

# **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 or the dismissal of the Head of Paid Service;
- (o) making, amending, revoking, re-enacting or adopting by-laws and promoting or opposing the making of local legislation or personal bills;
- (p) to determine the meaning of “significant” in relation to “key” decisions (Article 13 refers);
- (q) deciding whether to make a delegation of a non-Executive function or accept a delegation of a non-Executive function from another Authority;
- (r) to receive reports and consider recommendations from the Executive, Scrutiny, Standards and other Committees as appropriate; and
- (s) making appointments of Members to outside bodies; and
- (t) 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 and Risk Management Committee**

**Licensing and General Purposes Committee**

**Chief Officers' Employment Panel**

**Early Retirement Sub-Committee**

**Licensing Panel**

**National Non-Domestic Rate: Discretionary Rate Relief Appeal Panel**

**Pension Fund Investments Panel**

**Personnel Appeals Panel**

**Social Services Appeals Panel**

**Overview and Scrutiny Committee**

**Call-In Sub-Committee**

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

**Performance & Finance Sub-Committee**

**Planning Committee**

**Standards Committee**

**Assessment Sub-Committee**

**Hearing Sub-Committee**

**Review Sub-Committee**

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

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

- a) To ensure that the Council's governance framework is in line with current guidance and best practice
- b) To review the Council's governance framework and annual improvement plan and monitor progress
- c) To review the Council's risk management strategy and monitor progress on risk management
- d) To monitor the Council's insurance arrangements
- e) To review the Council's emergency planning and business continuity arrangements and monitor progress on emergency planning and business continuity
- f) To review the Council's Health and Safety arrangements and monitor progress on Health and Safety
- g) **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**

- h) **To review the Treasury Management strategy and monitor progress on treasury management in accordance with CIPFA codes of practice**
- i) To monitor compliance with internal controls
- j) 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**)

- k) To receive and consider the Annual Audit and Inspection Letter (or equivalent) and make recommendations as appropriate
- l) To scrutinise/comment on the Internal Audit three year strategic plan and annual plan
- m) To monitor progress against the Internal Audit plan and receive summaries of audit work completed and key recommendations
- n) To consider all individual Internal Audit reports on a regular basis
- o) To scrutinise/comment on the External Audit plan and fees**
- p) To monitor progress against the External Audit plan and receive summaries of audit work completed and key recommendations
- q) To consider individual External Audit reports and inspection reports carried out by external agencies as appropriate and at the request of the Committee.**
- r) To review the management response to audit and regulatory recommendations and progress on implementation of recommendations
- s) To recommend action where audit and regulatory recommendations are not being implemented
- t) To monitor on a regular basis the Council's approach to tackling fraud and corruption and promote an anti-fraud culture
- u) To consider the appointment of co-opted members and review the adequacy of meeting frequencies in response to the Committee's remit**
- v) To appoint and maintain appropriate Lead Members from the Committee to monitor, review and update on specific areas of the Committee's remit.**

## **LICENSING & 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 Local Government Superannuation Regulations and the Teachers' Superannuation Regulations and 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 or dismissal of the Head of Paid Service;
- (b) To make appointments or dismissal of Chief Officers

### **EARLY RETIREMENT SUB-COMMITTEE**

The Early Retirement Sub-Committee has the following powers and duties:

- (1) 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;
- (2) To apply the arrangements set out in (1) 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.

## **LICENSING PANEL**

- (i) To determine applications and to make Orders in respect of:
- licenses, 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 sub-committee;
  - 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) 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.

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

### **NATIONAL NON-DOMESTIC RATE: DISCRETIONARY RATE RELIEF APPEAL PANEL**

The National Non-Domestic Rate Discretionary Rate Relief Appeal Panel has the following powers and duties:

To determine appeals in respect of all categories of discretionary rate relief.

### **PENSION FUND INVESTMENTS PANEL**

The Pension Fund Investments Panel has the following powers and duties:

- To administer all matters concerning the Council's pension investments in accordance with the law and Council policy;
- To establish a strategy for the disposition of the pension investment portfolio;
- To determine the managers' delegation of powers of management of the fund.

### **PERSONNEL APPEALS PANEL**

The Personnel Appeals Panel has the following powers and duties:

- To consider and decide upon appeals against disciplinary action;
- To hear and determine locally, appeals against the outcome of Job Evaluation;
- To hear and determine locally, appeals under the Council's Grievance Procedure.



## **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.

### **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 Rule 22 of the Overview and Scrutiny 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 Rule 22 of the Overview and Scrutiny 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

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

The Performance and Finance Sub-Committee has the following power 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 Local Area Agreement;
4. To undertake specific investigation of identified 'hot spots' through Q&A, reports or challenge panels – subject to endorsement by Overview and Scrutiny Committee;
5. To refer 'hot spots' to Overview & Scrutiny for more detailed investigation where necessary;
6. To consider such urgent items as are appropriate – ad hoc, Councillor Calls for Action, area scrutiny.

## **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.

## **STANDARDS COMMITTEE**

The Standards Committee will have the following powers and duties:

- (a) promoting and maintaining high standards of conduct by Councillors, co-opted members and “church” and parent governor representatives;
- (b) assisting Councillors, co-opted members and “church” and parent governor representatives to observe the Members’ Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members’ Code of Conduct;
- (d) monitoring the operation of the Members’ Code of Conduct;
- (e) developing and recommending local protocols to the Council to supplement the Members’ Code of Conduct;

- (f) enforcing local protocols and applying sanctions in respect of breaches as appropriate;
- (g) 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;
- (h) 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;
- (i) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter which is referred by an Ethical Standards Officer to the Monitoring Officer;
- (j) to keep under review and amend, as appropriate, the Protocol on Councillor/Officer Relations;
- (k) to keep under review the Officer Code of Conduct and, after consultation with unions representing staff, make recommendations to Council for amendment or addition;
- (l) 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;
- (m) to have oversight of the Council’s whistleblowing policy;
- (n) to agree the policy for decisions on payments to those adversely affected by Council maladministration (under section 92 Local Government Act 2000)
- (o) To establish sub-committees to deal with complaints that a member or a co-opted member has failed to comply with the Council’s Code of Conduct
- (p) 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.
- (q) 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.

## **ASSESSMENT SUB-COMMITTEE**

The Assessment Sub-committee has the following powers and duties:

- (a) To receive allegations that a member or co-opted member of the Authority has failed, or may have failed, to comply with the Authority's Code of Conduct
- (b) Upon receipt of each allegation, the Sub-Committee shall make an initial assessment of the allegation and shall then do one of the following:
  - refer the allegation to the Monitoring Officer, for formal investigation
  - refer the allegation to the Monitoring Officer with directions that he/she arrange training, conciliation or such appropriate alternative
  - steps as permitted by Regulations;
  - refer the allegation to the Standards Board for England;
  - decide that no action should be taken in respect of the allegation; or
  - where the allegation is in respect of a person who is no longer a member of the Authority, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other relevant authority;
- (c) Where the Sub-Committee resolves to do any of the actions set out in paragraph (b) above, the Sub-Committee shall state its reasons for that decision

## **HEARING SUB-COMMITTEE**

The Hearing Sub-committee has the following powers and duties

- (a) To consider allegation referred to it following investigation that a member or co-opted member has failed to comply with the Council's Code of Conduct for Councillors
- (b) To determine whether
  - it accepts the Monitoring Officer's findings of no failure to observe the Code of Conduct
  - the matter should be referred for consideration at a hearing before the Hearings Sub-Committee of the Standards Committee; or

- that the matter should be referred to the Adjudication Panel for determination where it considers that the action it could take against the member is insufficient
- (c) Where the Sub-Committee resolves to do any of the actions set out in paragraph (b) above, the Sub-Committee shall state its reasons for that decision.

## **REVIEW SUB-COMMITTEE**

The Review Sub-committee has the following powers and duties:

- (a) To review, upon the request of a person who has made an allegation that a member of the Authority has failed, or may have failed, to comply with the Authority's Code of Conduct a decision of the Assessment Sub-Committee that no action be taken in respect of that allegation
- (b) Upon receipt of such request and any accompanying report by the Monitoring Officer, the Sub-Committee review the decision and shall then do one of the following:
- refer the allegation to the Monitoring Officer, for formal investigation
  - refer the allegation to the Monitoring Officer with directions that he/she arrange training, conciliation or such appropriate alternative steps as permitted by Regulations;
  - refer the allegation to the Standards Board for England;
  - decide that no action should be taken in respect of the allegation;  
or
  - where the allegation is in respect of a person who is no longer a member of the Authority, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other relevant authority;
- (c) Where the Sub-Committee resolves to do any of the actions set out in paragraph (b) above, the Sub-Committee shall state its reasons for that decision.

# OTHER STATUTORY COMMITTEES

## STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION

1. To advise the Borough's Teachers and the Manager of the Library Service on the provisions of appropriate teaching resources in support of the Harrow agreed RE syllabus.
2. To assist teachers in RE by devising and making available to them schemes of work and teaching materials based upon the Harrow agreed syllabus.
3. To assist in identifying teachers' in-service needs and in conjunction with the Teachers' Centre and the Advisory and Inspection Service, to arrange appropriate courses for teachers.
4. To make recommendations to the Corporate Director Children's Services on resources deemed desirable for implementing and reviewing the agreed syllabus and in furthering the effectiveness of religious education in Harrow Schools.
5. To call a Standing Conference for reviewing the agreed syllabus of Religious Education from time to time.
6. To approve exemptions from Statutory Regulations on Acts of Worship.

### Membership (Total 41 persons)

- (1) Group A - Representatives of Christian and Other Religious Denominations (22)
- (2) Group B - Representatives of the Church of England (3)
- (3) Group C - Representatives of Teachers (6)
- (4) Group D - Representatives of the Local Education Authority (3 Councillors and a representative of the Harrow Humanist Association).
- (5) Group E - Co-opted Members (5)
- (6) Adviser to the Council nominated by the Corporate Director Children's Services



## **HARROW ADMISSIONS FORUM**

1. To exercise the functions set out in Section 85A of the Schools Standards and Framework Act 1998 (as amended) in relation to:

Local school admission arrangements including proposed admission arrangements

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

**THE EXECUTIVE (CABINET)**

**As laid out in Item 2 of the Summons**

# **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.)

**Business Transformation Partnership**

**Corporate Parenting**

**Education Admissions and Awards**

**Grants**

**Harrow Business Consultative**

**Local Development Framework**

**Supporting People**

**Town Centre and Major Projects**

**Traffic**

\* \* \* \* \*

**BUSINESS TRANSFORMATION PARTNERSHIP**

1. To provide the Authority's Executive supervision of the Business Transformation Project and in acting on behalf of the Cabinet in this role to:
  - receive relevant reports from the BTP Partnership Board or officers of the Council on which decisions of the Executive are sought or required and to make all such decisions;
  - receive the minutes of all the BTP Partnership Board meetings for information;
  - call for such information from the BTP Partnership Board or officers of the Council as may be considered appropriate to the effective monitoring of the BTP as a whole or on specific aspects of the Project;
  - provide such guidance, information or instruction to the BTP Partnership Board as may be considered necessary in representing the Authority's interests;

- make recommendations to the full Cabinet as necessary on those matters which relate to the performance of the BTP and would impinge on the deployment of the Authority's resources in support of the Project or otherwise relate to the viability of the Project.
2. To effect appropriate supervision of the Authority's Information Technology processes, whether directly related to the BTP or otherwise, and for this purpose to subsume the previous role of the "IT Members' Forum" (latterly also referred to as the "ICT Members' Group").

[Notes:

(1) The IT Members' Forum had recently been operating a dual agenda, the first part of which was dedicated to BTP issues and the second part to general IT monitoring items;

(2) the Councillor membership of the IT Members' Forum has been:  
Councillors Choudhury, Dighe, Idaikkadar, Mark Ingram, C.Mote and Paddy Lyne.]

## **CORPORATE PARENTING PANEL**

### Purpose

1. To ensure that the Council is fulfilling its duties towards Looked After Children 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

### 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 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.
5. To comment on and contribute to plans, policies and strategies for looked after children and make appropriate recommendations for action.

6. To have a monitoring role, by receiving regular progress reports on a number of key PI's e.g. educational attainment (including implementation of Personal Education Plans), health assessments and implementation of Local Area Agreements for CLA.
7. Monitor the plans/needs of children in Secure Accommodation.
8. To receive regular reports on the needs of care leavers including employment, further education, training and housing.
9. To receive annual reports on the following services
  - Adoption
  - Fostering
  - Complaints
10. To meet with CLA and their carers on a regular basis to consult and celebrate achievements, festivals etc.
11. 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)

- 2 Children Looked After
- 2 Foster Carers
- 1 Designated Teacher

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

- Director of Children's Services
- Group Manager + Children and Families
- Group Manager Safeguarding and Family Support
- Group Manager Fostering, Adoption and Residential Care
- Senior Professional (Inclusion)
- Principal Educational Psychologist
- Senior Coordinator (Children Looked After)

## **EDUCATION ADMISSIONS AND AWARDS ADVISORY PANEL**

1. To make recommendations in respect of granting a place (in a County Primary or High School) in accordance with expressed parental preference where, in the Panel's judgement an appeal under Section 423, Schedule 33, of the Education Act 1996 would be likely to be successful.
2. In respect of 1 above, to make recommendations with respect to determining the allocation of school places including, where appropriate, authority to exceed a published admissions limit or standard number.

## **GRANTS ADVISORY PANEL**

To consider proposals and to make recommendations in respect of:

- (a) To regularly review the arrangements for receiving, processing, and approving applications for support from the voluntary sector, including grants, concessionary lettings, use of the community premises and other council premises, and discretionary rate relief
- (b) To review grant applications annually ensuring that they meet agreed criteria and conditions, and make recommendations for funding to cabinet or the portfolio holder as appropriate
- (c) To consider matters relating to concessionary lettings, and make recommendations to cabinet or the portfolio holder as appropriate
- (d) To consider applications for accommodation within the Community Premises; and make recommendations to cabinet or the portfolio holder as appropriate
- (e) To consider the arrangements for use of other Council premises, and make recommendations to cabinet or the portfolio holder as appropriate
- (f) To review the criteria for the granting of discretionary rate relief to non-profit making organisations, and make recommendations to cabinet or the portfolio holder as appropriate
- (g) To monitor the impact of support to the voluntary sector
- (h) To consider matters relating to the London Boroughs Grants Scheme, administered by London Councils
- (i) To consider applications for funds from the Edward Harvist Trust
- (j) To consider any other matters relating to support to the voluntary sector

## **HARROW BUSINESS CONSULTATIVE ADVISORY PANEL**

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.

## **LOCAL DEVELOPMENT FRAMEWORK ADVISORY PANEL**

1. To give detailed consideration to and make recommendations in respect of:
  - (a) the Local Development Framework and its Development Plan Documents and matters incidental thereto
  - (a) representations received to Development Plan Documents and any amendments proposed;
  - (c) monitoring the implementation of the Framework, its review and modification as necessary.
2. To make recommendations in respect of the development of such individual sites as may be referred to the Panel by the Cabinet.
3. To give detailed consideration and to make recommendations in respect of all other planning policy matters such as the designation of Conservation Areas and amendments to their boundaries and the designation of locally listed buildings.

## **SUPPORTING PEOPLE ADVISORY PANEL**

1. To be informed of developments in the implementation of Supporting People including consultation, strategy development, practical and procedural matters;
2. To make recommendations on the Supporting People strategy, following consultation with local stakeholders and the Health and Social Care Strategy Group of the Harrow Partnership;
3. To make recommendations on the approval of associated strategies, policies and implementation needs in line with DTLR guidance in order to deliver strategy by April 2003.

## **TOWN CENTRE AND MAJOR PROJECTS PANEL**

The Terms of Reference and Delegated Powers of the Town Centre and Major Projects Panel are:

1. To oversee the preparation and implementation of the Town Centre Strategy, including arrangements for consultation, subject to final approval of the strategy by Cabinet.
2. To oversee the preparation and implementation of the master plan for the Harrow on the Hill Station site, including arrangements for consultation, subject to final approval of the master plan by the Cabinet.
3. To consider and where appropriate approve proposals/development briefs for major projects both within and outside the Town Centre and their implementation, including acquisition and disposal of land, but excluding exercising the Council's development control powers as Local Planning Authority subject to final approval by Cabinet.
4. To make recommendations where appropriate on matters affecting the Town Centre to the Local Development Framework Advisory Panel and Cabinet.
5. To authorise expenditure within agreed budgets.
6. To monitor and review progress on 1-5 above.

## **TRAFFIC ADVISORY PANEL**

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

**Education Consultative Forum**

**Employees' Consultative Forum**

**Tenants' and Leaseholders' Forum**

## **EDUCATION CONSULTATIVE FORUM**

### **Function and Objectives**

1. The function and objectives of the Education Consultative Forum shall be:
  - (i) to act as a medium of communication between the Executive, its teaching employees, governing bodies, other Councillors, denominational representatives and other interested parties, other than in regard to matters of a personal or individual school specific nature;
  - (ii) to promote and encourage interchange of opinion on questions relating to the provision and administration of education, in the London Borough of Harrow and to assist the Executive on all such questions;
  - (iii) to consider and report or advise (as required) upon all questions referred to them by the Executive;
  - (iv) to encourage and foster a wide interest and responsibility for education, in the London Borough of Harrow;
  - (v) to provide facilities for the full consideration and utilisation of experience and ideas of teachers and governors.

### **Composition of the Education Consultative Forum:**

2. There shall be established a Forum to be composed of a range of constituent groupings as follows:
  - (a) A Member constituency with seven members (politically proportionate);
  - (b) A Teachers constituency of six members (to be nominated by Harrow Teachers' Consultative Committee) comprising a primary head; a secondary head and four teachers;

- (c) A Governor constituency of six members (to be nominated by the Association of Harrow Governing Bodies) comprising two governors from secondary schools, two governors from primary schools, one governor from a special school and one governor from a voluntary aided school;
  - (d) Two elected parent governors;
  - (e) A denominational representative constituency comprising one Roman Catholic and one Church of England representative (may be the same as the Lifelong Learning scrutiny sub-committee);
3. Each of the above constituencies should appoint a nominated person with whom the Chair of the EdCF can liaise between meetings.

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

### **Meetings and Attendees**

- 4. Any relevant member of the EdCF may request an item relevant to the work of the EdCF to be placed on the agenda, but the agenda will be at the discretion of the Chair.
- 5. Each constituent group shall nominate an individual who can liaise with the Chair to place items on the agenda. Each political group may also have a nominated member for this purpose.
- 6. Each agenda will include an item 'Arrangement of the Agenda' which will allow the meeting to consider and vote where the chair's discretion has been exercised to refuse an agenda item under point 4 above.
- 7. All constituent members of the Consultative Forum may nominate a list of reserves to attend meetings in their place.
- 8. The Vice Chair of the EdCF will be elected from the non-Councillor participants of the Consultative Forum.
- 9. The members of the Consultative Forum shall hold office until the appointment of their successor by the relevant nominating body, e.g. Council, Harrow Teachers' Consultative Committee or Association of Harrow Governing Bodies. Any casual vacancy shall be filled as and when it may arise.
- 10. Any individual being a member of the teachers' side of the Consultative Forum shall cease to be a member if he/she shall cease to work for the London Borough of Harrow.

Any individual being a member of the governors' side of the Consultative Forum shall cease to be a member if he/she shall cease to be a governor in the London Borough of Harrow.

Any individual being a member of the Councillors' side of the Consultative Forum shall cease to be a member if he/she shall cease to be an elected member for the London Borough of Harrow.

11. The constituent groupings within the EdCF may meet separately with the Member constituency on the Forum as laid down in the 'Rules for meetings of constituent groupings of the EdCF with Councillor Members'.

12. Appendix A will be used as a framework in deciding whether proposed agenda items are relevant for meetings of the EdCF or for meetings of members with constituency groupings.

***Note: Except where the views of the Consultative Forum have been requested by the Executive/another Committee, no recommendation or reference to the Executive or another Committee can be made unless it is agreed by a majority of the elected Councillors.***

## **EMPLOYEES' CONSULTATIVE FORUM**

### **Terms of Reference:**

#### **1. Consultation**

1.1 The consultative forum is the primary mechanism by which council Members will consult Union representatives on council strategies, policies, organisational change and other issues of mutual concern.

1.2 It will also provide a forum for discussion on matters of mutual interest. The consultative forum shall make recommendations to the cabinet on such issues.

1.3 The consultative forum shall make recommendations to the relevant Portfolio Holder or cabinet upon matters which have not been resolved at management level, specifically:

- Items referred by either management or the trade unions following the failure to agree at the Corporate Joint Committee (CJC);
- Items referred by either management or the trade unions following failure to agree at a Departmental Joint Committee (DJC)
- Items may be referred to the consultative forum directly by management or the trade unions.

1.4 The consultative forum shall not consider issues, which fall under the scope of existing procedures, e.g. disciplinary appeals, individual grievances and individual grading appeals.

#### **2. Equal Opportunities**

- 2.1 The consultative forum will seek to promote equal opportunities in employment within the Council, ensuring compliance with all the relevant anti-discrimination legislation.
- 2.2 The consultative forum will ensure the effective implementation of 'Making a Difference - making equality of opportunity a reality'. The forum will receive regular reports of progress including:
- Statistics and progress on meeting equality targets including an annual report, such statistics to include details of disciplinary, grievance and redundancy cases analysed by race, gender and disability.
  - Review of equal opportunities policies, procedures and practices.
  - Equal opportunities training, communication with staff and Harrow's communities.

### **3. Health and Safety**

- 3.1 The consultative forum 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 regular reports on the following:
- Accidents/Incidents and notifiable diseases, statistics and trends with recommendations for corrective action;
  - Consideration of reports and factual information provided by the Health and Safety Executive, Health and Safety Partnership Board, Executive Directorate Health & Safety Groups, and Trade Union Health and Safety representatives. It will also consider safety audits and internal audit reports;
  - The Council's safety policies and the extent to which they are carried out and any need for updating;
  - The effectiveness of health and safety and welfare training, communications and promotions in the workplace;
  - Facilities for safety representatives training.
- 3.2 The consultative forum will carry out site visits of premises, which either are, or potentially are, a cause for concern in respect of health and safety or welfare considerations.
- 3.3 Any health and safety and welfare matters which are the responsibility of the Council as set out in the schedule to the Councils Constitution must be referred to the Licensing and General Purposes Committee.

### **4. Membership**

- 4.1 The permanent membership of the forum shall be as follows:
- a) 7 Councillors to include the Leader and/or Deputy Leader, Portfolio Holder with responsibility for human resources
  - b) 5 Unison representatives including Vice-Chair and Branch Secretary
  - c) 1 GMB Representative (Branch Secretary or nominee)

- d) 3 representatives nominated by the Harrow Teachers' Consultative Committee
- e) 2 further representatives from the employee side from either (b) or (c).

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.

The employees' side representatives shall be nominated to the Chief Executive 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 forum for the purposes of this meeting.

Others who may attend the forum include:

Chief Executive, Executive Directors and Directors (or representative)  
Trade Union Branch Secretaries (or representative)  
Trade Union Branch Regional Officials (as required)  
Representatives from Employee Support Groups – for relevant items as appropriate  
Other officers as required.

## **5. Recommendations of the Consultative Forum**

- 5.1 Recommendations of the consultative forum are reached by a majority vote among elected Members.
- 5.2 Recommendations of the consultative forum 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).*

## **TENANTS' AND LEASEHOLDERS' CONSULTATIVE FORUM**

- 1. To consider and submit its observations to the Executive on:
  - (a) the annual Housing Revenue Account Budget, in particular, on the consequent rent implications, and
  - (b) such other specific issues as may be referred from time to time by the Executive.
- 2. To discuss items of major significance to all, or a significant number of, Associations concerning the management and ownership of the Council's Housing Stock.

3. Individual items and matters relating to particular Estates shall be considered by the Forum only if they have initially been referred to the appropriate division/department and, after an appropriate length of time has elapsed, the Association are not content with the Council's response.
4. The Forum shall meet four times (quarterly meetings) in the Municipal Year with representatives of recognised Tenants' Associations drawn from all the Council's Housing Estates. One meeting shall include discussion of the revenue budget proposals.
5. Meetings of the Forum with individual Tenants' Associations may be held only to discuss items of major significance relevant to a particular estate, such as a major refurbishment works etc., as necessary on an ad hoc basis (but not more than twice in a twelve month period). Such meetings may be held either (a) at the behest of the Council, or (b) upon a request by a Tenants' Association. Relevant ward members shall be advised of meetings of the Forum with individual Tenants' Associations.
6. Recognised Tenants' Associations shall be entitled to send two representatives each to the quarterly meetings. In the event that a vote is taken in order to gauge tenants' opinion on a particular issue, recognised Tenants' Associations shall be entitled to one vote each.
7. The Chair of the Forum shall be appointed annually by the Cabinet.

**Note: Except where the views of the Consultative Forum have been requested by the Executive/another Committee, no recommendation or reference to the Executive or another Committee can be made unless it is agreed by a majority of the elected Councillors.**

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