

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 Health & Wellbeing Board, and in relation to this support and liaise with the Portfolio Holder for Health & Wellbeing on health and wellbeing matters;
- To act as Chairman of the Council's Improvement and Commissioning Boards;
- To act as Chairman of the Major Developments Panel and liaise with appropriate Portfolio Holders on the Council's strategic major projects;
- 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;
- To oversee the governance of the Harrow Strategic Partnership through Harrow Chief Executives, Assemblies and Summits;
- 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 through the Member Development Panel;
- 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.

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 Business and Enterprise

- To oversee and direct the effective development and implementation of the following key Place Shaping strategies:
 - Economic Development Strategy
 - Town Centre Strategy
 - West London economic development planning

working in conjunction with the Portfolio Holder for Planning, Development and Regeneration;

- To oversee 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 the coherent development of district shopping centres working in conjunction with the Portfolio Holder for Planning, Development and Regeneration;
- 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 working in conjunction with the Portfolio Holder for Planning, Development and Regeneration;
- To ensure the Council's procurement strategies support local businesses and that the Council has effective procurement systems and processes in place working in conjunction with the Portfolio Holder for Finance.

Portfolio Holder for Finance

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

- To develop and maintain a coherent, 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 oversee 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;
- 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 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 working in conjunction with the Portfolio Holder for Business and Enterprise;
- To ensure that the Council has effective procedures for the recovery of Council Tax, Business Rates and parking income and any other fees and charges;
- To ensure the effective administration of Housing Benefits;
- To ensure a co-ordinated Council response to government changes to welfare benefits, working closely with the Leader.

Portfolio Holder for Environment & Community Safety

(A) Environment

To be responsible for the development and delivery of the Council's Environment Services functions including:

- Environmental Health and Protection Services;
- Licensing Services;
- Public Realm Enforcement & Crime Reduction;
- Waste Management;
- Public Realm Infrastructure & Maintenance;
- Operational Property Management & Maintenance;
- External Sports Facilities Maintenance;
- Facilities Management (excluding Schools);
- Property & Public Realm Investment Programmes;
- Transportation policy;
- Waste and public realm policy;
- To oversee the development, and implementation of policies and strategies to address climate change;
- To oversee the development and implementation of policies and strategies and the monitoring of environmental and public protection services including:
 - Waste Management Strategy
 - Local Implementation Plan (Transportation)
 - Waste Strategy
 - Play Strategy in conjunction with Portfolio Holder for Community and Cultural services;
- To oversee the development and implementation of the Council's Sports, Recreation & Open Spaces Strategy in liaison with the appropriate Portfolio Holders;
- To oversee the development and maintenance of positive links and partnerships with other organisations and businesses to improve the transport services within Harrow in consultation with the Portfolio Holder for Planning & Regeneration.

(B) Community Safety

- 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 and alcohol, and crime reduction.

(C) Risk, Audit & Fraud

- 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 oversee the Council's arrangements for health safety and welfare;
- To oversee the Council's arrangements for internal audit;
- To oversee all matters relating to corporate anti fraud activities;
- To oversee the Council's insurance arrangements.

Portfolio Holder for Planning, Development and Regeneration

To be responsible for the policy direction of the Council's Place Shaping, Regeneration, Planning and Development functions including:

- Strategic planning policy and implementation including:
 - Planning policy and research
 - Economic Development
 - Housing policy (in consultation with the Portfolio Holder for Housing)
 - Development Management
 - Building Control
 - Conservation and Design
 - Open Spaces & Green Belt policy
 - Town Centre & Major Projects activity
 - Town Centre Management.

- To oversee and direct the effective development and implementation of the following key Place Shaping strategies:
 - 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;

working in conjunction with the Portfolio Holder for Business and Enterprise.

- To ensure that all aspects of the Environment and Enterprise Directorate's work involves appropriate and effective community engagement;
- To ensure the coherent development of district shopping centres working in conjunction with the Portfolio Holder for Business and Enterprise;
- Act as the Member level 'Design and Heritage Champion' for the Authority;
- 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 working in conjunction with the Portfolio Holder for Business and Enterprise;
- Chair the Council's Planning Committee or equivalent body unless an alternative nominee is appointed by the Full Council, and the Council's Local Development Framework 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;
 - Co-location of services with partners.

Portfolio Holder for Children and Schools

(A) Children

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 oversee 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 Chair the Children's Trust Board and to be a member of the Children and Young People's Partnership and the Local Safeguarding Children 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 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, with Health, of Children's Health Services including Child and Adolescent Mental Health Services from health service providers and community and voluntary organisations working in conjunction with the Portfolio Holder for Health and Wellbeing;
- 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 the maintenance or positive links with the local Youth Parliament and Harrow members of the UK Youth Parliament;
- To oversee the development and implementation of 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;

- To lead on partnership with the Health Service in relation to Children working in conjunction with the Portfolio Holder for Health and Wellbeing.

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
 - Achievement and Inclusion
 - Ethnic Minority Achievement Service
 - Harrow Tuition Service
 - Teachers' Centre
 - 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 other 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.

Portfolio Holder for Property and Major Contracts

To be responsible for the policy direction for the development of the Council's property assets and the development and delivery of the Council's major partnership contracts:

(A) Property

- 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.

(B) Major Contracts

- To oversee the procurement and commercial management of all major contracts, liaising with the Leader and the Portfolio Holder for Finance;
- 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.

Portfolio Holder for Health and Wellbeing

- To be responsible for the promotion of public health and wellbeing in consultation with the Leader and in liaison with appropriate Portfolio Holders;
- To lead on partnership with the Health Service;
- To oversee the development and implementation of Supporting People working in conjunction with the Portfolio Holder for Adults and Housing;
- To oversee joint commissioning responsibilities with Health for:
 - Mental Health Services
 - Learning Disability Services
 - Older People and Physical, Sensory and Disability Services
 - Carers

working in conjunction with the Portfolio Holder for Adults and Housing.

- To promote wellbeing across the Council;
- To lead on external relationships including the voluntary and private sector in relation to Health and Wellbeing;
- To oversee the Commissioning and monitoring, with Health, of Children's Health Services including Child and Adolescent Mental Health Services from health service providers and community and voluntary organisations working in conjunction with the Portfolio Holder for Children and Schools;
- To lead on partnership with the Health Service in relation to Children working in conjunction with the Portfolio Holder for Children and Schools;

- To oversee Public Health working closely with other Portfolio Holders.

Portfolio Holder for Adults and Housing

(A) Adults

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 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 oversee the protection and safeguarding of vulnerable adults;
- To oversee the development and implementation of Supporting People working in conjunction with the Portfolio Holder for Health and Wellbeing;
- To oversee the direct provision for Community Care Services and lead on service user engagement;
- To oversee joint commissioning responsibilities with Health for:
 - Mental Health Services
 - Learning Disability Services
 - Older People and Physical, Sensory and Disability Services
 - Carers

working in conjunction with the Portfolio Holder for Health and Wellbeing;

- To oversee the development and implementation of policies and strategies for the provision of adults care services in the Borough including:
 - Adults Transformation
 - Personalisation;
- To lead on external relationships including the voluntary and private sector in relation to Adult Social Care.

(B) Housing

To be responsible for the development and delivery of the Council's housing services, including:

- To oversee the development and implementation of policies and strategies for the provision and improvement of housing in the Borough;
- To oversee development and delivery of the Housing Ambition Plan and Housing's vision;
- To ensure maximum opportunities exist to engage residents in the development and delivery of all housing services and that regular opportunities exist to test tenant and leaseholder satisfaction and to ensure that feedback is used to improve services;
- To ensure the HRA remains viable and provides value for money services working closely with the Portfolio Holder for Finance;
- 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 in 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 those in urgent need or who are homeless;
- To ensure an assessment of future housing needs within the Borough is regularly taken and informs future services;
- To oversee the maintenance, repair and improvement of the Council's housing stock;
- To oversee 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;
- Jointly with other Portfolio Holders to oversee the development of a strategy to support social inclusion in the provision of local housing;

- To oversee the development and delivery of 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.

Portfolio Holder for Community and Culture

To be responsible for the development and delivery of the Council's Community and Culture services including:

- To be the lead member for Library Services including overseeing compliance with the Statutory Duties and the delivery of contractual requirements for the provision of library management services by external contractors or partners.
- To oversee the performance of the Leisure Management Service contract in relation to Harrow's leisure sites monitoring the delivery of contractual requirements by external contractors or partners.
- To oversee the strategic development, delivery and general management of the following services and functions on behalf of the Council including:
 - Culture and Arts Services including Harrow Music Service
 - The Harrow Museum Heritage Centre and Headstone Manor including the Local History Collections (Archives)
 - Voluntary and Community Sector (VCS) Support including Discretionary Grants, VCS accommodation and the Council's Third Sector Investment Strategy
 - Community Cohesion, Hate Crime and Community Tension Monitoring and PREVENT activity, responding to national, regional and local initiatives and activity
 - Sports Development and Physical Activity including the support of Harrow Community Sport & Physical Activity Network
 - Adult, Community & Family Learning including performance against OFSTED requirements
- To oversee and monitor the performance of other external Service Providers e.g. Harrow Community Music Hub, Harrow Community Learning Providers
- To oversee effective development and implementation of the following key plans and strategies:
 - Cultural Strategy
 - Community Learning Strategy

- Outdoor Sports & Playing Fields Strategy
- 'Third Sector' strategy and Third Sector Investment Plan
- To oversee the promotion and development of positive links, joint working arrangements and partnerships with the voluntary, community and faith sectors, reflecting the full diversity of the borough.
- To oversee the promotion and development of positive links, joint working arrangements and partnerships with the arts, cultural and heritage sectors, reflecting the full diversity of the borough.

Portfolio Holder for Communications, Performance and Resources

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

(A) Communications

- To oversee 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 oversee internal communications and staff awards;
- Give direction to the Council's media relations in support of promoting the Council's reputation;
- Promote the Council's branding to deliver consistency across services and to improve residents' awareness of our services.

(B) 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 progress and key issues to Cabinet;
- To support Improvement and Commissioning Boards across all Council services;
- To oversee 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 support the development of the Council's equalities framework and monitor progress to drive improvement;
- To oversee the Council's Performance Management Framework and the Corporate Improvement Boards to ensure the Council is performing to its full potential.

(C) Customer Services

- To oversee all matters relating to Access Harrow, Customer Care and Complaints;
- To oversee the management and implementation of the Customer Access Strategy.

(D) IT

- To ensure the development and maintenance of a coherent IT strategy;
- To ensure the effective delivery of IT services, through the contract with Capita;
- To ensure that disaster recovery arrangements are developed, implemented and maintained;
- To ensure that the Council has effective information management and information security arrangements.

(E) 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 ensure the development and delivery of the Council's Strategy for People;
- To oversee the Council's relations with its Trades Unions;
- Chair the Council's Employee Consultative Forum (ECF) or equivalent body.

(F) 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, and scanning and indexing services;
- To ensure the delivery of the financial assessments service for social care clients.

(G) Legal & Governance

- To oversee development of 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.

(H) Business Transformation

- To oversee the development of the Council's Transformation Programme in support of delivering a balanced medium term budget;
- Monitor the Council's Transformation Programme;
- Steer the Council's commercial relationships with its Transformation Partners.