

# **MATTERS RESERVED TO THE COUNCIL AND TERMS OF REFERENCE AND DELEGATION OF DUTIES TO COMMITTEES & SUB-COMMITTEES OF THE COUNCIL**

## **COUNCIL**

### **The Full Council**

#### **1. Powers and Duties of the full Council**

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework and the budget;
- (c) approving the statement of accounts;
- (d) approving any application to the Secretary of State in respect of any Housing Land Transfer;
- (e) appointment of the Mayor;
- (f) determining the size of the Executive;
- (g) appointing the Leader and Members of the Executive;
- (h) approving annually the Allocation of Responsibilities in Part 3 of the Constitution;
- (i) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any Executive functions which are contrary to the policy framework or contrary to or not wholly in accordance with the budget where these have been referred to the Council by the Call In sub-committee;
- (j) agreeing and/or amending the terms of reference for the Committees of the Council, deciding on their composition and making appointments to them;
- (k) adopting the Scheme of Members' Allowances set out in Part 6 of the Constitution;

- (l) appointing the independent members of the Standards Committee;
- (m) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (n) confirming the appointment of the Head of Paid Service or the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer;
- (o) deciding whether to reject or uphold an appeal against a disciplinary sanction (including dismissal) imposed on an officer by the Chief Officers' Employment Panel;
- (p) making, amending, revoking, re-enacting or adopting by-laws and promoting or opposing the making of local legislation or personal bills;
- (q) to determine the meaning of "significant" in relation to "key" decisions (Article 13 refers);
- (r) deciding whether to make a delegation of a non-Executive function or accept a delegation of a non-Executive function from another Authority;
- (s) to receive reports and consider recommendations from the Executive, Scrutiny, Standards and other Committees as appropriate; and
- (t) making appointments of Members to outside bodies; and
- (u) all other matters which by law must be reserved to Council.

Note: The items listed in Schedule 3A -1 in this part of the Constitution may not be the responsibility of the Executive and will be discharged by the Council, one of its Committees or an officer.

**COMMITTEES/SUB-**  
**COMMITTEES**  
**OF THE COUNCIL**

**Governance, Audit, Risk Management and Standards Committee**

**Health and Wellbeing Board**

**Licensing and General Purposes Committee**

**Chief Officers' Employment Panel**

**Licensing Panel**

**Personnel Appeals Panel**

**Social Services Appeals Panel**

**Overview and Scrutiny Committee**

**Call-In Sub-Committee**

**Call-in Sub-Committee (Education)**

**Health and Social Care Scrutiny Sub-Committee**

**Performance & Finance Sub-Committee**

**Pension Board**

**Pension Fund Committee**

**Planning Committee**

## **GOVERNANCE, AUDIT, RISK MANAGEMENT AND STANDARDS COMMITTEE**

The Governance, Audit, Risk Management and Standards Committee has the following powers and duties:

- i) To ensure that the Council's governance framework is in line with current guidance and best practice
- ii) To review the Council's governance framework and annual improvement plan and monitor progress
- iii) To review the Council's risk management strategy and monitor progress on risk management
- iv) To monitor the Council's insurance arrangements
- v) To review the Council's emergency planning and business continuity arrangements and monitor progress on emergency planning and business continuity
- vi) To review the Council's Health and Safety arrangements and monitor progress on Health and Safety
- vii) To approve the financial statements of the authority, in particular:
  - The outcome of reviews of the effectiveness of the internal control arrangements including internal audit
  - Changes in and compliance with accounting policies and practices
  - Unadjusted mis-statements in the financial statements
  - Major judgemental areas
  - Significant adjustments resulting from the audit
  - Any relevant issues raised in the external auditor's report to those charged with governance
  - the Annual Governance Statement prior to sign-off
- viii) To review the Treasury Management strategy and monitor progress on treasury management in accordance with CIPFA codes of practice
- ix) To monitor compliance with internal controls
- x) To consider matters arising from External Audit work which are required to be communicated to those charged with governance under the Statement of Auditing Standards (**ISA260**)
- xi) To receive and consider the Annual Audit and Inspection Letter (or equivalent) and make recommendations as appropriate

- xii) To scrutinise/comment on the Internal Audit three year strategic plan and annual plan
- xiii) To monitor progress against the Internal Audit plan and receive summaries of audit work completed and key recommendations
- xiv) To consider all individual Internal Audit reports on a regular basis
- xv) To scrutinise/comment on the External Audit plan and fees
- xvi) To monitor progress against the External Audit plan and receive summaries of audit work completed and key recommendations
- xvii) To consider individual External Audit reports and inspection reports carried out by external agencies as appropriate and at the request of the Committee.
- xviii) To review the management response to audit and regulatory recommendations and progress on implementation of recommendations
- xix) To recommend action where audit and regulatory recommendations are not being implemented
- xx) To monitor on a regular basis the Council's approach to tackling fraud and corruption and promote an anti-fraud culture
- xxi) To consider the appointment of co-opted members and review the adequacy of meeting frequencies in response to the Committee's remit
- xxii) To appoint and maintain appropriate Lead Members from the Committee to monitor, review and update on specific areas of the Committee's remit.
- xxiii) Promoting and maintaining high standards of conduct by Councillors, co-opted members and "church" and parent governor representatives.
- xxiv) Assisting Councillors, co-opted members and "church" and parent governor representatives to observe the Members' Code of Conduct.
- xxv) Advising the Council on the adoption or revision of the Members' Code of Conduct.
- xxvi) Monitoring the operation of the Members' Code of Conduct.
- xxvii) Developing and recommending local protocols to the Council to supplement the Members' Code of Conduct.
- xxviii) Enforcing local protocols and applying sanctions in respect of breaches as appropriate.
- xxix) Advising, training or arranging to train Councillors, co-opted members and "church" and parent governor representatives on matters relating to the Members' Code of Conduct.

- xxx) Granting dispensations to Councillors, co-opted members and “church” and parent governor representatives from requirements relating to interests set out in the Members’ Code of Conduct.
- xxxi) To keep under review and amend, as appropriate, the Protocol on Councillor/Officer Relations.
- xxxii) To keep under review the Officer Code of Conduct and, after consultation with unions representing staff, make recommendations to Council for amendment or addition.
- xxxiii) To receive reports and keep a general overview of probity matters arising from ombudsman investigations, Monitoring Officer reports, reports of the Chief Financial Officer and Audit Commission.
- xxxiv) To have oversight of the Council’s Whistleblowing Policy.
- xxxv) To agree the policy for decisions on payments to those adversely affected by Council maladministration (under section 92 Local Government Act 2000).
- xxxvi) To establish sub-committees and working groups to deal with complaints that a member or a co-opted member has failed to comply with the Council’s Code of Conduct.
- xxxvii) To consider any application received from any officer of the Authority for exemption from political restriction under Sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that officer and may direct the Authority that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Authority under Section 2(2) of that Act.
- xxxviii) Upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Authority under Section 2(2) of the 1989 Act, and may direct the Authority to include a post in that list.
- xxxix) On referral from the Monitoring Officer, to decide whether to take action against a member for breach of the Code of Conduct and if so, to decide what action should be taken.

Membership rules:

- i. An Elected Mayor or the Leader may not be Members;
- ii. The Chair of the Committee must not be a Member of the Executive;
- iii. Only one member of the Executive can be a member of the Committee.
- iv. The Independent Persons are not members of GARMS and shall be invited to meetings if there is a Standards item on the agenda.

## **HEALTH AND WELLBEING BOARD**

### **1. Accountability**

The Health and Wellbeing Board is set up in accordance with section 102 of the Health and Social Care Act 2012. The Council can choose to delegate decision making powers to the Health and Wellbeing Board. Any recommendations are subject to the agreement of the Leader of the Council if they are not covered by the delegated authority.

Members of the Board will be required to abide by the Code of Conduct.

### **2. Purpose of the Board**

2.1. The Government proposes that statutory health and wellbeing boards will have 3 main functions:

- to assess the needs of the local population and lead the statutory joint strategic needs assessment
- to promote integration and partnership across areas, including through promoting joined up commissioning plans across NHS, social care and public health
- to support joint commissioning and pooled arrangements, where all parties agree this makes sense

The Board will cover both adult and children's issues.

2.2. The purpose of the Board is to improve health and wellbeing for the residents of Harrow and reduce inequalities in outcomes. The Board will hold partner agencies to account for delivering improvements to the provision of health, adult and children's services social care and housing services.

### **3. Key Responsibilities**

3.1. The key responsibilities of the Health and Wellbeing Board shall be:

3.1.1. To agree health and wellbeing priorities for Harrow

3.1.2. To develop the joint strategic needs assessment

3.1.3. To develop a joint health and wellbeing strategy

3.1.4. To promote joint commissioning

3.1.5. To ensure that Harrow Council and the CCG commissioning plans have had sufficient regard to the Joint Health and Wellbeing strategy

3.1.6. To have a role in agreeing the commissioning arrangements for local Healthwatch

- 3.1.7. To consider how to best use the totality of resources available for health and wellbeing.
- 3.1.8. To oversee the quality of commissioned health services
- 3.1.9. To provide a forum for public accountability of NHS, public health, social care and other health and wellbeing services
- 3.1.10. To monitor the outcomes of the public health framework, social care framework and NHS framework introduced from April 2013)
- 3.1.11. To authorise Harrow's Clinical Commissioning Group annual assessment
- 3.1.12. To produce a Pharmaceutical Needs Assessment and revise every three years
- 3.1.13. Undertake additional responsibilities as delegated by the local authority or the Clinical Commissioning Group e.g. considering wider health determinants such as housing, or be the vehicle for lead commissioning of learning disabilities services.

#### **4. Membership**

- 4.1. The Chair of the Board will be nominated by the Leader of Harrow Council.
- 4.2. The voting membership will be:
  - Members of the Council nominated by the Leader of the Council (5)
  - Chair of the Harrow Clinical Commissioning Group (vice chair)
  - GP representative of the Harrow Clinical Commissioning Group
  - A further representative of the Harrow Clinical Commissioning Group
  - CCG Accountable Officer or nominee
  - Representative of Healthwatch Harrow
- 4.3. The following Advisors will be non-voting members:
  - Director of Public Health
  - Chief Officer, Voluntary and Community Sector
  - Senior Officer of Harrow Police
  - Chair of the Harrow Safeguarding Children Board
  - Chief Operating Officer – CCG
  - Corporate Director, People
  - Director Adult Social Services



- 4.4. The voluntary and community sector representative shall be nominated by the Voluntary Community Sector Forum on an annual basis.
- 4.5. Members are appointed annually. Members of the Board shall each name a reserve who will have the authority to make decisions in the event that they are unable to attend a meeting.
- 4.6. Board members shall sign a register of attendance at each meeting and should not normally miss more than one meeting within a financial year.
- 4.7. The chair of the Clinical Commissioning Group will serve as the vice chair of the Health and Wellbeing Board.
- 4.8. Providers will be invited to attend meetings as required depending on the subject under discussion.

#### **4.9. Participation of the NHS England**

- 4.9.1. NHS England must appoint a representative to join Harrow's Health and Wellbeing Board for the purpose of participating in the Boards preparation of the JSNA and JHWS.
- 4.9.2. The Health and Wellbeing Board can request the participation of the NHS England representative when the Health and Wellbeing Board is considering a matter that relates to the exercise or proposed exercise of the commissioning functions of NHS England in relation to Harrow.

#### **4.10. Meeting Frequency**

- 4.10.1. The Board shall meet bi monthly subject to review
- 4.10.2. An extraordinary meeting will be called when the Chair considers this necessary and/or in the circumstances where the Chair receives a request in writing by 50% of the voting membership of the Board

#### **4.11. Health and Wellbeing Board Executive**

- 4.11.1. The purpose of the Health and Wellbeing Board Executive is to:
  - Develop and deliver a programme of work based on the Joint Commissioning priorities and the Joint Health and Wellbeing Strategy
  - Shape future years joint commissioning
  - Shape the agenda for future HWB meetings
  - Engage and understand the views of different organisations (including providers)
  - Bring together a collective view of partners and providers to the bi-monthly Health and Wellbeing Board

- Share Commissioning Intentions and common priorities
- Govern and quality assure the Health and Wellbeing Board work programme
- Be aware and discuss emerging policy and strategy
- Problem Solving

4.11.2. The meetings of the Executive will be scheduled to meet before the Board.

4.11.3. Membership will consist of senior representatives from both the Council and Clinical Commissioning Group, including the Directors of Adults, Children's, and Public Health services, the Chair of Harrow Clinical Commissioning Group, Accountable Officer, Chief Operating Officer, GP Clinical Directors, and finance officers.

4.11.4. The chairing of the Executive will alternate between the council's Corporate Director of People Services and the Chief Operating Officer, Harrow CCG.

#### **4.12. Local Safeguarding Boards**

4.12.1. The Council's two Local Safeguarding Boards have a horizontal link to the Health and Wellbeing Board and include:

4.12.1.1. Local Safeguarding Adults Board

4.12.1.2. Harrow Local Children's Safeguarding Board

#### **4.13. Conduct of Meetings**

4.13.1. Meetings of the Board will be held in public except where the public are excluded from the meeting by resolution in accordance with Access to Information Act.

4.13.2. The quorum of the Board shall be 50% of the voting membership – however there must be attendance of at least one voting member from both the Council and the Clinical Commissioning Group. Should the quorum not be secured the meeting will not take place.

4.13.3. Decisions shall be made on the basis of a show of hands of a majority of voting members present. The Chairman will have a second or casting vote.

4.13.4. Each meeting will have provision for the public to ask questions. There will be a total limit of 15 minutes for the asking and answering of public questions.

4.13.5. Harrow Council Democratic Services will service the meetings including the preparation and circulation of agenda and the production of minutes.

- 4.13.6. Minutes of the meetings will be available on the website of the council.
- 4.13.7. The chair shall sign off the minutes as a true and accurate record of the meeting.
- 4.13.8. Agendas and supporting papers will be available on the website of the council at least five working days before the meeting.

## **LICENSING AND GENERAL PURPOSES COMMITTEE**

The powers and the duties of the Licensing and General Purposes Committee are:

- (a) To consider all matters which the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and 2001 (as amended) listed by Committee in the Schedule to this document, which are required not to be the responsibility of the Executive, save for those matters delegated to other Committees of the Council;
- (b) To carry out the functions under any relevant statutory provision within the meaning of Part I (Health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer;
- (c) To keep under review and to determine the arrangements for the holding of elections and any referendums within the Borough and to initiate or respond to any proposals to the change of ward, constituency or Borough boundaries;
- (d) The determination of applications under the Council's Personal Injury Allowance Scheme.
- (e) To determine all matters and duties on the authority imposed by legislation, regulations orders, codes, and similar provisions for:
- All activities under the Licensing Act 2003
  - Food safety and control.
  - Animal health, welfare, safety and control.
  - Gaming, betting, lotteries and related amusements
  - Crime and disorder issues related to the above duties.

## **CHIEF OFFICERS' EMPLOYMENT PANEL**

The Chief Officers' Employment Panel has the following powers and duties:

- (a) to make recommendations to Council on the appointment of the Head of Paid Service;
- (b) to appoint and dismiss Chief Officers excluding the dismissal of the Chief Financial Officer and Monitoring Officer;
- (c) to make recommendations to Council on the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer in cases of redundancy, permanent ill health or the expiry of a fixed term contract;
- (d) to consider recommendations from the Statutory Chief Officers' Disciplinary Panel and decide whether to impose a disciplinary sanction in accordance with such a recommendation;
- (e) to consider whether to impose a disciplinary sanction on a chief officer other than where a recommendation from the Statutory Chief Officers' Disciplinary Panel is required.
- (f) to approve remuneration packages of £100,000 or over for any Council post; and
- (g) to report back to Council for information purposes on all such approved remuneration packages.
- (h) to approve any severance packages for Officers of £100,000 or over irrespective of the grade of Officer.
- (i) to report back to Council for information purposes on all such approved severance packages.

## **LICENSING PANEL**

- (i) To determine applications and to make Orders in respect of:
  - licences, permits, registrations and certificates;
  - Rights of way, footpaths and bridleways and the enjoyment of the highway;
  - Street naming and numbering;
  - Markets and fairs and other street trading;
  - Car park orders and variations;
  - Registration of common land, town greens and variations of rights of common;

where objections have been received.

- (ii) To determine applications and to make Orders in respect of:
- Safety certificates for sports grounds;
  - Matters regarding film classification;
  - Rules and Regulations established by the authority;
  - Fees issues within the terms of reference of the Panel;
  - Applications under Part II and Schedule 3 of the Local Government (Miscellaneous Provisions Act 1982) as amended from time to time.
- (iii) To determine waivers and variations on matters determined by the Licensing and General Purposes Committee, Cabinet or Council.
- (iv) Specific delegations under the Licensing Act 2003 and Gambling Act 2005 are set out in the Licensing Policy and Statement of Principles under Gambling Act 2005.
- (v) Without prejudice to the generality of the above sections, in the case of alcohol control provisions in the Licensing Act 2003 as might be amended, and related legislation, regulations, orders, guidance, etc, to determine the following matters:

Applications for personal licences where:

- Representations have been made, but remain unresolved.
- Applicants have relevant unspent convictions.

Matters relating to the licensing, certification and authorisation at premises where:

- Representations have been made to an application, but remain unresolved.
- There is an unresolved police representation to an application to vary a designated personal licence holder, or to the transfer of a premises licence.
- There is an unresolved police representation to the application for an interim authority, or to a Temporary Event Notice.
- An application is made for the review of a premises licence or club premises certificate.
- Matters of an exceptional nature that in the officer's opinion justify consideration by the Licensing Panel.

*[Appeals against decisions of the Licensing Panel must be made to the Magistrates' Court.]*

## **PERSONNEL APPEALS PANEL**

The Personnel Appeals Panel has the following powers and duties:

- To consider and decide upon appeals against disciplinary action.

## **SOCIAL SERVICES APPEALS PANEL**

The Social Services Appeals Panel has the following powers and duties:

- (a) To review in accordance with the Children (Secure Accommodation) Regulations 1991 the keeping of children in secure accommodation;
- (b) In accordance with the Mental Health Act 1983, to decide whether to discharge patients from guardianship;
- (c) In accordance with procedures and guidance given under the Children Act 1989 and the National Health Service and Community Care Act 1990, and when requested to do so by a dissatisfied complainant, to review decisions made relating to complaints.

**Note:** Appeals Panels reviewing the keeping of a child in secure accommodation will be chaired by an Independent Person. Appeals hearing complaints under the Children Act 1989 and the National Health Service and Community Care Act 1990 will comprise 3 Independent Persons

## **OVERVIEW AND SCRUTINY COMMITTEE**

The Overview and Scrutiny Committee has the following power and duties:

1. To oversee an agreed work programme that can help secure service improvement through in-depth investigation of poor performance and the development of an effective strategy/policy framework for the council and partners;
2. To have general oversight of the council's scrutiny function;
3. To offer challenge and critical support to the Executive's policy development function and the long-term strategic direction of the borough;
4. To anticipate policy changes and determine their potential impact on residents and to recommend changes where these are appropriate;
5. To consider the council and partners' strategic approach to service delivery, using, where necessary, the power of overview and scrutiny committees to receive information from partner agencies and to require partner authorities to respond to reports and recommendations from the Committee, as set out under Part Five of the Local Government and Public Involvement in Health Act 2007;
6. To undertake detailed investigation of service/financial performance in order to recommend policy changes to the Executive and to commission investigations by the Performance and Finance Sub-Committee;
7. To have regard, in carrying out its functions, to the requirement to involve local representatives, as set out in Part Seven of the Local Government and Public Involvement in Health Act 2007;

8. To report scrutiny findings and recommendations to the Executive within 8 weeks of being published or to its next meeting, whichever is the sooner, in accordance with the council's constitution
9. To consider items included in the Forward Plan;
10. To consider Councillor Call for Action in terms of
  - a. Local Government Matters (Section 119, Local Government and Public Involvement in Health Act 2007)
  - b. Local Crime & Disorder Matters (Section 19, Police & Justice Act 2006)
11. To discharge the functions conferred by Section 21(f) of the Local Government Act 2000 of reviewing and scrutinising, in accordance with regulations under Section 7 of the Health and Social Care Act 2001, matters relating to the planning, provision and operation of health services in Harrow.
12. To respond to consultations from local health trusts, Department of Health and any organisation which provides health services outside the local authority's area to inhabitants within it.
13. To review and make appropriate recommendations on an annual basis for the arrangements for processing applications for support from the voluntary sector, including grants, concessionary lettings, use of the community premises and other council premises, and discretionary rate relief.

### **CALL- IN SUB-COMMITTEE**

The Call-In Sub-Committee has the following powers and duties:

- (a) to examine decisions of the Executive which are taken but not implemented, and which are 'called in' in accordance with the Committee Procedure Rules;
- (b) to refer matters called in to the decision taker with reasons and recommendations for changes;
- (c) to refer Executive decisions to full Council if they consider they are contrary to the policy framework or contrary to or not wholly in accordance with the budget.

### **CALL- IN SUB-COMMITTEE – EDUCATION**

The Call-In Sub-Committee has the following powers and duties in relation to Education Matters:

- (a) to examine decisions of the Executive which are taken but not implemented, and which are 'called in' in accordance with the Committee Procedure Rules;
- (b) to refer matters called in to the decision taker with reasons and recommendations for changes;

- (c) to refer Executive decisions to full Council if they consider they are contrary to the policy framework or contrary to or not wholly in accordance with the budget

## **HEALTH AND SOCIAL CARE SCRUTINY SUB-COMMITTEE**

The Health and Social Care Scrutiny Sub-Committee has the following powers and duties:

1. To be the key driver of the scrutiny function's health and social care scrutiny programme and maintain relationships with health and social care colleagues and partners in relation to shared stated priorities, in consultation with the Overview & Scrutiny Committee.
2. To be responsible in accordance with Regulation 28 of the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 for scrutiny of the Council's health functions other than the power under Regulation 23(9) to make referrals to the Secretary of State.
3. To recommend to Council that a referral be made to the Secretary of State under Regulation 23(9) of the Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013.
4. To have specific responsibility for scrutiny of the following functions:
  - Health and social care infrastructure and service
  - NHS England, Clinical Commissioning Groups (CCGs) and the Health and Wellbeing Board
  - Public Health
  - Other policy proposals which may have an impact on health, public health, social care and wellbeing
  - Collaborative working with health agencies
  - Commissioning and contracting health services
5. To review the planning, provision and operation of Health services in Harrow and ensure compliance with Regulation 21(1) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 by inviting and taking account of information and reports from local health providers and other interested parties including the local HealthWatch.
6. Where a referral is made through the local HealthWatch arrangements, to comply with Regulation 21(3) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 by ensuring that the referral is acknowledged within 20 days and that the referrer is informed of any action taken.
7. Where appropriate, to consider and make recommendations for response to NHS consultations on proposed substantial developments/variations in health services that would affect the people of LB Harrow.



8. Where appropriate, to consider and make recommendations for response to consultations from local health trusts, Department of Health, Care Quality Commission and any organisation which provides health services outside the local authority's area to inhabitants within it.
9. Continue to seek the development of relationship with NHS England, CCGs, Health and Wellbeing Boards, Care Quality Commission, HealthWatch and the Local Medical Council.

*(Note: Members of the Executive or members of the Health and Wellbeing Board may not be members of the Health and Social Care Scrutiny Sub Committee. Any health matter requiring an urgent decision/comment before the next meeting of the Health & Social Care Sub-Committee will be considered by the Overview and Scrutiny Committee if that is sooner).*

### **PERFORMANCE & FINANCE SUB-COMMITTEE**

The Performance and Finance Sub-Committee has the following powers and duties:

1. To be the key driver of the scrutiny function's work programme and the body responsible for monitoring the performance of the council and partners in relation to their stated priorities;
2. To consider/monitor, on an exception basis, the financial and service performance of the organisation;
3. To consider/monitor the performance of the council's partners;
4. To undertake specific investigation of identified 'hot spots' through Q&A, reports or challenge panels – subject to endorsement by the Overview and Scrutiny Committee;
5. To refer 'hot spots' to the Overview and Scrutiny Committee for more detailed investigation where necessary;
6. To consider such urgent items as are appropriate – ad hoc, Councillor Calls for Action, area scrutiny.

### **PENSION BOARD**

The Pension Board has the following powers and duties:

#### **1. Introduction**

The purpose of this document is to set out the Terms of Reference for the local Pension Board (the Board) of the London Borough Harrow Pension Fund (the Fund).

## 2. Powers of the Board

The Board will exercise all its powers and duties in accordance with the law and this Terms of Reference.

## 3. Role of the Board

The role of the Board, as defined by sections 5(1) and (2) of the Public Service Pensions Act 2013, is to assist the Administering Authority (London Borough of Harrow) as Scheme Manager in ensuring the effective and efficient governance and administration of the Local Government Pension Scheme (LGPS) including:

- securing compliance with the LGPS regulations and other legislation relating to the governance and administration of the LGPS;
- securing compliance with requirements imposed in relation to the LGPS by the Pensions Regulator; and
- such other matters the LGPS regulations may specify.

The Administering Authority retains ultimate responsibility for the administration and governance of the scheme. The role of the Board is to support the Administering Authority to fulfil that responsibility.

In its role, The Board will have oversight of the administration of the fund including:

- a. The effectiveness of the decision making process
- b. The direction of the Fund and its overall objectives
- c. The level of transparency in the conduct of the Fund's activities
- d. The administration of benefits and contributions

The Board will provide the Scheme Manager with such information as it requires to ensure that any Member of the Board or person to be appointed to the Board does not have a conflict of interest.

The Board will ensure it effectively and efficiently complies with the Code of Practice on the Governance and Administration of Public Service Pension Schemes issued by the Pensions Regulator. It will help to ensure that the Fund is managed in the same way.

The Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively.

## 4. Membership

The Board shall consist of 5 members and be constituted as follows:

- (i) 2 Employer representatives – Administering Authority (1), other scheduled and admitted bodies [ie organisations other than the Administering Authority who, under the regulations, can participate in the LGPS] (1);

- (ii) 2 Scheme Member representatives – active members (1), pensioners (1); and
- (iii) 1 independent member

Elected Members and officers involved in the management and administration of the Fund are not permitted to become Board members.

Only the Employer and Scheme Member representatives will have voting rights.

Each member of the Board will serve for a period of three years, subject to compliance with conditions of appointment. Members will be appointed on a rotational basis with effect April 2017.

The Chair and Deputy Chair of the Board will be elected by the Board at its first meeting and will serve for a period of three years. Should the elected Chair be an Employer representative the Deputy Chair must be a Scheme Member representative and vice versa.

The Chair will ensure that meetings are properly conducted and the decision of the Chair on all points of procedure and order shall be final.

The Board may, with the approval of the Administering Authority, co-opt persons with sufficient skills and experience to advise and support them. Co-optees are not Board members and do not have voting rights.

Each Board Member should endeavour to attend all Board meetings during the year. In the event of consistent non-attendance by any Board Member the tenure of that membership should be reviewed by the other Board members in liaison with the Scheme Manager.

Other than by ceasing to be eligible as set out above, a Board member may only be removed from office during a term of appointment by the unanimous agreement of all other members and with the agreement of the Scheme Manager. Should any member of the Board cease to be a member of the relevant group for which he/she has been appointed he/she will automatically cease to be a member of the Board and the Administering Authority will conduct a replacement process.

## **5. Appointment of Board members**

All Board members will be appointed by Full Council. It is a statutory requirement that the Administering Authority must be satisfied that a person to be appointed as an Employer or Scheme Member representative has the relevant experience and capacity to represent employers or scheme members (as appropriate)

- Administering Authority to nominate one Employer representative

- The second Employer representative to be nominated by the scheduled and admitted bodies. If more than one is nominated, Council will determine who is to be appointed.
- (i) Scheme Member representatives to be selected through a process administered by the Administering Authority with a recommendation to Council
- (ii) Independent member – applications to be invited by public advertisement with a recommendation by the s151 Officer to Council.

## 6. **Standards of conduct and conflicts of interest**

All members of the Board are expected to act in accordance with the Code of Conduct for Councillors where applicable and the Pensions Regulator's Code of Practice. In accordance with s5(5) Public Service Pension Act 2013, a Board member must not have a financial or other interest that could prejudice him/her in carrying out his/her Board duties. This does not include a financial or other interest arising merely by virtue of being a member of the LGPS.

The policy for identifying conflicts of interest is set out in a separate policy document.

## 7. **Knowledge and Skills**

Following appointment each member of the Board should be conversant with:

- The legislation and associated guidance of the LGPS
- Any document recording policy about the administration of the LGPS which is for the time being adopted by the Fund

The Administering Authority will provide a training programme which all Board members will be required to attend.

It is for individual Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them, properly, to exercise their functions as a Member of the Board and therefore, must comply with the Board's Knowledge and Understanding and Training Policy.

## 8. **Accountability**

The Board will collectively and individually be accountable to the Scheme Manager.

The Board will refer all relevant recommendations and decisions to the Pension Fund Committee of the Administering Authority and, where appropriate, to Full Council. It will present a report on its work to the Full Council once a year.

## 9. **Decision making**

Each voting member of the Board will have an individual voting right but it is expected that the Board will, as far as possible, reach a consensus. The

Chair of the Board, so long as he/she has voting rights, will have the final deciding vote.

10. **Quorum**

A quorum will comprise three of the five members of which at least one shall be an Employer representative and one a Scheme Member representative.

11. **Meetings**

The Board shall meet at least twice a year but no more than four times.

The Chair of the Board, in consultation with the Administering Authority will prepare an agenda for each meeting of the Board. The administration of the Board will be in accordance with the normal procedures of the London Borough of Harrow.

An extraordinary meeting will be called when the Chair considers this necessary and/or in circumstances where the Chair receives a request in writing by 50% of the voting membership of the Board

12. **Publication of Pension Board Information**

The Administering Authority will publish up to date information on the Council's website including:

- The names of the Board member
- The Board's Terms of Reference
- Papers, agendas and minutes of Board meetings.

13. **Advice to the Board**

The Board will be supported in its role and responsibilities by the Administering Authority through advice and support as appropriate.

14. **Expense Reimbursement**

Each member of the Board and any co-opted persons, excluding elected Councillors of the London Borough of Harrow and Council Officers will be reimbursed at a rate of £445 per annum (exclusive of VAT if payable). All members of the Board and any co-opted persons will be paid "out-of-pocket" expenses when carrying out the functions of the Board including approved training.

15. **Definitions**

The undernoted terms shall have the following meaning when used in this document:

*Administering Authority* London Borough of Harrow

*Board or Pension Board* The local Pension Board for the London Borough of Harrow, Administering Authority for the London Borough of Harrow Pension Fund as required under

the Public Service Pensions Act 2013

<i>Board Member</i>	A member of the Board including Employer representatives, Scheme Member representatives and an independent member
<i>Code of Practice</i>	The Pensions Regulator's [draft] Code of Practice no 14 entitled " <i>Governance and administration of public service pension schemes.</i> "
<i>Conflicts of Interest</i>	As defined in the Public Service Pensions Act 2013
<i>Conflicts of Interest Policy</i>	The policy on conflicts of interest as adopted by the Board
<i>Employer Representative</i>	A person appointed to the Board for the purpose of representing employers for the Scheme
<i>Fund</i>	The London Borough of Harrow Pension Fund within the Scheme administered and maintained by the Scheme Employer
<i>Independent Member</i>	A Member of the Board who is neither an Employer Representative nor a Member Representative
<i>Knowledge and Understanding and Training Policy</i>	The training policy as adopted by the Board
<i>LGPS</i>	The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009.
<i>Member Representative</i>	A person appointed to the Board for the purpose of representing members of the Scheme
<i>Scheme</i>	The Local Government Pension Scheme as defined under LGPS
<i>Scheme Manager</i>	London Borough of Harrow as administering authority of the London Borough of Harrow Pension Fund

## 16. Interpretation

Any uncertainty or ambiguity or interpretation required relating to any matters contained in this document shall be resolved by reference to the Scheme Manager.

[Note: The terms of reference approved by Council on 13 November 2014 were amended under delegated authority as a result of the Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 which removed the voting rights of the Independent Member.]

## **PENSION FUND COMMITTEE**

The Pension Fund Committee has the following powers and duties:

1. to exercise on behalf of the Council, all the powers and duties of the Council in relation to its functions as Administering Authority of the LB Harrow Pension Fund (the fund), save for those matters delegated to other Committees of the Council or to an Officer;
2. the determination of applications under the Local Government Superannuation Regulations and the Teachers' Superannuation Regulations;
3. to administer all matters concerning the Council's pension investments in accordance with the law and Council policy;
4. to establish a strategy for the disposition of the pension investment portfolio; and
5. to appoint and determine the investment managers' delegation of powers of management of the fund;
6. to determine cases that satisfy the Early Retirement provision under Regulation 26 of the Local Government Pension Scheme Regulations 1997 (as amended), and to exercise discretion under Regulations 8 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended, subject to the conditions now agreed in respect of all staff, excluding Chief Officers);
7. to apply the arrangements set out in (6) above to Chief Officers where the application has been recommended by the Chief Executive, either on the grounds of redundancy, or in the interests of the efficiency of the service, and where the application was instigated by the Chief Executive in consultation with the leaders of the political groups.

## **PLANNING COMMITTEE**

The Planning Committee has the following powers and duties:

1. To exercise the functions of the council as local planning authority under the Town and Country Planning Act 1990 and other planning and subordinate legislation with the exception that:
  - a) the preparation, maintenance and updating of the Local Development Framework; and
  - b) the consideration of any policy matter concerning the planning of the Borough, including the development of major sites but not the determination of any planning application;shall be matters to be determined by the Cabinet.
2. To determine applications for certificates under section 17 of the Land Compensation Act 1961.
3. To consider and, if appropriate, serve Article 4 Directions removing permitted development rights in accordance with the Town and Country Planning General (Permitted Development) Order 1990.
4. To determine and enforce building regulations.
5. All other functions relating to town and country planning and development control as set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) listed by Committee in the schedule to this document.



# OTHER STATUTORY COMMITTEES

## STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION

SACRE is established under section 390 of the Education Act 1996. It is not a formal committee of the Council. The terms of reference and membership are set out below. Under section 392(7) of the Act, SACRE may regulate its own proceedings and hence the Council's committee procedure rules do not apply to SACRE.

### **Terms of reference**

- (1) As requested by the local authority or of its own volition, to advise the local authority on matters connected with:
  - a. religious worship in community schools or foundation schools which do not have a religious character, and
  - b. Religious education, in accordance with the Agreed Syllabus

The matters referred to above include, in particular, teaching methods, choice of materials and teacher training.
- (2) To deal with applications from schools for a determination on whether the statutory requirement for Christian collective worship should apply.
- (3) To determine the manner and form of applications under (2) above.
- (4) To convene from time to time an Agreed Syllabus Conference to review the agreed syllabus. The representative groups on SACRE, other than Group D, may at any time require a review of the agreed syllabus. Each of the three representative groups concerned shall have a single vote on the question of whether to require such a review.
- (5) To publish an annual report as to the exercise of their functions and any action taken by representative groups on the council under (4) above during the preceding year.

### **Membership**

Group A – Representatives of Christian and other religious denominations (22)

Group B – Representatives of the Church of England (3)

Group C – Representatives of Teachers (6)

Group D – Representatives of the Local Education Authority (3)

SACRE may also include co-opted members (that is, persons co-opted as members of SACRE by members of SACRE who have not themselves been so co-opted).

Any member who fails to attend three consecutive members of SACRE shall cease to be a member of the Council unless, at the third such meeting, SACRE approves the reason for non-attendance.

An adviser nominated by the Corporate Director, People Services shall also be invited to attend meetings of SACRE.

### **STATUTORY CHIEF OFFICERS' DISCIPLINARY PANEL**

The Panel has the following powers in respect of matters which might lead to the dismissal of, or disciplinary action against, the Chief Finance Officer, Monitoring Officer or Head of Paid Service except in relation to matters concerning redundancy, the expiry of a fixed term contract or permanent ill health:

1. to arrange for the investigation of the matter;
2. to consider the investigation report and representations (including in person) by the officer;
3. to make recommendations to Council in relation to the dismissal of the officer; and
4. where the panel decides it to be appropriate, to make recommendations to the Chief Officers' Employment Panel for action short of dismissal or to confirm that the matter should not progress further.

### **Membership**

The Panel shall consist of three elected members and two independent persons appointed by the Council under section 28(7) of the Localism Act who will be invited to a Panel meeting as and when required.

# TERMS OF REFERENCE AND DELEGATION OF DUTIES TO THE CABINET, PORTFOLIO HOLDERS, ADVISORY PANELS AND CONSULTATIVE FORUMS

## EXECUTIVE (CABINET)

**The Cabinet as a whole will have responsibility for the following functions:**

- (1) The development of proposals for the budget (including the capital and revenue budgets, the fixing of the Council Tax Base, and the level of Council Tax) and the financial strategy for the Council;
- (2) The monitoring of the implementation of the budget and financial strategy;
- (3) To recommend major new policies (and amendments to existing policies) to the Council for approval as part of the Council's Policy Framework and implement those approved by Council;
- (4) To prepare and agree other policies and plans for implementation by Portfolio Holders and others;
- (5) The approval of the Council's Transformation Programme and of the implementation of projects emerging from that Programme;
- (6) The approval and management of the Council's Capital Programme and Strategy;
- (7) All key decisions – namely:
  - (i) an executive decision which is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates; or
  - (ii) an executive decision which is likely to be significant in terms of its effects on communities living or working in an area of two or more wards of the Borough.

A decision is significant for the purposes of (i) above if it involves expenditure or the making of savings of an amount in excess of £1m for capital expenditure or

£500,000 for revenue expenditure or, where expenditure or savings are less than the amounts specified above, they constitute more than 50% of the budget attributable to the service in question.

- (8) The award of contracts over £500,000 and all matters reserved to the Executive under the Contract Procedure Rules
- (9) All decisions, which are expected to result in variations to agreed revenue or capital budgets;
- (10) Agreement to all virements between budgets as set by the Financial Regulations;
- (11) To determine all non-key decisions which either fall outside Cabinet policy or agreed Executive guidelines, or have been referred to the Executive by the relevant Portfolio Holder or Corporate Director;
- (12) To determine all recommendations and references from the Council or any of its Committees or sub-committees and which the Cabinet considers are appropriate for collective decision;
- (13) The approval of HRA Rents;
- (14) Quarterly to act as the Performance Board overseeing strategic performance issues.

## **Role and Areas of Responsibility of Portfolio Holders (Cabinet Members)**

### **General Responsibilities**

- (1) All Portfolio Holders have the general responsibility of ensuring the effective management and delivery of executive functions within their area of responsibility and within the following framework:
  - the Council's overall strategic, corporate and policy objectives and all statutory and other plans and strategies approved by the Council
  - the approved revenue and capital budgets
  - the law and the Council's Constitution
  - the decisions made at full meetings of the Cabinet.
- (2) All Portfolio Holders share the responsibility for ensuring:
  - the development, co-ordination, promotion and implementation of the Council's statutory plans and strategies and for the setting of the Council's objectives.

- that the Council delivers value for money in all that does.
- the delivery of Public Health responsibilities.
- the oversight, development, monitoring and promotion of all executive services provided by the Council within the appropriate performance management framework.
- that suitable and proper arrangements are made for the procurement, development, monitoring and promotion of all services relating to executive functions, which are provided under contract to the Council.
- the promotion of the interests of the Borough, and of all the residents, businesses, other organisations and stakeholders within Harrow.
- that a community leadership role is taken by the Council across the public, voluntary and business sectors involving the development of good and effective working links with all sectors.
- the promotion and implementation of an effective equal opportunities policy in relation both to the employment of staff and the delivery of services.
- the promotion of services which are sustainable, improve community safety, make for more open government, provide opportunities for resident participation in delivering outcomes and include new methods of community engagement.
- that proper arrangements are made for consultation and participation with residents and service users in decision making and the development of key statutory plans and local community plans.

### **The Leader of the Council**

The Leader of the Council shall have the following responsibilities:

- When present to chair meetings of the Cabinet;
- Appoint and dismiss Portfolio Holders and the Deputy Leader
- Appoint to and dismiss from committees of the Cabinet
- To determine from time to time the roles and areas of responsibility of Portfolio Holders
- In the absence of a Portfolio Holder, or on written notice to that Portfolio Holder, to exercise any of that Portfolio Holder's functions him/herself or arrange the discharge of those functions by another Portfolio Holder or a Corporate Director
- To act as Chairman of the Council's Improvement and Commissioning Boards

- Lead and coordinate the development and implementation of the Council's statutory and other plans and strategies including:
  - (i) the Council's vision, corporate priorities, corporate plan and objectives,
  - (ii) the needs of the Borough and local communities on matters of comprehensive, corporate and strategic importance,
  - (iii) the Council's overall performance
- To oversee the allocation of resources to implement the Council's plans and strategies and to meet the Council's objectives;
- Take responsibility for the review of the pay and conditions of Chief Officers;
- Liaise on behalf of the Council with Government Departments, the Greater London Authority, London Councils, West London Alliance and other local and public bodies;
- Respond to Central Government, the Greater London Authority and Local Authority Associations' consultation exercises and to requests for information and to any other consultation papers and requests for information;
- Make proposals for the appointment of Councillors or other persons on outside bodies as representatives of the Council;
- Make proposals to Council for the setting of the levels of Councillor allowances and expenses;
- Champion Member Development and oversee development of the Member Development Programme;
- Keep under review and make proposals for changes to the Constitution;
- To oversee the arrangements and overall budgets of the Members' Secretariats;
- To oversee the arrangements for all civic and ceremonial matters
- To take a lead on behalf of the Council in promoting and sustaining a high ethical standard of conduct by elected Members in accordance with the adopted Code of Conduct for Councillors.
- To endeavour to ensure that the decisions and activities of the Council at all times have regard to the highest possible standards in furtherance of the ethical agenda and all Members of the Council adhere to the Code of Conduct.
- To maintain an overview of the finances of the Council working closely with the Portfolio Holder for Finance and Major Contracts

## **Deputy Leader of the Council**

The Deputy Leader of the Council shall have overall responsibility for:

- Undertaking the responsibilities and delegated powers of the Leader of the Council, to the extent permitted by the Constitution, in the absence of the Leader;
- The chairing of meetings of the Executive in the absence of the Leader of the Council.

## **Portfolio Holder for Strategy, Partnerships & Devolution**

### **Strategy:**

- To have strategic oversight of the Council's affairs;
- Ensure that the Council's priorities are underpinned by fairness for all in these tough economic times;
- To lead on the development of strategies to help families with the 'Cost of Living Crisis' and stand up for Harrow, its businesses and residents;
- To lead, monitor, have oversight and, where necessary take decisions about policy/strategy and provision regarding the strategic relationship with other Boroughs and the development of additional services;
- Development of an effective strategy/policy framework for the council, local voluntary sector and partners;
- To ensure that the council does not lose focus on tackling the disparities that exist in Harrow, in particular, in terms of economic achievement, child poverty, health and wellbeing;
- To encourage and ensure cross directorate working across the Council;
- Providing political leadership to the development and implementation of the Council's Corporate Plan and Budget;
- To lead on the transformation of Council services to be more business-like, commercial and maximising value for taxpayers money;
- To ensure that the Council is meeting its commitments and strategies as set out in the Corporate Plan.
- To lead on Council-wide strategy to deal with life expectancy and inequality.

### **Partnership and community leadership:**

- To ensure that the council continues to work together with the community to improve the quality of life for all our residents, our families and our young people;
- Acting as an advocate for the local community and a spokesperson for residents;
- Promoting Council priorities;
- Building cross-borough links that progress the Council's objectives;
- Representing the Council externally and furthering the Council's interests within London, National and international bodies/forums to promote Harrow's interests, in particular with the West London alliance, London Councils and the Local Government Association.

### **Devolution:**

- To sit on the West London Economic Prosperity Board to promote jobs and growth across Harrow;
- To work on a regional basis to ensure Harrow receives a fairer deal on its grant from Government;
- To work on a regional basis to ensure that Harrow's residents benefit from the devolution of services and business rates;
- Actively participate in and seek further devolution opportunities;
- Provide local leadership on all Government devolution announcements.

### **Communications:**

- Give direction to the delivery of Council publications including Harrow People and A-Z of Council Services;
- Champion a set of marketing campaigns in support of the Council and its services;
- To ensure there is regular and informative internal communications and staff awards;
- Give direction to the Council's media relations to promote the Council's reputation;
- Promote the Council's branding to deliver consistency across services and to improve residents' awareness of our services.



## **Portfolio Holder - Adults and Older People**

### **To be responsible for the development and delivery of the Council's Adults Social Care functions, including:**

- To be the lead member for Adult Care Services including overseeing compliance with the Statutory Duties and reporting requirements in relation to Adult Care Services;
- To lead on partnership with the Health Service and local CCG in relation to Adults;
- To deputise for the Leader on STP matters;
- To lead on the transformative Project Infinity, for the development of Adult Social Care services in the Borough;
- To oversee the performance of Community Care Services in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of the Care Quality Commission;
- To lead on the protection and safeguarding of vulnerable adults;
- To lead on the development and implementation of Supporting People;
- To lead on the direct provision for Community Care Services;
- To lead on adult services user engagement;
- To oversee the reablement service provision and improvements;
- Build on the fantastic work of the Council's adult early intervention team;
- To promote the wellbeing of over 18s across the Council and act as the Member level 'Wellbeing of Adults Champion';
- Lead on working with external partners to tackle the increase in domestic violence across our Borough;
- To lead on the development and implementation of Supporting People;
- To give direction for the development and implementation of policies and strategies for the provision of adults care services in the Borough including
  - Project Infinity
  - Personalisation
- To lead on external relationships including other public sector stakeholders, as well as the voluntary and private sector with regard to Adults Services;

- To develop, working alongside the Portfolio Holder for Children, Young People & Schools the Council's vision to have a lifelong approach to support for residents with Special Educational Needs;
- To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;
- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- Lead on developing upcoming policy and existing policy within the Portfolio.

**Working in conjunction with the Portfolio Holder for Health and Wellbeing:**

- To lead on joint commissioning responsibilities with Health for:
  - Mental Health Services
  - Learning Disability Services
  - Older People and Physical, Sensory and Disability Services
  - Carers;
- Work with the NHS, voluntary sector organisations and carers themselves to develop and strengthen appropriate support for carers.

**Portfolio Holder – Housing and Employment**

**To be responsible for the development and delivery of the Council's housing services, the private rental sector and the provision of affordable homes, including:**

- To develop and implement policies and strategies for the provision and improvement of housing in the Borough;
- To develop and deliver the Housing Ambition Plan;
- To maximise opportunities to engage residents in the development and delivery of all housing services and that regular opportunities exist to test tenant and leaseholder satisfaction to ensure that feedback is used to improve services;
- Working closely with the Portfolio Holder for Finance to ensure the HRA remains viable and provides value for money;
- To recommend variations in rent levels;
- To ensure that residents can readily access housing services and that customers are empowered to make the best of their housing situation;
- To ensure that housing services know its customer profile and tailors its services accordingly;

- To ensure that all services to tenants are set out with clear standards;
- To ensure accommodation provision for households in need, through Council provision, or in consort with Housing Associations and developers;
- To ensure that temporary accommodation is provided for the homeless and those in urgent need of housing;
- To ensure an assessment of future housing needs within the Borough is regularly taken and informs future services;
- To lead on the maintenance, repair and improvement of the Council's housing stock;
- To lead on the development of high standard services to Council tenants and leaseholders;
- To promote satisfactory standards in housing accommodation in the private sector and ensure enforcement actions are taken as appropriate;
- Working jointly with other Portfolio Holders to oversee the development of a strategy to support social inclusion in the provision of local housing;
- To develop and deliver the Council's Housing Strategy in consultation with the Portfolio Holder for Planning and Regeneration;
- To work with private landlords, housing associations and developers to ensure that opportunities for the provision of affordable housing are maximised;
- Grow Help 2 Let with the aim of making it a market leader in the private rental sector;
- Develop the Council's letting agency to provide affordable and good quality Private Rental Units across the Borough;
- To ensure the effective administration of Housing Benefits;
- To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;
- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- Lead on developing upcoming policy and existing policy within the Portfolio.

**To promote apprenticeships, training and jobs across the Borough, particularly for our young people, this includes:**

- Working with our economic development team to create training opportunities that match with the demands of local employers;

- Ensure that Harrow's residents are given every opportunity to benefit from employment opportunities arising from local developments;
- That the council creates training opportunities for the long term unemployed and people with a disability or a mental health condition;
- To ensure that young people in the Borough have the skills and opportunities they need to start a career.

### **Portfolio Holder - Finance and Commercialisation**

**To be responsible for the development and maintenance of the Council's finance and procurement functions, including:**

- To develop and maintain a coherent and sustainable financial strategy for Harrow;
- To ensure that the development of proposals for, and consultation on, the annual budget take place within the requirements of the Budget and Policy Framework Rules and good corporate governance practice;
- To lead on the development of clear systems and structures for budget development, management and monitoring; in particular, for the Council's revenue and capital budgets, including the Housing Revenue Account in liaison with the portfolio holder for housing;
- To ensure that the Council's arrangements for treasury management and pension fund investments are effective;
- Bring forward proposals for any review of fees and charges made by the Council;
- To ensure procedures for virement within budgets are updated as appropriate and followed at Member and officer level;
- Evaluate and monitor the financial procedures of the Council and recommend improvements;
- To ensure the Council's procurement strategies support local businesses and that the Council has effective procurement systems and processes in place;
- To ensure a co-ordinated Council response to welfare reform, working closely with the Leader, other relevant Portfolio Holders and the voluntary sector;
- To lead, monitor, have oversight, and, where necessary, to take decisions about promoting the Harrow Credit Union and make sure it's available to everyone, including allowing all Harrow Council staff to be able to have their salary paid directly into a credit union bank account;

- To coordinate the Council's campaign for a fairer grant for Harrow's residents;
- To lead on the Council's arrangements for internal audit;
- To lead on all matters relating to corporate anti-fraud activities;
- To lead on the Council's insurance arrangements;
- To ensure that the Council has effective risk management and internal control systems and processes in place;
- To ensure the development and maintenance of effective business continuity and emergency planning;
- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- Lead on developing upcoming policy and existing policy within the Portfolio.

**To be responsible for the development and maintenance of the Council's Major Contracts including:**

- To lead on the procurement and commercial management of all major contracts in liaison with the Leader;
- To monitor, in consultation with the relevant Portfolio Holders, the performance of all major strategic contracts with an annual value of over £1m including the ongoing operation of existing contracts;
- To approve extensions of contracts where the value is more than £1million and the extension would account for an additional cost of 10% or more of the contract value;
- To approve the settlement of Disputes and Claims where the value of the claim exceeds £1m, in consultation with the relevant Portfolio Holders;
- To ensure all major contract include training and apprenticeships for local residents;
- To encourage the payment of the London Living Wage within Harrow.

**To be responsible for the Council's commercialisation strategy, including:**

- The Council's procurement is getting best value for all of its contracts, including on its social value commitments;
- To ensure that the Council maximises every opportunity to be more efficient and commercial in all of its services;
- Preside over and work with all Cabinet members on relevant commercialisation opportunities;

- Act as a support on relevant opportunities in terms of governance and regular monitoring.

### **Portfolio Holder - Business, Planning and Regeneration**

**To be responsible for the policy direction of the Council's 'Building a Better Harrow' programme, including:**

- Strategic planning policy and implementation including:
  - Planning policy and research
  - Economic Development
  - Working with the Portfolio Holder for Housing on increasing opportunities for local employment
  - Housing policy (in consultation with the Portfolio Holder for Housing)
  - Development Management
  - Building Control
  - Conservation and Design, in particular for the listing of local buildings
  - Open Spaces, Parks & Green Belt policy
  - Town Centre & Major Projects activity
  - The re-location of the Civic Centre
  - The development of the 'Heart of Harrow' area.
- To oversee and direct the effective development and implementation of the following key Place Shaping strategies:
  - The 'Building a Better Harrow' regeneration programme
  - Local Development Framework, including the core strategy, the opportunity and intensification area and the area action plan
  - Economic Development Strategy
  - Town Centre Strategy
  - West London Sub-regional planning, economic development and waste planning.
- To preside over the development and maintenance of positive links and partnerships with other organisations and businesses to secure the improvement and development of essential social infrastructure;
- To ensure that all aspects of the Environment and Enterprise Directorate's work involves appropriate and effective community engagement;
- To ensure a positive development of our district shopping centres;
- Act as the Member level 'Design and Heritage Champion' for the Authority;
- To act as the lead Member for the Council's engagement with business;

- To oversee the development and delivery of the Council's vision in terms of strategic planning for the future social, environmental and economic development and regeneration of Harrow;
- Chair the Council's Planning Committee or equivalent body, and the Council's Major Developments Panel;
- To provide policy direction in respect of the Council's strategic Major Projects Programme in consultation with the relevant Portfolio Holders including:
  - The development of the central Harrow opportunity and intensification area and of district shopping centres;
- To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;
- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- Lead on developing upcoming policy and existing policy within the Portfolio.

**To provide policy direction to ensure the effective development of the Council's property assets:**

- To ensure that development of the Council's assets is undertaken in a coordinated and collaborative way with partners;
- To authorise the acquisition or disposal of land holdings up to a value of £250k, other than disposal at less than best consideration, and to respond to any enquiry in relation to the Council's interests in land;
- To ensure the Council is maximising its property assets for the creation of new homes and business space across the Borough.

**Portfolio Holder – Public Health, Equality & Community Safety**

**To be responsible for the promotion of Public Health, equality and Community Safety in consultation with the Leader and in liaison with appropriate Portfolio Holders:**

- To lead on Public Health within the Council, working closely with other Portfolio Holders;
- To lead on partnership with the Health Service;
- To lead on the development and provision of support for carers;
- To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;

- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- Lead on developing upcoming policy and existing policy within the Portfolio;
- To sit on the Health & Well-Being Board from a public health perspective.

**Working in conjunction with the Portfolio Holder for Adults and Older People:**

- To ensure joint commissioning responsibilities with Health for:
  - Local Health services
  - Mental Health Services
  - Learning Disability Services
  - Older People and Physical, Sensory and Disability Services
  - Carers;
- To promote wellbeing across the Council;
- To lead on external relationships including the local CCG, as well as the voluntary and private sector in relation to Health and Wellbeing;
- Work with the NHS, local CCG, voluntary sector organisations and carers themselves to develop and strengthen appropriate support for carers.

**To be responsible for the development and delivery of the Council's Community Safety functions:**

- To oversee the development and implementation of the Crime & Disorder Reduction Strategy (including Community Safety);
- To oversee Police relationships, including Safer Neighbourhoods Teams;
- To oversee the commissioning and support of Harrow's approach to the misuse of drugs, alcohol and crime reduction;
- Working with the Community Safety Partnership and through the Safer Harrow Board, lead on the coordination and the delivery of the:
  - Harrow Community Safety Strategy
  - Youth Justice Plan
  - Gangs Strategy
  - Prevent Action Plan
  - Domestic and Sexual Violence Strategy Group
  - Youth Offending Team Management Board
  - Early Intervention Panel
  - Anti-Social Behaviour Action Group
  - Gangs Group
  - Multi-Agency Sexual Exploitation Meeting (MASE)
  - Drug and Alcohol Services
  - Suicide Prevention.



## **Working in conjunction with the Portfolio Holder for Children, Young People and Schools:**

- To preside over the Commissioning and monitoring of Children's Health Services including Child and Adolescent Mental Health Services and 'Children Looked After' from health service providers and community and voluntary organisations working in conjunction with the Portfolio Holder for Children, Young People and Schools;
- To support with the Health Visiting and School Nursing Service;
- To lead on partnership with the Health Service in relation to Children working in conjunction with the Portfolio Holder for Children, Schools and Young People.

## **Work closely with other Portfolio Holders:**

- To bring together autism support from across the whole borough to create a strong, coherent package of support and advice to all those that are affected by or care for someone, on the autistic spectrum;
- To take the Strategic Lead on Equalities issues;
- Support the development of the Council's equalities framework and monitor progress to drive improvement;
- To ensure the Council promotes equality of opportunity in all of its work;
- Ensure that all our policies take the view of the family, who play an important part in providing mutual help and support in hard times.

## **Portfolio Holder - Environment**

**To be responsible for the development and delivery of the Council's Environment Services functions to ensure that the council makes a positive difference to communities, businesses, families and the vulnerable:**

- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- Lead on developing upcoming policy and existing policy within the Portfolio.

**To oversee the development and implementation of policies and strategies and the monitoring of environmental and public protection services including:**

- Public Realm Enforcement, Envirocrime & Crime Reduction through proactive and reactive work of the public protection service:
  - Environmental Health, Food Hygiene and Protection Services
  - Licensing Services
  - Public Space Protection Orders

- Landlord's Licensing Scheme
- To oversee the development and introduction of "on the spot" fines for littering, fly-tipping, spitting and urinating in public
- Public Realm Infrastructure & Maintenance
- Operational Property Management & Maintenance
- External Sports Facilities Maintenance
- Facilities Management (excluding Schools)
- Property & Public Realm Investment Programmes
- Transportation policy
- Cycling Strategy
- Local Implementation Plan (Transportation)
- To improve the transport services within Harrow, in consultation with the Portfolio Holder for Business, Planning & Regeneration
- Introduce free parking to all district centres
- Working with TARSAP to improve Road Safety across the Borough
- Work with and develop community champions - making sure the community is at the centre of everything we do
- Management of Open Spaces, Parks and Allotments, in liaison with the appropriate Portfolio Holders
- The development and implementation of the Council's Park User Groups Operational Framework
- The development and implementation of a Park User Group Forum
- Sports, Recreation & Green and Open Spaces Strategy
- Events Policy
- Play Strategy - in conjunction with Portfolio Holder for Community, Culture and Resident Engagement
- Waste Management
- Waste Strategy
- Waste and public realm policy
- Waste Management Strategy
- West London Waste Authority
- To oversee the development and implementation of policies and strategies to address climate change
- Local Flood Risk Management Strategy
- Emission reductions
- Energy Efficiency and Savings
- Improving air quality
- Waste reduction
- Increased recycling
- Circular economy.

**Under the umbrella programme of Project Phoenix, ensure the rapid step change in the delivery of Environmental Services in Harrow with a vision to achieve cost neutrality in the Community Directorate by 2020.**

- To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;
- Increase Market share in areas currently traded;
- Trade activities that are currently not traded;

- Deliver services that would not only be cost effective but deliver qualitative outcomes as well.

### **Portfolio Holder – Children, Young People and Schools**

#### **To be responsible for the development and delivery of the Council's Children's Services, including:**

- To be the lead member for Children's Services, including overseeing compliance with Statutory Duties and reporting requirements as set out in the Children Act 2004;
- To lead on the strategic development and delivery of all aspects of Children's Services including:
  - Safeguarding, Family Placement and Support
  - Young People's Services
  - Special Needs Services
  - Integrated Early Years and Community Services
- To be a member of the Children and Young People's Partnership and the Local Safeguarding Children Board;
- To attend the Corporate Parenting Panel and promote attendance by Portfolio Holder or Portfolio Holder assistant at the Virtual School Improvement Board
- To oversee the performance of Children's Services in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of Ofsted;
- To sit on the Health & Well-Being Board;
- To oversee and promote corporate parenting responsibilities for children looked after, and representation on the Fostering Panel and Adoption Permanence Panel;
- To oversee the Commissioning and monitoring of Children's Health Services including Child and Adolescent Mental Health Services from health service providers, as well as community and voluntary organisations;
- To oversee the development and review of the Children and Young People's Plan;
- To ensure the development and maintenance of positive links and partnerships with local agencies, organisations and businesses to support the delivery of these services;
- To oversee consultation, liaison and maintenance of positive links with the local Youth Parliament and Harrow members of the UK Youth Parliament;

- To oversee the development and implement policies, strategies and procedural arrangements in line with statutory requirements for the provision of the Council's social services functions for young people;
- To oversee the commissioning and contracting arrangements for the provision of services within the council and jointly with other partner agencies;
- To oversee the quality assurance and inspection functions;
- To be responsible for the Council's Multi-Agency Protection Arrangements and to oversee the implementation of Harrow's Early Years Strategy;
- To oversee the development of all early intervention services across the age range to promote access to services;
- To lead on partnership with the Health Service in relation to Children;
- To oversee the delivery and development of Harrow Youth Offending Services, supporting the Harrow Youth Justice Plan;
- To promote member understanding of the duties of corporate parenting and safeguarding;
- To collaborate with the PH for Public Health on commissioning matters;
- Work with the Children's centres to introduce a scheme to reduce childcare costs for residents and Council employees;
- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
- The provision of another residential facility for children with severe disabilities.

## **Schools**

- To be responsible for the development and delivery of policies, strategies and procedural arrangements in line with statutory requirements in relation to schools in Harrow;
- To be responsible for the development and delivery of the Council's function as a Local Education Authority in relation to the provision of schools and commissioning post-16 provision within the Borough including:
  - Schools
  - Academies
  - Colleges
  - Achievement and Inclusion
  - Ethnic Minority Achievement Service
  - Harrow Tuition Service, including the Helix
  - Children's Centres
  - Education Business Partnership

- Governor Services
  - Education Welfare Services
  - Harrow Schools Improvement Partnership
  - Admissions and Place Planning
  - School Organisation;
- To oversee and ensure high quality relationships are built with all statutory and voluntary sector partners with particular emphasis on schools;
  - To oversee the development, promotion and implementation of the following:
    - Harrow 14-19 Strategy
    - Student Advisory Group
    - School's Forum
    - Stakeholder Reference Group
    - Education Services Consultation Forum;
  - To be the lead member for schools, including overseeing the maintenance, compliance with Statutory Duties and reporting requirements of the Council in relation to schools in Harrow;
  - To oversee education strategies to support the Narrowing the Gap agenda including achievement, attendance, behaviour and exclusion issues;
  - To oversee the performance of Schools in Harrow in relation to national targets and priorities and to take account of any issues arising from external inspection and the performance assessment role of Ofsted;
  - To discharge the Local Authority's responsibilities for the appointment of Local Authority Governors and dealing with complaints against them;
  - To oversee consultation, liaison or other partnership arrangements on education matters with the Standing Advisory Committee on Religious Education, pupils/students, staff, parents, governing bodies and Government Departments including the Young People's Learning Agency and Skills Funding Agency;
  - Jointly with relevant Portfolio Holders to oversee the development of a strategy for social inclusion;
  - To ensure the development and maintenance of positive links and partnerships with local agencies, organisations and businesses to support the development of schools in Harrow;
  - To ensure the development and maintenance of positive links and partnerships with local agencies, organisations and businesses to support the development of training and apprenticeships in Harrow;
  - To work closely with the Portfolio Holder for Community, Culture and Resident Engagement on the provision of sport & recreation through schools and the youth service.

## **Portfolio Holder - Performance, Corporate Resources & Customer Service**

**To be responsible for the strategic development and effective performance of the Council's corporate services including:**

- Performance
  - To oversee the ongoing development and delivery of the Council's performance management framework to set objectives and monitor progress against their delivery and to report back with progress made on key issues to Cabinet;
  - To support Improvement and Commissioning Boards across all Council services;
  - To be responsible for the Council's responses to its inspectorates;
  - To steer the development of the Council's priorities in response to performance, consultation, research and customer feedback;
  - To lead on the Council's Performance Management Framework and the Corporate Improvement Boards to ensure the Council is performing to its full potential;
  - To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;
  - To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan;
  - Lead on developing upcoming policy and existing policy within the Portfolio.
- Policy
  - Working with officers and liaising with the Leader and relevant Portfolio Holders to Design, Develop and Implement policy proposals.
- Customer Services
  - To lead on all matters relating to Access Harrow, Customer Care and Complaints;
  - To oversee the management and implementation of the Customer Access Strategy;
  - Working on developing a range of points of access for residents wishing to contact with the Council;
  - Lead on the increase in customer services standards;

- Maximise any online channel shift opportunities.
- IT
  - To ensure the development and maintenance of a coherent IT strategy;
  - To ensure the effective delivery of IT services through the contract with Sopra Steria until 2019;
  - To ensure that disaster recovery arrangements are developed, implemented and maintained;
  - To ensure that the Council has effective information management and information security arrangements;
  - To ensure that access to pay day loan websites are banned from all our libraries and properties, ensuring they can't prey on Harrow's most vulnerable residents.
- Human Resources & Development
  - To oversee all Human Resources matters including recruitment, learning and development, performance management, employment policies and procedures, employee relations and equal opportunities;
  - To develop and deliver the Council's Strategy for People;
  - To lead on the Council's relations with its Trades Unions;
  - To chair the Council's Employee Consultative Forum (ECF) or equivalent body;
  - Encourage and support flexible working so parents and carers can fit work around their family life;
  - To preside over the Council's arrangements for health and safety and welfare.
- Shared Services
  - To ensure that the Council has effective payroll and pensions administration systems and processes in place;
  - To ensure the delivery of accounts payable and accounts receivable services;
  - To ensure the delivery of SAP support services;
  - To ensure the delivery of other shared services such as cashiers, post, print, scanning and indexing services;

- To ensure the delivery of the financial assessments service for social care clients.
- Legal & Governance
  - To expand and develop the shared legal practice;
  - To oversee the conduct of litigation by or against the Council.
  - To oversee the Corporate Governance of the Council in line with the Constitution;
  - To ensure the delivery of the Registry Office services;
  - To oversee the support for the Mayor's office;
  - To oversee member development and training;
  - To oversee Democratic Services and Committees;
  - To oversee Electoral Services.

### **Portfolio Holder - Community, Culture & Resident Engagement**

**To be responsible for the development and delivery of the Council's Community and Cultural Services, including:**

- To be responsible for the development and delivery of the council's community and cultural services;
- To lead on the liaison with the voluntary and community sectors;
- To work with all Portfolio Holders to ensure that the Council is working with and supporting the local voluntary & community sector in bidding for grants money and investment into Harrow from Government, not for profit organisations or private sources;
- To ensure that the anniversary of all 4 years of the of the First World War are commemorated;
- To develop the strategic and general management of the following services and functions on behalf of the Council including:
  - All functions relating to the library service
  - Culture and Arts Services, including support for the Harrow Arts Centre Project
  - Sports development, Leisure, Playing Fields & Recreation services
  - The Harrow Museum and Headstone Manor
  - Community Engagement and Development Strategy
  - Community Premises and Grants Applications
  - Community Learning



- External Service Providers
- Support on the regeneration project on the Harrow Leisure Centre site;
- To lead on the effective development and implementation of the following key plans and strategies:
  - Cultural Strategy and regeneration
  - 'Third Sector' strategy
- Working with the Portfolio Holder for Public Health, Equality & Community Safety to ensure that sport and physical activity plays its part in bringing communities together, whilst helping to keep Harrow healthy;
- Work with community representatives on the PREVENT programme, in conjunction with Portfolio Holders for Children's, Young People & Schools, Adults & Older People and Public Health, Equality & Community Safety;
- To lead, monitor, have oversight of policy/strategy and provision regarding community cohesion and social inclusion;
- Work with the voluntary sector to empower and inspire local people to build upon the many assets that exist at the heart of all our communities;
- Develop and implement improved arrangements for consultation and participation with residents and service users in decision making and the development of key statutory plans and local community plans adhering to the Council's consultation standards;
- Lead on the 'Resident Engagement' work and the introduction of new engagement and involvement projects;
- To work with the Portfolio Holder for Finance & Commercialisation on relevant commercial opportunities within the Portfolio;
- To ensure that the Council is meeting its commitments and strategies within the Portfolio, as set out in the Corporate Plan.
- Lead on developing upcoming policy and existing policy within the Portfolio.
- To work closely with the Portfolio Holder for Children, Young People & Schools on the provision of sport and recreation through schools and the youth service.

# **CABINET ADVISORY PANELS**

(Note: Cabinet Advisory Panels have no Executive decision making powers. Their purpose is to consider matters referred to them within their terms of reference and to make recommendations to the Cabinet/Portfolio Holder as appropriate.)

## **Corporate Parenting**

### **Harrow Business Consultative**

### **Major Developments**

### **Traffic and Road Safety**

\* \* \* \* \*

## **CORPORATE PARENTING PANEL**

### **Purpose**

1. To ensure that the Council is fulfilling its duties towards Children Looked After corporately and in partnership with other statutory agencies.
2. To consider matters referred to the Panel within its terms of reference and to make recommendations to Cabinet/Portfolio Holder as appropriate including:
  - a. Approving annually the Statement of Purpose for the Adoption Service
  - b. Approving annually the Statement of Purpose for the Fostering Service
  - c. To ensure all councillors are aware of their corporate parenting responsibilities through Mandatory training and communication.

### **Role of the Panel**

1. To take an overview of the Council's and partner agencies responsibilities towards looked after children
2. To examine ways in which the Council as a whole and partner agencies can improve the life chances of looked after children and care leavers.
3. Ensure there are good joint working arrangements between council departments and partner agencies.
4. To consider and regularly review on an annual basis a Corporate Parenting Strategy setting out key priorities and areas for action. The Corporate Parenting Strategy will be submitted to Cabinet and full council for consideration and decision on approval.

5. To provide a forum for Children Looked After (CLA) to participate and influence policy and enable CLA to have opportunity to talk about issues relating to their own direct experiences of services they have received. Hence the Board will ensure that the positive experiences/services are maintained and lessons are learnt and changes made in the areas that require improvements.
6. To comment on and contribute to plans, policies and strategies for looked after children and make appropriate recommendations for action.
7. To have a monitoring role, by receiving regular progress reports and data on all key Performance Indicators for all CLA e.g. educational attainment (including implementation of Personal Education Plans) and health assessments.
8. Monitor the plans/needs of children in Secure Accommodation.
9. To receive regular reports on the needs of care leavers including employment, further education, training and housing.
10. To receive annual reports on the following services
  - Adoption
  - Fostering
  - Complaints
11. To meet with CLA and their carers on a regular basis to consult and celebrate achievements, festivals etc.
12. To manage and arrange Member visits to
  - Children's Homes
  - Foster Placements
  - Frontline Services (as indicated in the Victoria Climbié Audit)

## **Membership**

The Corporate Parenting panel will comprise:

A proportionate number of 6 Elected Members

Service Users, Carers and Schools (Non-Voting)

- At least 1 Care leaver
- 1 Foster Carer
- 1 Virtual Head Teacher

Senior Officers (advisors to the Panel – to attend as appropriate to the work of the Panel)

- Director of Children's Services
- Divisional Director Children and Young People
- Head of Service Corporate Parenting

- CLA Nurse
- Housing Needs Manager
- Business Intelligence

## **HARROW BUSINESS CONSULTATIVE ADVISORY PANEL**

### **Terms of Reference**

1. To enable consultation between the Council and representatives of local non-domestic ratepayers required by Section 65 of the Local Government Finance Act 1992 and to provide information regarding the Council's expenditure proposals for the future budget in accordance with Non-Domestic Ratepayers (Consultation) Regulations 1992. The minutes of the meetings to be reported to the Cabinet.
2. To facilitate consultation between the Council and representatives of the business community as required by the Authority.

## **MAJOR DEVELOPMENTS PANEL**

The Terms of Reference and Delegated Powers of the Major Developments Panel are:

1. To oversee the development of the Harrow and Wealdstone Intensification Area, to include:
  - Reviewing the emerging master plan(s) for the area;
  - Considering emerging design and development principles; and
  - Reviewing the outcomes of community consultation and feedback on the emerging strategy;
  - Reviewing and commenting upon site specific proposals for major developments, prior to their submission to the Local Planning Authority;
  - Reviewing and commenting upon significant capital projects taking place within the area;
  - Reviewing and commenting upon strategies associated with the promotion and delivery of development and economic renewal within the area.
2. To oversee the development of proposals for individual major development sites within the borough including:
  - Providing comments on pre application proposals received by the Council for such sites;

- Reviewing progress of strategic development sites within the borough and considering site specific planning and development briefs.
3. To give detailed consideration to and make recommendations to Cabinet in respect of:
    - The use of the Community Infrastructure Levies funds;
    - Reviewing and commenting upon changes to the CIL Charging Scheduled and S106 SPG.
  4. To oversee the implementation of the Borough Wide CIL / Infrastructure Delivery Plan prepared to support strategic growth in the Borough and to make recommendations to Cabinet, to include:
    - Reviewing and commenting upon the draft IDP's comprising annual and longer term infrastructure delivery programmes and projects;
    - Considering the result of public consultation on such plans and programmes and make recommendations to Cabinet on any proposed changes / revisions;
    - Monitor the delivery of the IDP against budget and delivery provisions;
    - Consider and comment upon reports / presentations on infrastructure innovations and best practice in infrastructure delivery.
  5. To undertake post development reviews within Harrow and on sites beyond the borough and communicate learning on such visits to Cabinet and the Planning Committee.

## **TRAFFIC AND ROAD SAFETY ADVISORY PANEL**

### **Terms of Reference**

To make recommendations on the following:

- traffic management;
- the management and control of parking both on and off-street;
- the operational aspects of public transport within the Borough.

### **Examples of business:**

- \* Petitions, Deputations
- \* Scheme Approval (from existing budgets), including consultation results and authority to make traffic orders.
- \* Objections to traffic orders

- \* Investigations into traffic problems (other than those identified by petition etc)
- \* Local Safety Schemes Annual Review
- \* Consultations from neighbouring authorities on traffic management schemes on or near boundary
- \* Amendments to London Lorry Ban operation
- \* Approval of model traffic orders
- \* References and motions from other bodies
- \* Setting traffic management criteria e.g. traffic calming.

# CONSULTATIVE FORUMS

## Employees' Consultative Forum

### EMPLOYEES' CONSULTATIVE FORUM

#### Terms of Reference

#### 1.0 Consultation

- 1.1 The Employees' Consultative Forum (ECF) is the primary mechanism by which Council Members will consult Union Representatives on specific matters of mutual interest. The ECF shall make recommendations to the Cabinet on such issues. In addition, the ECF will receive reports on actions from the ECF Sub-Group.
- 1.2 The ECF will meet at least twice annually.

#### 2.0 Equal Opportunities

- 2.1 The ECF will seek to promote Equal Opportunities in Employment within the Council, ensuring compliance with all the relevant anti-discrimination legislation.
- 2.2 The ECF will ensure the effective implementation of 'Making a Difference – Making Equality of Opportunity a Reality'. The ECF will receive and comment on regular reports including:-
- Statistics and progress on meeting equality targets including an annual report on employment issues analysed by protected characteristics.

#### 3.0 Health & Safety

- 3.1 The ECF will seek to promote health and safety and welfare within the Council and will keep under review the measures taken to ensure health and safety and welfare at work. The Forum will receive and comment on reports, including:-
- The Council's half-year and annual health and safety performance report providing an update of health and safety activities and giving information on outcome measures.
- 3.2 Any health and safety and welfare matters which are the responsibility of the Council as set out in the schedule to the Council's Constitution must be referred to the Licensing and General Purposes Committee.

## **4.0 Budget**

The ECF will consider the budget, as part of the Council's consultation on the budget setting process and make comments on the recommendations.

## **5.0 Membership**

5.1 The permanent membership of the Forum shall be as follows: -

- a) 7 Councillors to include the Leader / Deputy leader and the Portfolio Holder with responsibility for Human Resources.
- b) A minimum of one and maximum of 3 representatives from each recognised trade union. (Note the number of representatives for each trade union to be determined by their notified membership numbers).

5.2 The Council Members shall be appointed annually by the Cabinet. If a Council Member is unable to attend any meeting then a duly appointed Reserve Council Member may attend in their place.

5.3 The Employee Side Representatives shall be nominated to the Head of Paid Service within 14 days of each Annual Council. If an Employee Side representative is unable to attend any meeting they may nominate a substitute who shall be co-opted onto the committee for the purposes of this meeting.

5.4 The role of chairing the ECF will rotate between Council Members and Employee Side representatives each Municipal Year.

5.5 The Employee Side will agree amongst themselves who will take the Chair and notify Democratic Services.

5.6 Others who may attend the Forum include:-

Head of Paid Service, Corporate Directors & Directors (or representative)  
Trade Union Branch Secretaries (or representative)  
Trade Union Branch Regional Officials (as required)  
Representatives from Employee Support Groups – for the Annual Equality in Employment report.  
Other officers as required.

For the meeting to be quorate, it must be attended by a minimum of three Council Members and two trade union representatives from different trade unions.

## **6.0 Recommendations of the Employees' Consultative Forum**

6.1 Recommendations of the ECF are reached by a majority vote among elected Members.



6.2 Recommendations of the ECF must go to the relevant portfolio holder or Cabinet, who are the last stage in the local procedures and in the normal course of events, will be implemented immediately (subject to the call-in period).

*(Note: A proposal to establish any subsidiary body of this Committee shall be subject to its prior referral to and approval by Cabinet).*

# JOINT ARRANGEMENTS

## JOINT COMMITTEE OF THE BOROUGHES OF BARNET, BRENT, EALING, HARROW AND HOUNSLOW (KNOWN AS “WEST LONDON ECONOMIC PROSPERITY BOARD”)

### Functions and Procedure Rules

#### 1. Purpose of the Joint Committee

- 1.1 The London Boroughs of Barnet, Brent, Ealing, Hammersmith & Fulham, Harrow and Hounslow (“the Participating Boroughs”) have established the Joint Committee pursuant to powers under the Local Government Acts 1972 and 2000, and under the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.
- 1.2 The Joint Committee shall be known as ‘**WEST LONDON ECONOMIC PROSPERITY BOARD.**’
- 1.3 The Joint Committee’s role and purpose on behalf of the Participating Boroughs relates to ensuring appropriate, effective and formal governance is in place for the purposes of delivering the West London Vision for Growth and advancing Participating Boroughs’ aspirations for greater economic prosperity in West London, including promoting “the Economic Prosperity Agenda”, in partnership with employers, representatives from regional and central government, and education and skills providers.
- 1.4 The purpose of the Joint Committee will be collaboration and mutual co-operation and the fact that some functions will be discharged jointly by way of the Joint Committee does not prohibit any of the Participating Boroughs from promoting economic wellbeing in their own areas independently from the Joint Committee.
- 1.5 The Joint Committee is not a self-standing legal entity but is part of its constituent authorities. Any legal commitment entered into pursuant of a decision of the Joint Committee must be made by all of the Participating Boroughs.
- 1.6 These Procedure Rules govern the conduct of meetings of the Joint Committee.

## **2. Definitions**

- 2.1 Any reference to “Access to Information legislation” shall mean Part V and VA of the Local Government Act 1972 (as amended) and, to the extent that they are applicable, to the Openness of Local Government Bodies Regulations 2014 (as amended) and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (as amended).
- 2.2 Any reference to “executive”, “executive arrangements”, “executive function” or “committee system” has the meaning given by Part 1A of the Local Government Act 2000.

## **3. Functions**

- 3.1 The Joint Committee will discharge on behalf of the Participating Boroughs the functions listed below related to promoting economic prosperity in West London:
- 3.1.1 Making funding applications and/or bids to external bodies, in relation to economic prosperity for the benefit of the local government areas of the participating local authorities.
- 3.1.2 Providing direction to a nominated lead borough on the allocation of any such funding awards to appropriate projects for the benefit of the local government areas of the participating local authorities, including, where applicable, approving the approach to the procurement to be undertaken by the lead borough.
- 3.1.3 Seeking to be the recipient of devolved powers and/or funding streams for the local government areas of the participating local authorities, which relate to the economic prosperity agenda.
- 3.1.4 Exercising any such powers and allocating any such funding.
- 3.1.5 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies and central government on matters relating to economic prosperity for the benefit of the local government areas of the participating authorities.
- 3.1.6 Representing the participating authorities in connection with the Greater London Authority, London Councils and the London Enterprise Panel, for the benefit of the local government areas of the participating authorities, in matters relating to the economic prosperity agenda.
- 3.1.7 Representing the participating local authorities in discussions and negotiations in relation to pan-London matters relating to economic prosperity.
- 3.1.8 Seeking to influence and align government investment in West London in order to boost economic growth within the local government areas of the participating authorities.

3.1.9 Agreeing and approving any additional governance structures as related to the Joint Committee, or any sub-committees formed by the Joint Committee.

3.1.10 Representing the participating local authorities in discussions and negotiations with the Secretary of State for Communities and Local Government to encourage legislative reform enabling Economic Prosperity Boards, as defined by the Local Democracy, Economic Development and Construction Act 2009 Act, to be established by groups of boroughs in London.

3.1.11 Inviting special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, higher education sector, schools, voluntary sector, and health sector to take an interest in, and/or seek to influence, the business of the committee including by attending meetings and commenting on proposals and documents.

3.2 In relation to the Participating Boroughs which operate executive arrangements only executive functions of each borough may be exercised.

#### **4. Membership and Quorum**

4.1 The membership will comprise of 6 members with each Participating Borough appointing one person to sit on the Joint Committee as a voting member.

4.2 Each Participating Borough will make a suitable appointment in accordance with its own constitutional requirements.

4.2.1 Where a Participating Borough operates executive arrangements, then the appointment of a voting member of the West London EPB will be by the leaders of the executive or by the executive. It is anticipated that, where practicable, the leader of each such executive will be appointed to the West London EPB.

4.2.2 Where a Participating Borough does not operate executive arrangements, the appointment of a voting member of the West London EPB will be in accordance with the Borough's own procedures. It is envisaged that this will usually be one of its senior councillors.

4.3 In all cases, the appointed person must be an elected member of the council of the appointing Participating Borough. Appointments will be made for a maximum period not extending beyond each member's remaining term of office as a councillor, and their membership of the Joint Committee will automatically cease if they cease to be an elected member of the appointing Participating Borough.

4.4 Members of the Joint Committee are governed by the provisions of their own Council's Codes and Protocols including the Code of Conduct for Members and the rules on Disclosable Pecuniary Interests.

- 4.5 Each Participating Borough will utilise existing mechanisms for substitution as laid down in their own Standing Orders. Continuity of attendance is encouraged.
- 4.6 Where a Participating Borough wishes to withdraw from membership of the Joint Committee this must be indicated in writing to each of the committee members. A six month notice period must be provided.
- 4.7 When a new borough wishes to become a Participating Borough then this may be achieved if agreed by a unanimous vote of all the existing Participating Boroughs.
- 4.8 The quorum for the Joint Committee is three members. If the Joint Committee is not quorate it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed until a quorum is achieved. If no quorum is achieved after 30 minutes has elapsed, the clerk will advise those present that no business can be transacted and the meeting will be cancelled.

## **5. Chair and Vice-Chair**

- 5.1 The Chair of the Joint Committee will be appointed for 12 months, and will rotate amongst the Participating Boroughs.
- 5.2 Unless otherwise unanimously agreed by the Joint Committee, each Participating Borough's appointed person will serve as chair for 12 months at a time. Where the incumbent Chair ceases to be a member of the Joint Committee, the individual appointed by the relevant borough as a replacement will serve as Chair for the remainder of the 12 months as chair.
- 5.3 The Joint Committee will also appoint a Vice-Chair from within its membership on an annual basis to preside in the absence of the Chairman. This appointment will also rotate in a similar manner to the Chair.
- 5.4 At its first meeting, the Committee will draw up the rotas for Chair and Vice-Chair respectively.
- 5.5 Where neither the Chair nor Vice-Chair are in attendance, the Joint Committee will appoint a Chair to preside over the meeting.
- 5.6 In the event of any disagreement as the meaning or application of these Rules, the decision of the Chair shall be final.

## **6. Sub-Committees**

- 6.1 The Joint Committee may establish sub-committees to undertake elements of its work if required.

## **7. Delegation to officers**

- 7.1 The Joint Committee may delegate specific functions to officers of any of the Participating Boroughs.

7.2 Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of the other boroughs.

7.3 It may also be subject to the requirement for the officer with delegated authority to consult with the Chair of the Joint Committee and the Leaders of the one or more Participating Boroughs before exercising their delegated authority.

## **8. Administration**

8.1 Organisational and clerking support for the Joint Committee, and accommodation for meetings, will be provided by the Participating Borough whose representative is Chair unless otherwise agreed by the Joint Committee. The costs of this will be reimbursed by contributions from the other Participating Boroughs as approved by the Joint Committee.

## **9. Financial matters**

9.1 The Joint Committee will not have a pre-allocated budget.

9.2 When making a decision which has financial consequences, the Joint Committee will follow the relevant provisions of the Financial Procedure Rules of LB Ealing.

## **10. Agenda management**

10.1 Subject to 10.2, all prospective items of business for the Joint Committee shall be agreed by a meeting of the Chief Executives of the Participating Boroughs or their representatives.

10.2 It will be the responsibility of each report author to ensure that the impacts on all Participating Boroughs are fairly and accurately represented in the report. They may do this either by consulting with the monitoring officer and chief finance officer of each Participating Borough or by some other appropriate method.

10.3 In pursuance of their statutory duties, the monitoring officer and/or the chief financial officer of any of the Participating Boroughs may include an item for consideration on the agenda of a meeting of the Joint Committee, and, may require that an extraordinary meeting be called to consider such items.

10.4 Each Participating Borough operating executive arrangements will be responsible for considering whether it is necessary [in order to comply with Access to Information legislation regarding the publication of agendas including Forward Plan requirements] to treat prospective decisions as 'key-decisions' and/or have them included in the Forward Plan. Each Participating Borough operating a committee system will apply its local non statutory procedures.

## **11. Meetings**

- 11.1 The Joint Committee will meet as required to fulfil its functions.
- 11.2 A programme of meetings at the start of each Municipal Year will be scheduled and included in the Calendar of Meetings for all Participating Boroughs.
- 11.3 Access to meetings and papers of the Joint Committee by the Press and Public is subject to the Local Government Act 1972 and to the Openness of Local Government Bodies Regulations 2014. The Joint Committee will also have regard to the Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012, notwithstanding the fact that its provisions do not strictly apply to the Joint Committee for so long as the committee has any members who are not members of an executive of a Participating Borough.

## **12. Notice of meetings**

- 12.1 On behalf of the Joint Committee, a clerk will give notice to the public of the time and place of any meeting in accordance with the Access to Information requirements.
- 12.2 At least five clear working days in advance of a meeting a clerk to the Joint Committee will publish the agenda via the website of clerk's authority and provide the documentation and website link to the Participating Boroughs to enable the information to be published on each Participating Borough's website. "Five Clear Days" does not include weekends or national holidays and excludes both the day of the meeting and the day on which the meeting is called.
- 12.3 The clerk to the Joint Committee will arrange for the copying and distribution of papers to all Members of the Committee.

## **13. Public participation**

- 13.1 Unless considering information classified as 'exempt' or 'confidential' under Access to Information Legislation, all meetings of the Joint Committee shall be held in public.
- 13.2 Public representations and questions are permitted at meetings of the Joint Committee. Notification must be given in advance of the meeting indicating by 12 noon on the last working day before the meeting the matter to be raised and the agenda item to which it relates. Representatives will be provided with a maximum of 3 minutes to address the Joint Committee.
- 13.3 The maximum number of speakers allowed per agenda item is 6.
- 13.4 Where the number of public representations exceed the time / number allowed, a written response will be provided or the representation deferred to the next meeting of the Joint Committee if appropriate.

13.5 The Joint Committee may also invite special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, voluntary sector, and health sector to take an interest in the business of the committee including by attending meetings and commenting on proposals and documents.

13.6 The Chair shall have discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting.

#### **14. Member participation**

14.1 Any elected member of the council of any of the Participating Boroughs who is not a member of the Joint Committee may ask a question or address the Committee with the consent of the Chair.

#### **15. Business to be transacted**

15.1 Standing items for each meeting of the Joint Committee will include the following:

- Minutes of the Last Meeting
- Apologies for absence
- Declarations of Interest
- Provision for public participation
- Substantive items for consideration

15.2 The Chair may vary the order of business and take urgent items as specified in the Access to Information Requirements at his / her discretion. The Chair should inform the Members of the Joint Committee prior to allowing the consideration of urgent items.

15.3 An item of business may not be considered at a meeting unless:

- (i) A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or
- (ii) By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

15.4 "Special Circumstances" justifying an item being considered as a matter of urgency will relate to both why the decision could not be made at a meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.

#### **16. Extraordinary meetings**

16.1 Arrangements may be made following consultation with Chair of the Joint Committee to call an extraordinary meeting of the Joint Committee. The Chair should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.



16.2 The business of an extraordinary meeting shall be only that specified on the agenda.

## **17. Cancellation of meetings**

17.1 Meetings of the Joint Committee may, after consultation with the Chairman, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meetings may be varied after consultation with the Chairman and appointed members of the Joint Committee in the event that it is necessary for the efficient transaction of business.

## **18. Rules of debate**

18.1 The rules of debate in operation in the Chair's authority shall apply.

## **19. Request for determination of business**

19.1 Any member of the Joint Committee may request at any time that:

- The Joint Committee move to vote upon the current item of consideration.
- The item be deferred to the next meeting.
- The item be referred back to a meeting of the Chief Executives of the Participating Boroughs for further consideration.
- The meeting be adjourned.

19.2 The Joint Committee will then vote on the request.

## **20. Urgency procedure**

20.1 Where the Chair (following consultation with the appointed Members of the Joint Committee) is of the view that an urgent decision is required in respect of any matter within the Joint Committee's functions and that decision would not reasonably require the calling of an Extraordinary Meeting of the Joint Committee to consider it and it cannot wait until the next Ordinary Meeting of the Joint Committee, then they may request in writing the Chief Executive of each Participating Borough (in line with pre-existing delegations in each Borough's Constitution) to take urgent action as is required within each of the constituent boroughs.

## **21. Voting**

21.1 The Joint Committee's decision making will operate on the basis of mutual cooperation and consent and will take into account the views of the special representatives. It is expected that decisions will be taken on a consensual basis wherever reasonably possible.

21.2 Where a vote is required it will be on the basis of one vote per member and unless a recorded vote is requested, the Chair will take the vote by show of hands.

- 21.3 Any matter (save for a decision under Rule 4.7 above) shall be decided by a simple majority of those members voting and present. Where there is an equality of votes, the Chair of the meeting shall have a second and casting vote.
- 21.4 Any two members can request that a recorded vote be taken.
- 21.5 Where, immediately after a vote is taken at a meeting, if any Member so requests, there shall be recorded in the minutes of the proceedings of that meeting whether the person cast his / her vote for or against the matter or whether he/ she abstained from voting.

## **22. Minutes**

- 22.1 At the next suitable meeting of the Joint Committee, the Chairman will move a motion that the minutes of the previous meeting be agreed as a correct record. The meeting may only consider the accuracy of the minutes and cannot change or vary decisions taken at a previous meeting as a matter arising out of the minutes.
- 22.2 Once agreed, the Chairman will sign them.
- 22.3 There will be no item for the approval of minutes of an ordinary Joint Committee meeting on the agenda of an extraordinary meeting.

## **23. Exclusion of Public and Press**

- 23.1 Members of the public and press may only be excluded from a meeting of the Joint Committee either in accordance with the Access to Information requirements or in the event of disturbance.
- 23.2 A motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings. The motion shall specify by reference to Section 100(A) Local Government Act 1972 the reason for the exclusion in relation to each item of business for which it is proposed that the public be excluded. The public must be excluded from meetings whenever it is likely, in view of the nature of business to be transacted, or the nature of the proceedings that confidential information would be disclosed.
- 23.3 If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks is necessary.
- 23.4 Background papers will be published as part of the Joint Committee agenda and be made available to the public via the website of each authority.

## **24. Overview and Scrutiny**

- 24.1 Decisions of the Joint Committee which relate to the executive functions of a Participating Borough will be subject to scrutiny and 'call -in' arrangements (or such other arrangements equivalent to call-in that any Participating Borough operating a committee system may have) as would apply locally to a decision made by that Participating Borough acting alone

- 24.2 No decision should be implemented until such time as the call-in period has expired across all of the Participating Boroughs.
- 24.3 Where a decision is called in, arrangements will be made at the earliest opportunity within the Participating Borough where the Call-In had taken place for it to be heard.
- 24.4 Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Borough concerned have been concluded.

## **25. Access to minutes and papers after the meeting**

- 25.1 On behalf of the Joint Committee, a clerk will make available copies of the following for six years after the meeting:
- (i) the minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Joint Committee, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
  - (iii) the agenda for the meeting; and
  - (iii) reports relating to items when the meeting was open to the public.

## **26. Amendment of these Rules**

- 26.1 These Rules shall be agreed by the Joint Committee at its first meeting. Any amendments shall be made by the Joint Committee following consultation with the monitoring officers of the Participating Boroughs. Note that Rule 3 (Functions) may only be amended following a formal delegation from each of the Participating Boroughs.

## **27. Background Papers**

- 27.1 Every report shall contain a list of those documents relating to the subject matter of the report which in the opinion of the author:
- (i) disclose any facts or matters on which the report or an important part of it is based;
  - (ii) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information and in respect of reports to the Joint Committee, the advice of a political assistant.

- 27.2 Where a copy of a report for a meeting is made available for inspection by the public at the same time the clerk shall make available for inspection
- (i) a copy of the list of background papers for the report
  - (ii) at least one copy of each of the documents included in that list.
- 27.3 The Clerk will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.