

## **Council – 22nd September 2014**

### **Revision to Constitution and timetable of meetings**

#### **1. Summary of report**

This report sets out proposed amendments to the Constitution as a result of the change in political control of the Council which took place on 11th August 2014.

#### **2. Recommendations**

- 2.1 That approval be given to the establishment of the following Scrutiny and Performance Panels with the remits set out in Appendix 1:

Business, Employment and the Local Economy  
Children's Services  
Neighbourhoods  
Social Care and Health

- 2.2 That approval be given to the establishment of a Personnel Committee with the remit as set out in Appendix 2 to this report.
- 2.3 That approval be given to the amendment to the process for the appointment of the Chairman of the Health and Wellbeing Board as set out in paragraph 3.3 of this report.
- 2.4 That the Constitution be amended to take into account the above changes.
- 2.5 That the revised timetable of meetings for the remainder municipal year 2014/2015 as set out in Appendix 3 of the report be approved.

#### **3. Background information**

##### **3.1 Scrutiny and Performance Panels**

The administration have agreed that the present structure of 5 scrutiny panels be reduced to 4 with a membership of 12 members. The 4 panels would be as follows:

Business, Employment and the Local Economy  
Children's Services  
Neighbourhoods  
Social Care and Health

The proposed remits are set out in **Appendix 1**.

### 3.2 Personnel Committee

The new administration have requested the establishment of a Personnel Committee which will be more effective in considering personnel policies than the present structure of an Appointments Board which meets when issues arise and does not have permanent members or Chairman.

It is proposed that the membership of the Personnel Committee be 5 members as determined under political balance regulations. The proposed remit and delegations are shown at **Appendix 2**. The present commitments of Employment Appeals Panels and the Appointments Board will need to be adhered to as arrangements have been established for these committees.

### 3.3 Health and Wellbeing Board

The change to be made in relation to the Health and Wellbeing Board relates to Part 3 of the Constitution – Table 2 – Responsibility for Council functions. At the present time the Constitution provides for the Chairman of the Board to be the nominee of the Conservative Group. It is proposed that this be amended to read “the controlling administration”. No other changes are proposed.

### 3.4 Timetable of meetings

A revised timetable of meetings for the remainder of the 2014/15 has been produced to take into account the changes referred to above. The revised timetable is attached as **Appendix 3**.

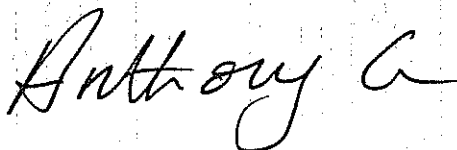
**Background papers - Nil**

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Signed:

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12th September 2014

## **Remits for Scrutiny and Performance Panels**

### **Business, Employment and the Local Economy Scrutiny and Performance Panel**

#### **Remit**

All aspects and general services related to business, employment and the local economy for example; economic, environmental and physical regeneration, planning, land and property, partnership working and strategic housing matters within the functions set out in section 21 of the Local Government Act 2000.

### **Children's services Scrutiny and Performance Panel**

#### **Remit**

All aspects and general services related to serving children and young people for example; education, children services, youth services within the functions set out in section 21 of the Local Government Act 2000.

### **Neighbourhoods Scrutiny and Performance Panel**

#### **Remit**

All aspects and general services related to neighbourhoods including (1) serving the community, for example community safety, leisure and culture, the local strategic partnership, third sector co-ordination and to review or scrutinise decisions made or other actions taken in connection with the discharge by the responsible authorities of their crime and disorder functions (no less than twice in every 12 months) as required by the Police and Justice Act, 2006, within the functions set out in section 21 of the Local Government Act 2000 and (2) the environment such as waste management, highways maintenance, grounds maintenance and traffic management, and to review and scrutinise the exercise of flood risk management functions which may affect the local authority's area as required by the Flood and Water Management Act 2010 within the functions set out in Section 21 of the Local Government Act, 2000 (as amended).

### **Social Care and Health Scrutiny and Performance Panel**

#### **Remit**

All aspects and general services related to social care; health service matters for example; adult services, health partnership matters and the public health agenda as conferred under the Health and Social Care Act 2001 within the functions set out in section 21 of the Local Government Act 2000.

### **Personnel Committee**

#### **Membership**

5 Members of the authority as determined by the Council.

#### **Substitutes**

Substitute members may be nominated to the Committee in accordance with paragraph 4 of the Council procedure rules (Part 4), subject to them having undertaken the relevant training as detailed below.

#### **Chairman and Vice-Chairman**

The Chairman and Vice-Chairman will be appointed at the Annual Council meeting for the municipal year.

#### **Quorum**

The quorum of the Committee shall be three.

#### **Meetings**

The Committee will meet six weekly, or thereabouts and meetings are usually held at the Council House, Walsall at 6.00 p.m.

#### **Access to information**

The Committee will comply with the Access to Information Rules set out in Part 4 of the Constitution.

#### **Training**

All members of the Personnel Committee shall be required to attend a training session on employment law (in relation to both appointing and dismissing), the Council's internal procedure and remit relating to dismissals prior to sitting on the Committee for the first time and subsequently to attend refresher training annually thereafter.

#### **Delegations**

- (1) To act as the Committee which makes recommendations to Council on the appointment and dismissal of the Head of the Paid Service, the Chief Executive.
- (2) The appointment and dismissal of Executive Directors and Assistant Directors in accordance with the Employment Procedure Rules;

- (3) To consider and determine appeals against dismissal submitted by employees at all levels in the context of the application of the relevant procedure or for claims of unfair or unduly severe sanctions only, in accordance with the policies approved by the Council.
- (4) To approve the remuneration levels (other than those associated with the National Pay Awards) for the Chief Executive, Executive Directors and Assistant Directors.
- (5) To act as the Committee which considers matters relating to the conduct and capability of the Chief Executive, Executive Directors and Assistant Directors in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations, 2001, including whether or not the Chief Executive should be suspended pending investigation into allegations of misconduct or incapability.
- (6) To approve procedures for appointment and dismissal of staff.
- (7) To recommend Council on the designation of the Monitoring Officer and the Chief Finance Officer.
- (8) To consider policies for approval by the Council on the exercise of its functions under the Local Government Pension Scheme and the Teachers' Pensions Scheme.
- (9) To consider policies, procedures and schemes relating to employment matters including pay and grading structure and changes to employee terms and conditions of employment.
- (10) To appoint Sub-Committees to deal with appointments and appeals.

## TIMETABLE 2014/2015 (9.9.14)

	September	October	November	December	January	February	March	April	May
<b>Mon.</b>									
<b>Tue.</b>									
<b>Wed.</b>									
<b>Thur.</b>					1 Bank hol.				
<b>Fri.</b>					2				1
<b>Mon.</b>	1		3 Willenhall AP	1 Brownhills AP	5 Audit	2 Brownhills AP	2 Health WB		4 Bank hol.
<b>Tue.</b>	2		4 Employ B	2 Aldridge AP	6 Neig'hood SP	3	3		5
<b>Wed.</b>	3	1	5	3 Personnel	7	4 Cabinet	4 Personnel	1	6
<b>Thur.</b>	4	2 Employ A Walsall S. AP	6 Social Care & Health SP	4	8 Planning	5 Planning	5 Planning	2 Planning	7 Elections
<b>Fri.</b>	5	3	7	5	9	6	6	3 Bank hol.	8
<b>Mon.</b>	8	6 Standards SACRE	10 Audit	8 Health WB	12 Council	9 Aldridge AP	9 SACRE	6 Bank hol.	11
<b>Tue.</b>	9	7 Employ B	11 Darlaston AP	9	13 Children SP	10 Walsall S. AP	10 Business SP	7 Aldridge AP Walsall S. AP	12
<b>Wed.</b>	10	8	12 Neig'hood SP	10	14 Licensing	11	11	8	13
<b>Thur.</b>	11	9	13 Planning	11 Planning	15	12	12 Social Care & Health SP	9 Neig'hood SP	14
<b>Fri.</b>	12	10	14	12	16	13	13	10	15
<b>Mon</b>	15 Darlaston AP	13 Neig'hood SP	17 Council	15 Walsall S. AP	19 Health WB	16	16	13 Council	18
<b>Tue.</b>	16 Social Care & Health SP	14 Employ B Children SP	18	16	20 Willenhall AP	17 Neig'hood SP	17	14 Children SP	19
<b>Wed</b>	17	15 Licensing	19	17 Cabinet	21 Personnel	18	18 Cabinet	15 Licensing	20
<b>Thur</b>	18 Employ A Planning	16 Employ A Planning	20 N. Walsall AP	18 Social Care & Health SP	22 Business SP	19	19	16	21
<b>Fri</b>	19	17	21	19	23	20	20	17	22
<b>Mon</b>	22 Council	20 Health WB	24 Business SP	22	26 Standards	23 Audit	23	20 Audit	25 Bank hol.
<b>Tue</b>	23 N. Walsall AP	21	25 Children SP	23	27 Darl'ton AP N. Walsall AP	24 Children SP	24 Darlaston AP	21 Standards	26
<b>Wed</b>	24 Audit	22 Personnel	26 Licensing	24 Bank hol.	28	25 Licensing	25	22 Personnel	27
<b>Thur</b>	25	23 Business SP	27	25 Bank hol.	29 Social Care & Health SP	26 Council	26 Willenhall AP	23 Business SP	28
<b>Fri</b>	26	24	28	26 Bank hol.	30	27	27	24	29
<b>Mon</b>	29 Apts Board Brownhills AP	27		29			30 Brownhills AP	27 Health WB	1 June - An. Council
<b>Tues</b>	30 Aldridge AP	28		30			31 N. Walsall AP	28 Social Care & Health SP	
<b>Wed</b>		29 Cabinet		31				29 Cabinet	3 June - Adj. Council
<b>Thur</b>		30						30 Planning	
<b>Fri</b>		31							