguration proposals (including content or time allowed) and provide reasons for any view reached.

(d) Consider whether the proposal is in the best interests of the health service across the affected area.

(e) Consider as part of its scrutiny work, the potential impact of proposed options on residents of the reconfiguration area, whether proposals will deliver sustainable service change and the impact on any existing or potential health inequalities.

(f) Assess the degree to which any proposals scrutinised will deliver sustainable service improvement and deliver improved patient outcomes

(g) Agree whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of any proposal for reconfiguration to the Secretary of State for Health.

(h) As appropriate, review the formal response of the NHS to the Committees consultation response.”

1.5. The Joint Committee will consist of 2 Councillors nominated by each of the Boroughs and appointed in accordance with local procedure rules. Each Council can appoint named substitutes in line with their local practices.

1.6 Appointments to the Joint Committee will be made annually by each Borough with in-year changes in membership confirmed by the relevant authority as soon as know.

1.7 A Chairman and Vice Chairman of the Joint Committee will be elected by the Committee at its first meeting for a period of one year and annually thereafter.

1.8 The life of the Joint Committee will be for a maximum of four years from its formation in July 2014.

1.9 For each specific piece of scrutiny work undertaken relating to consultations on reconfiguration or substantial variation proposals affecting all or some of the constituent borough areas, the Joint Committee will either choose to act as a full Committee or can agree to commission a sub-committee to undertake the detailed work and define its terms of reference and timescales. This will provide for flexibility and best use of resource by the Joint Committee.

1.10 In determining how a matter will be scrutinised, the Joint Committee can choose to retain decision making power or delegate it to a sub-committee.

1.11 The overall size of each sub-committee will be determined by the main Committee and must include a minimum of 1 representative per affected Borough.

1.12 Where a proposal for reconfiguration or substantial variation covers some but not all of the constituent Boroughs, in establishing a sub-committee, formal membership will only include those affected Boroughs. Non affected boroughs will be able to nominate members who can act as 'observers' but will be non-voting.

1.13 The Committee and any sub-Committees will form and hold public meetings, unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000, in accordance with a timetable agreed upon by all Boroughs and subject to the statutory public meeting notice period.

JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC)

RULES OF PROCEDURE

1. Membership of Committee and Sub-Committees

- 1.1 The London Boroughs of Croydon, Merton, Richmond upon Thames, Sutton, Wandsworth and the Royal Borough of Kingston upon Thames, will each nominate, 2 members to the JHOSC, appointed in accordance with local procedure rules .
- 1.2 Appointments will be reconfirmed annually by each relevant authority
- 1.3 Individual boroughs may change appointees in accordance with the rules for the original nomination.
- 1.4 Individual boroughs will be strongly encouraged to nominate substitutes in accordance with local practice.
- 1.5 In commissioning Sub-Committees, membership will be confirmed by the JHOSC and can be drawn from the main Committee or to enable use of local expertise and skill, from non-Executive members of an affected borough.
- 1.6 The membership of a sub-committee will include at least one member from each affected Borough. (Non affected boroughs can appoint 'observer' members to sub-committees but they will be non voting.
- 1.7 The JHOSC, may as appropriate review its membership to include authorities outside the South West London area whom are equally affected by a proposal for reconfiguration or substantial variation who can be appointed to serve as members of relevant sub-committees.

2. Chairman

- 2.1 The JHOSC will elect the Chairman and Vice Chairman at the first formal meeting. A vote will be taken (by show of hands) and the results will be collated by the supporting Officer.
- 2.2 The appointments of Chairman and Vice Chairman will be reconfirmed annually.
- 2.3 If the JHOSC wishes to, or is required to change the appointed Chairman or Vice Chairman, an agenda item should be requested supported by four of the six constituent Boroughs following which the appointments will be put to a vote.
- 2.4 Where a sub-committee is commissioned, at its first meeting a Chairman and Vice-Chairman will be appointed for the life of the sub-committee.

3. Substitutions

- 3.1 Named substitutes may attend Committee meetings and sub-committee meetings in lieu of nominated members. Continuity of attendance is strongly encouraged.
- 3.2 It will be the responsibility of individual committee members and their local authorities to arrange substitutions and to ensure the supporting officer is informed of any changes prior to the meeting.
- 3.3 Where a named substitute is attending the meeting, it will be the responsibility of the nominated member to brief them in advance of the meeting.

4. Quorum

- 4.1 The quorum of a meeting of the JHOSC will be the presence of one member from each of five of the six participating Boroughs.
- 4.2 The quorum of a meeting of a Sub Committee of the JHOSC will be three quarters of the total membership of the sub-committee to include a minimum of two members.

5. Voting

- 5.1 Members of the JHOSC and its sub Committees should endeavour to reach a consensus of views and produce a single final report, agreed by consensus and reflecting the views of all the local authority committees involved.
- 5.2 In the event that a vote is required each member present will have one vote. In the event of there being an equality of votes the Chairman of the JHOSC or its sub-committee will have the casting vote.

6. JHOSC Role, Powers and Function

- 6.1 The JHOSC will have the same statutory scrutiny powers as an individual health overview and scrutiny committee that is:
 - accessing information requested
 - requiring members, officers or partners to attend and answer questions
 - Referral to the Secretary of State for Health if the Committee is of the opinion that the consultation has been inadequate or the proposals are not 'in the interests' of the NHS
- 6.2 The JHOSC can choose to retain the powers of referral to the Secretary of State for Health for a particular scrutiny matter or delegate them to an established sub-committee.

7. Support

- 7.1 The lead governance and administrative support for the JHOSC will be provided by Boroughs on an annual rotating basis.
- 7.2 The lead scrutiny support for sub-committees will be provided by Boroughs on a per issue basis to be agreed by the JHOSC.

- 7.3 Meetings of the JHOSC and its sub-committees will be rotated between participating Boroughs.
- 7.4 The host Borough for each meeting of the JHOSC will be responsible for arranging appropriate meeting rooms and ensuring that refreshments are available.
- 7.5 Each borough will identify a key point of contact for all arrangements and Statutory Scrutiny Officers will be kept abreast of arrangements for the JHOSC.

8. Meetings

- 8.1 Meetings of the JHOSC and its sub-committees will be held in public unless the public is excluded by resolution under section 100a (4) Local Government Act 1972 / 2000 and will take place at venues in one of the Six SWL boroughs.
- 8.2 Meetings will not last longer than 3 hours from commencement, unless agreed by majority vote at the meeting.

9. Agenda

- 9.1 The agenda will be drafted by the officers supporting the JHOSC or its sub-committees and agreed by the appropriate Chairman. The officer will send, by email, the agenda to all members of the JHOSC, the Statutory Scrutiny Officers and their support officers.
- 9.2 It will then be the responsibility of each borough to:
- publish official notice of the meeting
 - put the agenda on public deposit
 - make the agenda available on their Council website; and
 - make copies of the agenda papers available locally to other Members and officers of that Authority and stakeholder groups as they feel appropriate.

10. Local Overview and Scrutiny Committees

- 10.1 The JHOSC or its sub-committees will invite participating Borough's health overview and scrutiny committees and other partners to make known their views on the review being conducted.
- 10.2 The JHOSC or its sub-committees will consider those views in making its conclusions and comments on the proposals outlined or reviews.
- 10.3 Individual Overview and Scrutiny Committees will make representations to any NHS Body where a consensus at the JHOSC cannot be reached"

11. Representations

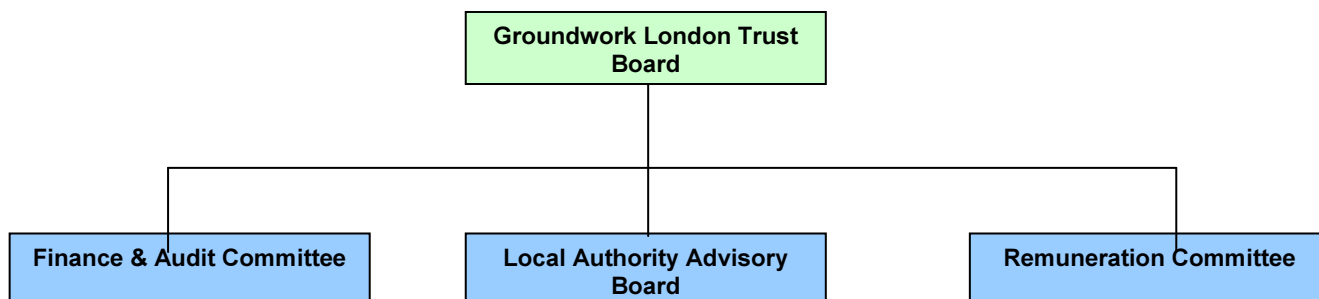
- 11.1 The JHOSC or its sub-committees will identify and invite witnesses to address the committee and may wish to undertake consultation with a range of stakeholders.
- 11.2 As far as practically possible the committee or sub-committee will consider any written representations from individual members of the public and interest groups that represent geographical areas in South West London that are contained within one of the participating local authority areas.

- 11.3 The main Committee and any established sub-committees will consider up to 3 verbal representations per agenda item from individual members of the public and interest groups that represent geographical areas in South West London that are contained within one of the participating local authority areas. Individuals must register to speak before 12pm on the day before the meeting takes place.
- 11.4 The Chairman or any committee or sub-committee will have the discretion to accept more or late speakers where s/he feels it is appropriate.

Groundwork London Governance structure

1. Governance structure

The agreed governance structure for Groundwork London includes:



2. Membership of Groundwork London Board & committees

Groundwork London Board

Groundwork London’s Board is made up of 4 appointed, 2 nominated, and 9 co-opted Trustees:

- 4 Local Authority members are appointed to the Groundwork London Board by an electoral process conducted by the members of the Local Authority Strategic Input Board.
- 2 Groundwork Federation nominees are appointed by the Groundwork Federation Board.
- 9 independent co-opted members are appointed by the Groundwork London Board. As and when vacancies become available the Board may consider any potential external candidates and put their names forward.

Local Authority Strategic Input Board

The Local Authority Strategic Input Board includes:

- 1 member nominated by each Local Authority, members to be elected Councillors of the Local Authority
- Meeting to be chaired by a Local Authority nominee, who is also a member of the Groundwork London Board
- Current Local Authorities include: Westminster, Haringey, Camden, Islington, Hackney, Hammersmith & Fulham, Ealing, Wandsworth, Merton, Lambeth, Southwark, and Lewisham.

Finance & Audit Committee

The Committee shall normally comprise of at least 3 members of the Groundwork London Board:

- Meetings will be chaired by a member of the Groundwork London Board

Remuneration Committee

The Committee shall normally comprise three members of the Groundwork London Board:

- The Chairman of the Board
- The Chairman of the Finance & Audit Committee
- Co-opted Board member

3. Role of Groundwork London Board & committees

Role of the Groundwork London Board

The Board is primarily concerned with policy, strategy and governance. The day-to-day management of the organisation is delegated to the paid professional staff, who report progress back to the Board. The Board is legally responsible for the activities of the organisation. The generic role of the Board is to:

1. Lead the organisation and ensure it has a clear purpose and an overall framework of policies and standards;
2. Develop overall strategies to achieve the organisation's aims and to ensure there is a clear system to delegate implementation of the strategies to the staff team;
3. Monitor the progress of the organisation and ensure that it provides the highest quality of care, balanced with the effective, efficient and economic use of the organisations resources and assets;
4. Ensure compliance with the law and accountability to the organisations stakeholders;
5. Ensure that the Board itself performs effectively, contains people with the skills and experience it needs and makes its plans to ensure the recruitment, induction and development of new trustees.

Role of the Local Authority Strategic Input Board

The Local Authority Strategic Input Board will enable Local Authorities to:

1. Shape the strategic direction of Groundwork within Local Authorities by:
 - Advising Groundwork on local authority strategic planning, priorities and targets.
 - Advising Groundwork on the regeneration needs of local communities.
 - Providing input to the development process for projects and programmes.
 - Developing and maintaining close relationships with elected members and officers of local authorities.
 - Developing relationships with other key local partners.
2. Keep their Local Authorities informed about the breadth of Groundwork London's expertise:
 - Receiving information on or visiting Groundwork London projects.
 - Enabling Groundwork London best practices to be introduced to local authority departments.
 - Sharing information on potential resources and stakeholders for projects.
3. Appoint, via an electoral process, members to the Groundwork London Board.

Role of the Remuneration Committee

The Committee is appointed by the Board to assist the Board in the appointment of the Executive Director and to support the Executive Director in the appointment of members of the Executive Team and to consider and approve their remuneration.

The Remuneration Committee will have delegated authority to:

- Lead the recruitment of the Executive Director, and to agree with the Executive Director the selection and recruitment process of the Executive Team;
- Consider and approve all remuneration issues relating to the Executive Director and Executive Team of Groundwork London;

- Consider all relevant labour market information and financial data about Groundwork London to approve pay and conditions of the Executive Director and the Executive Team;
- Act as the disciplinary and grievance panel for the Executive Director and the Appeals Panel for Executive Team in disciplinary and grievance matters;
- Ensure that there are training and development plans for the Executive Director and that succession plans exist and are relevant to the organisation's needs;
- Commission research if necessary;
- Receive from the Chair of the Board a report of the Executive Director's performance review, for scrutiny and endorsement.

Role of the Finance & Audit Committee

The Finance & Audit Committee is responsible for reviewing the overall direction of financial and investment resources at Groundwork London and for making appropriate recommendations to the Board. In exercising this responsibility the Finance & Audit Committee will work within the parameters set by the Groundwork London Board in the annual Business Plan.

The Finance & Audit Committee will have delegated authority to:

- Advise the Board on financial issues pertaining to the Trust and its subsidiary or subsidiaries within the limits of the Business Plan and will report its decisions to the Board of Groundwork London.
- From time to time the Board may delegate decisions to the Finance & Audit Committee. Where this is the case, decisions taken will be reported back fully and promptly.

Typical areas of work include:

- Ensuring that a clear statement of *Financial Rules and Regulations* is in place and reviewed on an annual basis;
- Advising an annual financial strategy that will be developed in line with the annual business planning process, including risk assessment and the maintenance of the Risk Register;
- Reviewing the quarterly management accounts (statement of income and expenditure plus a separate balance sheet together with any supporting documentation) prepared by the Director of Finance & Corporate Services;
- Reviewing any recommendations proposed by the auditors at the annual audit
- Providing a report on the quarterly management accounts to the Board;
- Reviewing the draft audited annual accounts and highlighting issues to the Board;
- Reviewing cash flow forecasts for twelve months ahead prepared by the Director of Finance & Corporate Services;
- Ensuring that Groundwork London has a clear reserves policy and that it has sufficient working capital to meet the needs of the business;
- Reporting on specific financial matters as requested by the main Board;
- Reviewing its Terms of Reference to ensure that they remain current and continue to meet the needs of the business. If changes are necessary they should be reported to the main Board for approval in April of each year;
- Reviewing the organisational Risk Register and reporting its findings to the main Board.

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