

Merton Council
Council
25 May 2022
Supplementary Agenda

8 Constitution of committees and other bodies

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Committee: Annual Council

Date: 25 May 2022

Wards: All

Subject: Constitution of Committees and Other Bodies

Lead officer: Louise Round, Managing Director, South London Legal Partnership

Contact Officer: Amy Dumitrescu, Democracy Services Manager
democratic.services@merton.gov.uk

Recommendations:

That the Council:

- A. i) approves the constitution of committees, sub-committees and scrutiny bodies set out in Appendix A and;
ii) agrees the allocation of seats, chair and vice-chair positions and the appointment of members to those seats;
- B. i) approves the constitution of consultative forums and other bodies set out in Appendix B and
ii) agrees the appointment of members to those seats;
- C. agrees the allocation of seats and appointment to the outside organisations as detailed in Appendix C.
- D. agrees the terms of reference of consultative and other bodies appointed by the Council, detailed in Appendix D (to follow)
- E. Notes the appointment, made by the Leader, of the Deputy Leader and her portfolio responsibilities, appointments to the Cabinet including their respective portfolios; and, if appointments are made, Assistant Cabinet members including their areas of responsibility (Appendix E – to follow)
- F. agree the membership and note the amended Terms of Reference and Rules of Procedure for the South West London and Surrey Joint Health Overview and Scrutiny Committee (JHOSC) as set out in Appendix F;
- G. To note that the Council, together with the other five South West London Boroughs comprising the area covered by the South West London Integrated Care System, will be required to jointly nominate a local authority partner member(s) to the Integrated Care Board with effect from 1 July and to delegate the authority to make that nomination to The Chief Executive
- H. To appoint Cllr McCabe, in their capacity as Chair of the Health and Wellbeing Board, to the South West London Integrated Care Partnership.

- I. To note that the Council together with the other five South West London Boroughs comprising the area covered by the South West London Integrated Care System, will be required to jointly nominate one of each the following officers to the Integrated Care Partnership and to delegate authority to make those nominations to the Chief Executive.
- J. agrees that the Council's Constitution be amended to incorporate any changes resulting from the approval of recommendations A to F.

1. Purpose of report and executive summary

- 1.1 This report recommends that The Council establish committees, sub-committees, and scrutiny panels, together with other consultative bodies for the year 2022-23, allocates the seats on those bodies to political groups represented on the Council in accordance with the statutory proportionality rules and agrees to the appointment of the groups' nominees.
- 1.2 The report recommends that the Council agrees the allocation of seats on outside organisations and agrees to the appointment of the political groups' nominees.

2. Alternative options

- 2.1 The Council must appoint at least one Overview and Scrutiny Committee, a Licensing Committee and a Health and Wellbeing Board. All other committees are constituted at the discretion of the Council.
- 2.2 The Council must allocate seats on the committees and sub-committees set out in Appendix B in accordance with statutory proportionality rules (with the exception of the Health and Wellbeing Board). All other seats may be allocated to groups at the Council's discretion.
- 2.3 The Council must establish a Standing Advisory Council on Religious Education and appoint members to it. The establishment of all other bodies set out in Appendix B is within the Council's discretion.
- 2.4 Participation in the outside organisations and allocation of seats set out in Appendix C is within the Council's discretion except where indicated as being within the executive leader's discretion.

3. Consultation undertaken or proposed

- 3.1 Political groups have been invited to make their appointments to the seats allocated to them. The Council must agree to appoint members nominated by the political groups to the seats allocated to those groups. The complete list of nominations will be circulated at the earliest opportunity.

4. Timetable

- 4.1 The constitution of the committees set out here is for the year 2022/23 and takes immediate effect. Unless otherwise indicated all of these bodies will be established until the next annual meeting of the Council. The Council may review the committees it has established at any time. The Council must review the allocation of seats to political groups when there is a change in the political balance of the Council.

5. Legal and statutory implications

- 5.1 The Local Government Act 2000 makes provisions with respect to the function and procedures of local authorities. Merton's Constitution has been produced having regard to the provisions of the Act, Statutory Instruments and guidance from Central Government. The proposals within this report comply with the statutory requirements.
- 5.2 The Local Government Act 1972 contains provisions on the discharge of functions, meetings and proceedings of local authorities and access to information.
- 5.3 The Housing and Local Government Act 1989 contains provisions concerning the political balance on committees, the duty to allocate seats to political groups, and the duty to give effect to allocations.
- 5.4 The Licensing Act 2003 requires the Council to appoint a Licensing Committee.
- 5.5 The Health and Social Care Act makes provision to establish an Integrated Care Board and an Integrated Care Partnership, to which the local authorities comprising the integrated care system's area have a right to make joint appointments. The identity of those nominees has not yet been agreed between the six south west London Councils and therefore this report recommends delegating the power to make this Council's nominations to the Chief Executive. This is necessary to meet the deadline for making the appointments which is 1 July.

- 5.6 The statutory requirement to have voting co-opted members on scrutiny has been met. There are two parent governors and a representative from both the Roman Catholic (currently vacant) and Church of England Diocese on the Overview and Scrutiny Commission and Children and Young People Panel.
- 5.7 The Council has a statutory duty to review the representation of different political groups on the Council at its annual meeting. The purpose of the legislation is to ensure that a 'political balance' is secured on council committees, sub-committees etc. so as to reflect the overall political composition of the Council as far as is reasonably practicable.
- 5.8 Once the review has been completed there is a second statutory duty to make a determination as to political representation. This requirement to allocate seats must be made in accordance with the following statutory principles:
- a) All of the seats are not to be allocated to the same political group.
 - b) The majority of the seats go to the political group with a majority on full Council.
 - c) Subject to the above two principles, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to the proportion on full Council.
 - d) Subject to the above three principles, the number of seats on each ordinary committee of the Council allocated to each political group must bear the same proportion on the full Council.

6. Appendices – the following documents are to be published with this report and form part of the report

- 6.1 Appendix A – Committees and sub-committees to be constituted and allocation of seats to political groups
- 6.2 Appendix B – Consultative and other bodies to be constituted and allocation of seats to political groups
- 6.3 Appendix C – Allocation of seats on outside organisations
- 6.4 Appendix D – Terms of reference of Consultative and other bodies established by the Council (to Follow)
- 6.5 Appendix E – Executive Leader's appointments to the Cabinet and their respective portfolios (To Follow)

6.7 Appendix F – Amended Terms of reference and Rules of Procedure of the South West London and Surrey Joint Health Overview and Scrutiny Committee (JHOSC)

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COMMITTEES, SUB-COMMITTEES AND SCRUTINY BODIES 2022-23

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
OVERVIEW AND SCRUTINY COMMISSION (10 seats + 4 voting Co-opted Members) Substitutes allowed Page 7	Cllr Mike Brunt (Vice-Chair) Cllr Usaama Kaweesa (CYP) Cllr Agatha Akyigyina (HCOP) Cllr Stuart Neaverson (SUSC) Cllr Gill Manly Cllr Billy Hayes Substitutes: Cllr Martin Whelton Cllr Edith Macauley	Cllr Nicholas McLean Substitute: Cllr Thomas Barlow	Cllr Paul Kohler Cllr Tony Reiss Substitutes: Cllr Anthony Fairclough Cllr John Oliver	Cllr Edward Foley (Chair) Substitute: Cllr Stephen Mercer
HEALTHIER COMMUNITIES AND OLDER PEOPLE OVERVIEW AND SCRUTINY (9 seats) Substitutes allowed	Cllr Agatha Akyigyina (Chair) Cllr Martin Whelton Cllr Caroline Charles Cllr Slawek Szczepanski Cllr Laxmi Attawar Substitutes: Cllr Dennis Pearce Cllr Mike Brunt	Cllr Eleanor Cox Cllr Max Austin Substitute: Cllr Michael Paterson	Cllr Jenifer Gould (Vice-Chair) Cllr Simon McGrath Substitutes: Cllr Tony Reiss Cllr Matthew Willis	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
<p>CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL (10 seats) Substitutes allowed</p>	<p>Cllr Usaama Kaweesa (Chair) Cllr Michael Butcher Cllr Caroline Charles Cllr Dennis Pearce Cllr Linda Kirby Cllr Billy Hayes</p> <p>Substitutes:</p> <p>Cllr Edith Macauley Cllr Sheri-Ann Bhim</p>	<p>Cllr Andrew Howard</p> <p>Substitute:</p> <p>Cllr Max Austin</p>	<p>Cllr Chessie Flack (Vice Chair) Cllr Samantha MacArthur Cllr Jil Hall</p> <p>Substitutes:</p> <p>Cllr Jenifer Gould Cllr Robert Page</p>	
<p>SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY PANEL (11 seats) Substitutes allowed</p>	<p>Cllr Stuart Neaverson (Chair) Cllr James Williscroft Cllr Caroline Charles Cllr Dan Johnston Cllr Gill Manly Cllr Martin Whelton</p> <p>Substitutes:</p> <p>Cllr Slawek Szczepanski Cllr TBC</p>	<p>Cllr Daniel Holden (Vice-Chair)</p> <p>Substitute:</p> <p>Cllr Max Austin</p>	<p>Cllr Anthony Fairclough Cllr Victoria Wilson Cllr John Braithwaite</p> <p>Substitutes:</p> <p>Cllr Klaar Dresselaers Cllr Samantha MacArthur</p>	<p>Cllr Stephen Mercer</p> <p>Substitute:</p> <p>Cllr Edward Foley</p>
<p>BOROUGH PLAN ADVISORY COMMITTEE (6 seats) Substitutes allowed, no Cabinet members</p>	<p>Cllr Dennis Pearce (Chair) Cllr James Williscroft Cllr Caroline Charles Cllr Sheri-Ann Bhim</p> <p>Substitute:</p> <p>Cllr TBC</p>	<p>Cllr Daniel Holden</p> <p>Substitute:</p> <p>Cllr Thomas Barlow</p>	<p>Cllr Matthew Willis Cllr Kirsten Galea</p> <p>Substitute:</p> <p>Cllr Jil Hall</p>	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
APPOINTMENTS COMMITTEE (9 seats) No substitutes	Cllr Ross Garrod (Chair) Cllr Eleanor Stringer Cllr Brenda Fraser Cllr Natasha Irons Cllr Billy Christie	Cllr Nicholas McLean	Cllr Anthony Fairclough Cllr Simon McGrath Cllr Kirsten Galea	
HEALTH AND WELLBEING BOARD (3 seats plus officers, statutory and non-statutory representatives) Proportionality does not apply	Cllr Peter McCabe (Chair) Cllr Brenda Fraser		Cllr Jenifer Gould	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
STANDARDS AND GENERAL PURPOSES COMMITTEE (12 seats plus 2 Independent Persons) Substitutes allowed	Cllr Mike Brunt (Chair) Cllr Martin Whelton Cllr Brenda Fraser Cllr Edith Macauley Cllr Stephen Alambritis Cllr Caroline Cooper-Marbiah Cllr Billy Hayes Substitutes: Cllr Sheri-Ann Bhim Cllr Caroline Charles	Cllr Michael Paterson Substitute: Cllr Andrew Howard	Cllr John Oliver (Vice-Chair) Cllr John Braithwaite Cllr Robert Page Cllr Victoria Wilson Substitutes: Cllr Samantha MacArthur Cllr Simon McGrath	
JOINT HEALTH COMMITTEES				
SOUTH WEST LONDON AND SURREY JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC) (2 seats) Substitutes allowed	Cllr Agatha Akyigyina Substitute: Cllr Martin Whelton		Cllr Anthony Fairclough Cllr John Oliver	
REGULATORY AND QUASI JUDICIAL BODIES				
APPEALS COMMITTEE (6 seats)	Cllr Ross Garrod (Chair) Cllr Eleanor Stringer Cllr Billy Christie	Cllr Michael Paterson	Cllr Anthony Fairclough Cllr John Oliver	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
LICENSING COMMITTEE (Licensing Act and Gambling Act purposes) (13 seats) No substitutes	Cllr Edith Macauley (Chair) Cllr Martin Whelton Cllr James Williscroft Cllr Caroline Charles Cllr Gill Manly Cllr Mike Brunt Cllr Sheri-Ann Bhim	Cllr Michael Paterson	Cllr Paul Kohler (Vice-Chair) Cllr Samantha MacArthur Cllr Robert Page Cllr Jil Hall	Cllr Stephen Mercer
LICENSING COMMITTEE (Miscellaneous) (13 Seats) No substitutes	Membership as for Licensing Committee			
LICENSING SUB-COMMITTEE (of above committee) (3 seats)	Any 3 members of the Licensing Committee			
PLANNING APPLICATIONS COMMITTEE (10 seats) Substitutes allowed	Cllr Aidan Mundy (Chair) Cllr Martin Whelton Cllr James Williscroft Cllr Caroline Charles Cllr Gill Manly Cllr Mike Brunt Substitutes: Cllr Dennis Pearce Cllr Ben Butler	Cllr Thomas Barlow Substitutes: Cllr Nicholas McLean	Cllr Simon McGrath (Vice-Chair) Cllr Susie Hicks Substitutes: Cllr Matthew Willis Cllr Kirsten Galea	Cllr Edward Foley Substitute: Cllr Stephen Mercer

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APPENDIX B

**CONSTITUTION OF CONSULTATIVE FORUMS AND OTHER BODIES AND ALLOCATION OF SEATS TO
GROUPS 2022-23**

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
COMMUNITY FORUMS – appointment of Chair				
COLLIERS WOOD COMMUNITY FORUM	Cllr Linda Kirby (Chair)			
MITCHAM COMMUNITY FORUM	Cllr Aidan Mundy (Chair)			
MORDEN COMMUNITY FORUM	Cllr Caroline Charles (Chair)			
RAYNES PARK COMMUNITY FORUM to B. local arrangements in respect of this forum put in place additional meetings with the Chair rotated and drawn from the four wards covered	N/A	N/A	N/A	N/A
WIMBLEDON COMMUNITY FORUM	N/A		Cllr Paul Kohler (Chair)	

<p>CORPORATE PARENTING STEERING GROUP (2 seats Cabinet Member for Young People & Opposition member on CYP Scrutiny) No substitutes</p>	<p>Cllr Brenda Fraser</p>		<p>Cllr Chessie Flack</p>	
<p>COMMITTEE</p>	<p>LABOUR</p>	<p>CONSERVATIVE</p>	<p>LIBERAL DEMOCRATS</p>	<p>MERTON PARK IR</p>
<p>JOINT CONSULTATIVE COMMITTEE WITH ETHNIC MINORITY ORGANISATIONS (6 seats plus representatives of Merton's ethnic minority organisations) Substitutes allowed</p>	<p>Cllr Edith Macauley Cllr Marsie Skeete Cllr Agatha Akyigyina Cllr Slawek Szczepanski</p> <p>Substitutes: Cllr Laxmi Attawar</p>	<p>Cllr Nicholas McLean</p> <p>Substitute: Cllr Max Austin</p>	<p>Cllr Hina Bokhari Cllr Jenifer Gould</p> <p>Substitute: Cllr Kirsten Galea</p>	
<p>MEMBERS' SCHOOL STANDARDS PANEL (3 seats + 1 substitute)</p>	<p>Cllr Dennis Pearce (Chair) Cllr Agatha Akyigyina</p> <p>Substitutes: Cllr TBC</p>		<p>Cllr Chessie Flack</p>	
<p>PENSIONS COMMITTEE (3 seats)</p>	<p>Cllr Laxmi Attawar (Chair) Cllr Billy Christie</p>		<p>Cllr John Braithwaite (Vice Chair)</p>	

COMMITTEE	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (3 seats plus representatives of Christian and other denominations and teacher associations) No substitutes	Note – SACRE elects its own chair Cllr Mike Brunt Cllr Laxmi Attawar		Cllr Klaar Dresselaers	

Other Roles

Tenants Champion – Councillor Andrew Judge

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ORGANISATION	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
London Councils Transport and Environment Committee (1 Seat) (To be appointed by the Executive Leader of the Council)	Cllr Natasha Irons Substitute: Cllr Stephen Alambritis			
London Councils Grants Committee (1 Seat) (To be appointed by the Executive Leader of the Council)	Cllr Eleanor Stringere Substitute: Cllr Caroline Cooper- Marbiah			
London Councils Pensions CIV (Common Investment Vehicle) (Sectoral) Joint Committee (1 seat and 2 substitutes)	Cllr Laxmi Attawar Substitutes: Cllr Billy Christie			
London Road Safety Council (2 seats plus accident prevention officer)	Cllr Agatha Akyigyina		Cllr Susie Hicks	
London Youth Games (1 seat)	Cllr Usaama Kaweesa			
Capital Letters (London) Limited ('Capital Letters') Boroughs' Representative Body (BRB) (1 Seat)	Cllr Andrew Judge			

ORGANISATION	LABOUR	CONSERVATIVE	LIBERAL DEMOCRATS	MERTON PARK IR
Merton Community Panel (Clarion Housing) (2 seats) (2 Seats)	Cllr Michael Butcher Substitute: Cllr Slawek Szczepanski		Cllr Klaar Dresselaers	
Merton and Sutton Joint Cemetery Board (5 Seats)	Cllr Agatha Akyigyina Cllr Caroline Charles Cllr James Williscroft	Cllr Michael Paterson	Cllr Hina Bokhari	
Mitcham Common Conservators (4 Seats)	Cllr Natasha Irons Cllr Martin Whelton Cllr Dan Johnston		Cllr Jenifer Gould	
North East Surrey Crematorium Board (3 Seats)	Cllr Caroline Charles Cllr James Williscroft		Cllr John Oliver	
Pollards Hill Community Committee (2 Seats)	Cllr Joan Henry Cllr Martin Whelton Cllr Aidan Mundy (sub)			

<p>Safer Merton</p> <p>.....</p> <p>SW LONDON JOINT WASTE MGMT COMM – 2 seats (cabinet members plus 2 subs also cab members)</p> <p>.....</p>	<p>Cllr Eleanor Stringer</p> <p>.....</p> <p>Cllr Billy Christie Cllr Natasha Irons</p> <p>.....</p>	<p>.....</p>	<p>Cllr Susie Hicks</p> <p>.....</p>	
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Terms of Reference of Consultative and other Bodies

Corporate Parenting Group

Terms of Reference

Vision

The Corporate Parenting Board (CPB) will continually strive to secure better outcomes for children in, and leaving our care.

Operating Principles

The CPB is a consultative committee of the Council and is accountable to the Council.

The CPB will provide the strategic direction and overarching strategic priorities for improving outcomes for children in the care of the borough, and young adults leaving the council's care.

The CPB will be supported by the Children in Care Council (CiCC) which will ensure the delivery of the commitments we have made to children in care and care leavers in our pledges to them, and the implementation of the priorities in our Looked After Children and Care Leaver Strategies.

We will work together constructively, and in the spirit of putting the children in our care at the heart of our thinking and decision-making at all times.

Strategic Context

Merton Council has a strategic responsibility for children in care as documented in legislation and national and local guidance. The Children Act 1989 placed a duty on Health, Housing, Education and Social Care as a minimum, to work together to improve outcomes for children in care. The Children Act 2004 placed a statutory duty on Local Authorities to promote the educational achievement of children in care. The Children and Social Work Act 2017 established seven corporate parenting principles which the Council must have regard to.

Building on the good partnership arrangements that are in place in the London Borough of Merton, the CPB brings together representatives of relevant agencies in order to develop a common understanding of agencies' shared responsibilities and to ensure

strategic planning across partner organisations takes account of the needs of children and young people who are in our care and young adults leaving our care.

Aims:

1. To take a multi-agency approach to promoting the needs and interests of children and young people in care and care leavers in Merton, and supporting them to achieve their potential
2. To oversee the continuing development and implementation of the strategies for children in, and leaving, our care
3. To ensure the council is held accountable for its pledges to children in care and care leavers
4. To lead a multi-agency approach to corporate parenting

Objectives

1. Encouraging and enabling children in our care, and leaving our care to influence the development of the services provided to them
2. Pro-actively celebrating success and achievement of the children in our care.
3. Striving to improve outcomes and helping children and young adults achieve their potential through sharing good practice, experience and approaches.
4. Identifying opportunities for collaboration and partnership across agencies in the interests of a coherent approach to issues relating to the children in our care and care leavers
5. To ensure that all agencies are enabled to fulfil their corporate parenting role and responsibilities.
6. Forging productive links with other local, regional and national groups with a focus on children in our care.
7. Making recommendations to the Director of Children's Services (DCS), Merton's Children's Trust, the Merton Safeguarding Partnership' our Health & Wellbeing Board and other relevant Partnership Boards as appropriate.
8. Oversee the development, review and implementation of the Looked After Children and Care Leavers' Strategies, and our pledges to children in our care and care leavers.

Children and Young Peoples Voice

The CPB actively seeks the involvement of children and young people.

The views of children and young people in care will be routinely provided through the children in care council.

At every meeting of the Corporate Parenting Board, there will be an opportunity to hear from the children in our care, care leavers and/or the parents or carers of children in our care, through the Children in Care Council or any other appropriate mechanism for participation.

Membership

Chief Executive (Chair)

Cabinet Member for Children's Services

Opposition Group Member on Children and Young People Scrutiny Panel

Director of Children's Services

AD Children's Social Care

Head of Service, QAPD

Children in Care Council, Sponsoring Manager

IRO Manager

Head of Service, PLACCL

Head of Service, Safeguarding and Care Planning

Head of Service, School Improvement

Virtual Head Teacher

Named Nurse for Looked After Children

Consultant in Public Health (Children's)

Assistant Director, Adult Social Care

Head of Service, Housing

Meetings

The Corporate Parenting Board will meet quarterly in the early evening, to enable both Members and children and young people to attend. The first segment of the meeting will be dedicated to receiving input from children and young people, based on a chosen theme, and on discussing the implications of that input. The remainder of the meeting will focus on support and challenge of our corporate parenting objectives.

Joint Consultative Committee with Ethnic Minority Organisations

Membership: 7 Merton Councillors and representatives of Community Organisations

Constituted by: Council

Powers and Duties determined by: Council

Authority: Equality Act 2010 and Article 10.1(a) of the Constitution

Functions

- a) To advise and make recommendations upon strategic policy issues relating to:
 - (i) Issues of local concern to the ethnic minority communities
 - (ii) Provision of Council services and resources, with reference to the needs of local ethnic minority communities
 - (iii) The elimination of discriminatory practices and racial prejudice in the delivery of Council services
 - (iv) The promotion of equal opportunities and good relations between different groups

- (v) Applications for financial grant from Merton Council, Central Government, EC and other external funding organisations in aid of projects affecting local ethnic minority people
- b) To contribute to and monitor the Council's Equality and Diversity Statement and Policy and the Race Equality commitments of the Corporate Equality Scheme

Merton Standing Advisory Council on Religious Education

Authority: Section 390 of the Education Act 1996

Role and functions

- a) To advise the LA on such matters concerned with school worship and with Religious Education according to an Agreed Syllabus as the LA may request or as the SACRE may see fit.
 - b) These matters might include methods of teaching and choice of materials to deliver the Agreed Syllabus.
 - c) To evaluate how well the Agreed Syllabus supports the provision of Religious Education provision in schools
 - d) To receive, and determine whether an application from a Head Teacher to vary the requirement for worship of a broadly or mainly Christian character, is appropriate for the whole school or for groups of pupils.
 - e) To publish an annual report on the work of SACRE and to circulate this to Headteachers, to Qualifications and Curriculum Development Agency and to the appropriate Council Committee and senior officers in Children Schools and Families Department.
 - f) To set up a Statutory Conference at any time if, in the opinion of SACRE, it becomes necessary to review the Authority's agreed syllabus and to do so at least every five years.
 - g) To advise, if requested, on matters arising from the Authority's Complaints Procedures under Section 23 of the Education Reform Act 1988.
- (b) Officers

The Director of Merton's Children, Schools and Families Department, or such other senior officer/s as s/he may designate, shall attend and participate in discussions in the SACRE as professional adviser/s and make appropriate arrangements to support the administration of the SACRE and its meetings.

(c) **Membership**

In accordance with the provisions of the Education Reform Act 1988 (Section 11(4)): The SACRE is to comprise four groups representing:

Committee A

Such religions and belief groups as, in the opinion of the Council, will appropriately reflect the principal religious and belief traditions in the Borough of Merton.

Committee B

The Church of England.

Committee C

Such associations representing teachers and headteachers as, in the opinion of the Local Authority, ought, having regard to the circumstances of the borough, be represented.

Committee D

The Local Authority. Three elected Councillors, as nominated by the political groups represented on Merton Council at the Council's annual meeting in May.

Pensions Committee

- a) **Membership:** 3 Councillors who shall be voting members plus two non-voting members comprising one staff representative and one pensioner representative to be appointed at the discretion of the Council
- b) **Functions:**
 - (i) To review and approve all aspects of investment policy relating to the Pensions Fund, including agreeing the strategic asset and review the Investment Strategy Statement and amend it when necessary. This includes the authority to do the following;
 - (ii) To agree benchmarks and performance targets for the

investment of the Fund's assets and review periodically

- (iii) To agree to transfer funds into mandates managed by the London Collective Investment Vehicle (CIV) as soon as appropriate opportunities become available;
- (iv) To receive regular reports from the London CIV and to agree and resultant actions from a review of the investments held with the London CIV;

- (v) To keep the performance of the investment managers under regular review and extend or terminate their contracts as required. To appoint new managers when necessary.
 - (vi) To agree policy guidelines for the exercise of voting rights attached to the Fund's shares;
 - (vii) To review the appointment of specialist advisors and service providers and make new appointments as necessary;
 - (viii) To consider the overall implications of the Council's policies for employment and benefits issues and their impact on the Pension Fund and agree any strategic changes;
 - (ix) To agree the Pension fund's sustainable investment policy and consider the impact of the Environment, Social and Governance on each investment decisions
- c) The Director of Corporate Services is be authorised to take urgent decisions in relation to the pensions fund and investment strategy on behalf of the Committee, reporting back to next scheduled meeting of the Pensions Committee on any exercise of these powers
- d) **Knowledge and understanding (including Training)**
 Committee members are expected to attend/complete training arranged by the Fund in order to meet and maintain the Merton Pension Fund and the Local Government Pension Scheme knowledge and skills requirements.
- e) **Non-Voting Members**
- i. The non-voting members of the Committee shall be appointed until the date of the next 'all-council' elections.
 - ii. Non-voting members shall not be entitled to send substitutes in their absence
 - iii. If a non-voting member does not attend for 2 consecutive meetings then unless that nonattendance is for a reason approved in advance by the Committee, their membership of the Committee shall automatically cease and the Director of Corporate Resources shall be entitled to appoint replacement members.

- iv. If a non-voting member resigns or is otherwise unable to continue as a member, the Director of Corporate Resources shall be entitled to appoint a replacement member

Merton Health and Well Being Board

(a) Terms of Reference

1.1 Purpose

Merton Health and Wellbeing Board works in partnership to provide strategic leadership to improve health and wellbeing and reduce health inequalities. It promotes an integrated approach to delivery of priorities and engages on strategy development and service delivery. It focuses on prevention and the achievement of positive outcomes across the determinants of health. The vision of Merton Health and Wellbeing Board is:

- i. A fair share of opportunities for health and wellbeing for all Merton residents.
- ii. This means the Health and Wellbeing Board will work to halt the rise in the gap in life expectancy between areas of Merton.

1.2 Context

The Health and Social Care Act required each local authority to establish a Health and Wellbeing Board from April 2013. It gave Boards statutory duties to encourage integrated working and to develop Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies. The Act permits the local authority to arrange for Health and Wellbeing Boards to exercise any functions that are exercisable by the authority. Health and Wellbeing Boards are also now required to produce and maintain Pharmaceutical Needs Assessments and to agree the Better Care Fund Plan

1.3 Core Principles

Merton Health and Wellbeing Board agreed a set of core principles that underpin the work of the Board:

- Supporting everyone to take greater responsibility for their health and wellbeing
- Encouraging everyone to make a personal contribution

- Raising aspirations
- Recognising mental health as a cross cutting issue
- Focus on tackling the worst inequalities in health and wellbeing
- Promoting equalities and diversity.
- Working in partnership to achieve more

2. Responsibilities

- 2.1 The responsibilities of the Health and Wellbeing Board are to: Improve health and wellbeing and narrow the gaps in health inequalities.
- 2.2 Encourage health, social care and health related services to work in an integrated way working with partners to identify opportunities for future joint commissioning.
- 2.3 Lead on signing off the Better Care Fund Plan.
- 2.4 Assess the needs of Merton's population through the Joint Strategic Needs Assessment (JSNA)
- 2.5 Agree the Merton Health and Wellbeing Strategy (that reflects the priorities identified in the JSNA) and undertake strategic monitoring, evaluation and refresh
- 2.6 Provide strategic priorities through the Health and Wellbeing Strategy to help align commissioning intentions. Specifically, Merton Council

plans for commissioning and Merton Clinical Commissioning Group's Commissioning Plan are informed by the Health and Wellbeing Strategy and JSNA.

- 2.7 Ensure that strategic issues arising from the Safeguarding Adults Board and Merton Safeguarding Children Board inform the work of the Health and Wellbeing Board
- 2.8 Receive the annual report of the Safeguarding Adults Board and Merton Safeguarding Children Board and ensure partners respond to issues pertinent to the Board.
- 2.9 Request information from any individual member of the Health and Wellbeing Board that is needed to deliver on the Health and Wellbeing Board responsibilities
- 2.10 Publish and maintain a Pharmaceutical Needs Assessment for Merton.
- 2.11 Comply with further statutory and other agreed responsibilities as required

(b) Membership

- Cabinet Member for Adult Social Care and Health (Chair)
- Cabinet Member for Children Schools and Families
- Member of the Opposition

Under the governing legislation, the Leader of the Council is responsible for nominating the elected member representatives on the Board

- Merton Clinical Commissioning Group Chair (Vice Chair) Merton Clinical Commissioning Group Chief Officer
- Merton Clinical Commissioning Group Director of Commissioning
- Merton Clinical Commissioning Group GP
- Director of Housing and Communities (non-voting)
- Director of Children Schools and Families (non-voting)
- Director of Environment and Regeneration (non-voting)
- Director of Public Health (non-voting)

- Chief Executive of Merton Voluntary Service Council
- Representative of Health watch
- Community Engagement Network representative
- (All members have vote except where specified as non-voting)

(c) Merton Health and Wellbeing Board HWBB Community Sub-group

The Health and Wellbeing Board has established a HWBB Community Sub-group will support the implementation of Merton's Local Outbreak Control Plan and to have oversight of work on the impact of COVID-19 on vulnerable communities,

Members' School Standards Panel

Membership: 3 members one of whom shall be Chair

Constituted by: Council

Powers and Duties determined by: Council

Authority: Article 10 of the Constitution

Functions

The Panel will meet half termly

OFSTED Inspection Reports

- (i) Receive all OFSTED Inspection reports and discuss the outcomes with up to 2 schools per School Standards Panel. The Head teacher and chair of the governing body of the 2 schools will be invited to attend the meeting and members of the panel will visit each school prior to the meeting.
- (ii) Discuss with the Head and chair of the governing body the action plan developed in response to the inspection report.

Support and Monitoring Framework

- (iii) Receive a termly oral report from the Assistant Director of Education of the outcomes of the half-termly school review meetings, including confidential lists of the performance levels of all schools.
- (iv) Receive feedback the AD Education concerning schools undergoing Support and Challenge meetings.

National initiatives and their impact on Merton schools

- (v) Receive reports and updates on national and regional changes to policy and practice in order to understand the impact on Merton schools and responses that may be needed
- (vi) Receive reports on changes to assessment and curriculum across all phases and the responses needed to ensure that implementation leads to improved standards across Merton schools

South London Partnership - Terms of Reference

1. Role and Purpose of the Joint Committee:

- (a) To form collaborative South London views on issues affecting economic growth, regeneration and competitiveness
- (b) To undertake activities which promote and improve economic growth and wellbeing in the South London area
- (c) To determine strategic objectives and barriers to growth for the local area and develop solutions
- (d) To take on additional responsibilities and funding delegated from Government where the Committee judges this to be in the area's best interests.

**The aim of the Joint Committee will be collaboration and the Terms of Reference would not prohibit any of the Member Councils from promoting economic wellbeing in their own areas either in addition to, or independently, from the Joint Committee*

2. Terms of Reference

1. To act as a strategic body, setting and reviewing objectives for strategic growth, regeneration and investment across South London including:
 - Providing a coherent single position on the City Deal and Growth Deal issues
 - Coordinating the contribution of all Councils to the Strategic Economic Plan
 - Agreeing allocation of spending as required
 - Agreeing major priorities
 - Considering and determining any issues made by the Advisory Officer Board to the Joint Committee
2. To formulate and agree appropriate agreements with Government, ensuring their delivery
3. To influence and align government investment in South London in order to boost economic growth locally.
4. To jointly review as appropriate consultations on plans, strategies and programmes affecting South London, encouraging alignment with the London Enterprise Partnership Plan.
5. To agree, review and amend options at any time for City Deal and Growth Deal Governance which is fit for purpose.

6. To agree and approve any additional governance structures as related to the Joint Committee. (e.g. setting up sub committees etc)

Membership

It is proposed that each Council appoint its Leader to sit on the Joint Committee.

Each Council could also appoint a named substitute (to be an Executive Member

for

those operating Executive Governance arrangements) to attend in the Leader's absence.

Continuity of attendance would be encouraged.

Support Arrangements

In its work the Joint Committee would be supported by an advisory Board comprising each Council's Chief Executive working alongside and giving direction to the existing officer groups on Growth and Transport, respectively.

Local officers can be brought in to support the advisory arrangements based on the expertise and technical knowledge required at a particular point in time.

Each Council could, as required, through its Leader and Chief Executive, put in place any local processes for other Elected Members to input in an advisory capacity into the work of the Joint Committee.

Procedure Rules

In order that meetings of the Joint Committee are conducted properly and that the business is carried out openly and transparently a new set of Procedure Rules for its operation will be prepared.

These will cover all procedural matters, Access to Information regulations and voting rights.

The following key principles are proposed for consideration and inclusion in the document:

1. The Chairman of the Joint Committee will be appointed on an annual basis.
2. No business of the Joint Committee will be transacted unless a minimum of 4 of the 5 appointed members are present (Quorum) The Joint Committee's decision making will operate on the basis of mutual co-operation and consent.
3. Any authority can withdraw on the basis of a six month notice period

Support for governance matters and meeting support will be provided in turn by constituent Member authorities. Richmond has offered to take this on initially and if it passes on annually then each authority takes its turn in a reasonable time period and we might avoid complicated charging processes.

4. The development and approval of a Memorandum of Understanding with the London Enterprise Partnership Board.

The role of the Officer Advisory Board would not form part of the formal governance arrangements of the Joint Committee but would have its role, operation and purpose defined in a separate document.

South West London Joint Waste Management Committee

Membership: 2 – (Substitutes allowed)

Constituted by: Cabinet

Powers and Duties determined by: Cabinet

Authority: Cabinet

Functions:

To advise the Cabinet on the South London Joint Waste Committee whose primary function is to make arrangements for the disposal of waste, provide places for the deposit and disposal of waste and to advise the Participating Councils on the delivery and separation of waste. The Participating Councils are the London Boroughs of Merton, Croydon and Sutton and the Royal Borough of Kingston. The specific functions of the Committee are set out in Schedule 1 of the Constitution of the Committee operating under the name of the South London Waste Partnership.

Each Council has two seats on the Committee with only one vote per borough

Establishment of a Joint Health Overview and Scrutiny Committee for South West London and Surrey County Council.

Background

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.

Discussions between officers responsible for health scrutiny across South West London and Surrey County Council has concluded that the best way forward is the continuation 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 has proved to be a useful way to 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, appointed 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 constituent local authorities may also nominate another representative to serve on a specific sub-committee.
- Where a consultation affects some, but not all, of the constituent areas 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. Constituent areas will nominate members annually, and there will be an annual election for the Chair and Vice-Chair of the Committee.

The first meeting of the Standing Joint Health Overview and Scrutiny Committee will consider:

- Agreement of the terms of reference and rules of procedure;
- Election of a Chair and Vice-Chair;

For decision

Each Constituent Council are asked to agree to the Terms of Reference and Rules of Procedure set out in Appendices 1 and 2 and to nominate two members to the South West London and Surrey Joint Health Overview and Scrutiny Committee and two alternates.

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

TERMS OF REFERENCE

1.1 The South West London and Surrey Joint Health Overview and Scrutiny Committee is established by the Local Authorities of **London Borough of Croydon, London Borough of Merton, London Borough of Richmond upon Thames, Surrey County Council, London Borough of Sutton, London Borough of Wandsworth**, and the **Royal Borough of Kingston upon Thames (constituent areas)** 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 or a sub-committee thereof which will undertake scrutiny activity in response to a particular reconfiguration proposal or strategic issue affecting some, or all of the constituent areas.

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

1.4 The purpose of the Standing Joint Committee is to act as a full committee or commission sub-committees to consider the following matters and 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, Surrey County Council, Sutton, Wandsworth, and the Royal Borough of Kingston upon Thames (constituent 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 areas.

(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 constituent areas 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 constituent area with in-year changes in membership confirmed by the relevant authority as soon as they 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 May 2022.

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 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 constituent area.

1.12 Where a proposal for reconfiguration or substantial variation covers some but not all of the constituent areas, in establishing a sub-committee, formal membership will only include those affected constituent areas. Non affected constituent areas 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 constituent areas and subject to the statutory public meeting notice period.

**SOUTH WEST LONDON AND SURREY 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 and Surrey County Council 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 authorities may change appointees in accordance with the rules for the original nomination.
- 1.4 Individual authorities 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 constituent area.
- 1.6 The membership of a sub-committee will include at least one member from each affected constituent areas. An affected constituent area is a council area where the proposals will impact on residents. Non affected areas 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 seven constituent areas 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 any five of the seven participating constituent areas.
- 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 constituent areas on an annual rotating basis.
- 7.2 The lead scrutiny support for sub-committees will be provided by constituent areas on a per issue basis to be agreed by the sub-committee.
- 7.3 Meetings of the JHOSC and its sub-committees will be rotated between participating areas.
- 7.4 The host constituent area for each meeting of the JHOSC will be responsible for arranging appropriate meeting rooms and ensuring that refreshments are available.
- 7.5 Each constituent area 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 seven constituent areas.
- 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 constituent areas 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 and Surrey 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 and Surrey 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 and will be given three minutes to make their representations to the committee.

- 11.4 The Chairman of any committee or sub-committee will have the discretion to accept more or late speakers where s/he feels it is appropriate.