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Legal and Democratic Services



To: All Members of the Strategy and Resources Committee

Dear Councillor,

**STRATEGY AND RESOURCES COMMITTEE - TUESDAY, 29TH MARCH 2022,
Council Chamber - Epsom Town Hall**

Please find attached the following document(s) for the meeting of the Strategy and Resources Committee to be held on Tuesday, 29th March, 2022.

9. **CONSTITUTION WORKING GROUP** (Pages 3 - 14)

This is the first report from the Constitution Working Group to keep members informed and to propose changes for agreement by the Committee.

For further information, please contact Democratic Services, email:
democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Beldan'. The signature is fluid and cursive.

Chief Executive

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CONSTITUTION WORKING GROUP

Head of Service:	Jackie King, Director of Corporate Services
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 - Working Group Terms of Reference Appendix 2 – HR and HLP Terms of Reference Appendix 3 - Member Champion Profile

Summary

This is the first report from the Constitution Working Group to keep members informed and to propose changes for agreement by committee.

Recommendation (s)

The Committee is asked to:

- (1) Note the Working Group Terms of Reference (Appendix 1).
- (2) Agree to the review of both the Health Liaison Panel and Human Resources Panel Terms of Reference during the 22/23 municipal year and subsequent recommendations made to full Council for ratification (Appendix 2).
- (3) Agree the make-up of the Crime and Disorder sub-committee and recommend to full Council for ratification.
- (4) Agree the Member Champion profile and recommend to full Council for adoption (Appendix 3).
- (5) Note the update of the Working Group regarding the Workplan for the 22/23 Municipal year.

1 Reason for Recommendation

- 1.1 The Terms of Reference for the Human Resources Panel have been amended as follows:

- 1.1.1 To reflect political proportionality, by substituting 1 RA Councillor with 1 Opposition Councillor;
- 1.1.2 The content of HR Policies is an operational function and best practice is part of the professional remit of the officers employed in that area and as such this does not fall within the Terms of Reference of a member committee or sub-committee so has been removed;
- 1.1.3 The HR function remains within the scope of the Strategy and Resources Committee, and it is appropriate for the Committee to receive key workforce information as required, through the Panel;
- 1.1.4 The Panel cannot make any decisions around staff pay but are able to have early discussions with key officers and representatives to inform the proposal for Committee. This has been added for the 2022/2023 Municipal year.
- 1.2 The remit of the Human Resources Panel will continue to be reviewed during 2022/23 and any revisions proposed for the 2023/24 Municipal year.
- 1.3 The Terms of Reference for the Health Liaison Panel have not been amended but will be reviewed during 2022/23 and revisions proposed for the 2023/24 Municipal year in the light of significant changes to wider healthcare provision, particularly health inequalities, which are subject to ongoing discussions between key partner agencies at this time.
- 1.4 Members are being asked to support these proposals.
- 1.5 The introduction of a sub-committee (of Environment & Safer Communities committee) to deal with Crime and Disorder matters was approved at the Strategy and Resources meeting in January 2022, with the membership to be discussed and proposed by the Working Group.
- 1.6 In order to ensure that the sub-committee co-ordinates both the Prevent and Protect strategies and also other matters which require close working between both the Environment and Safe Communities committee and the Community and Wellbeing committee the following is proposed for Member agreement:
 - Chair/Vice of Environment and Safe Communities Committee
 - Chair/Vice Chair of Community and Wellbeing Committee (co-opted)
 - 1 RA Councillor (Environment and Safe Communities Committee)
 - 1 Opposition Councillor (by party nomination)

 - 1 member of Surrey Crime Police Panel (co-opted)

2 Background

- 2.1 It was agreed that the Constitution would be reviewed and updated in 2021/2022 and this work was started but was put on hold due to the impact of COVID and the lead officer for the work leaving the council.
- 2.2 At the Strategy and Resources meeting in January 2022 it was agreed that a Constitution Working Group would be established to complete this work for the 22/23 Municipal year.
- 2.3 It was agreed that the Working group would initially review membership, representation and numbers on each Committee, Sub-committee and Advisory Panel and whether they need to be updated. Also, to review the remit of the Advisory Panels to ascertain whether they need to be amended or updated in light of the changes made to the main Committees Terms of Reference.
- 2.4 That work is summarised in this report.

3 Next Steps

- 3.1 Now that the Committee Terms of Reference phase of the work is complete, the Working Group will be moving on to the update of the rest of the Constitution and associated documents.
- 3.2 A workplan with priorities and target dates will be prepared, with a view to completion in time for presentation to the July 2022 Council meeting.
- 3.3 As previously confirmed, this will include the Standing Orders around speaking at public meetings and incorporating the extensive input from members previously to that piece of work.

4 Risk Assessment

Legal or other duties

- 4.1 Equality Impact Assessment
 - 4.1.1 No specific concerns in this report
- 4.2 Crime & Disorder
 - 4.2.1 No specific concerns in this report
- 4.3 Safeguarding
 - 4.3.1 No specific concerns in this report
- 4.4 Dependencies
 - 4.4.1 No specific concerns in this report

4.5 Other

4.5.1 No specific concerns in this report

5 Financial Implications

5.1 No specific implications arising from the contents of this report.

5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

6 Legal Implications

6.1 The involvement of the Monitoring Officer in this work will ensure that any Constitutional amendments are made in accordance with regulations and legal requirements.

6.2 **Legal Officer's comments:** None arising from the content of this report.

7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:
Effective Council

7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.

7.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.

7.5 **Partnerships:** None arising from the contents of this report.

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Report to Strategy and Resources Committee 27 January 2022](#)
- [Minutes of the Strategy and Resources Committee 27 January 2022](#)

Other papers:

- None

Standards & Constitution and S&R Committee Member Working Group

Review of Council Constitution - Governance Arrangements

Reporting Line

- Reporting to Standards & Constitution Committee

Composition

- Chair: Chair of Standards and Constitution Committee
(WG will agree a substitute Chair if not available)
- Size: 7 Members (including Chair)
 - Chair of the Standards and Constitution Committee
 - Chair of Strategy and Resources Committee
 - Vice Chair of the Standards and Constitution Committee
 - Vice Chair of Strategy and Resources Committee
 - 1 Labour Group Councillor (by party nomination)
 - 1 Liberal Democrat Group Councillor (by party nomination)
 - 1 Conservative Councillor (by party nomination)

Nomination process and Confirmation of appointments:

- Chairs of Standards and Constitution and S&R Committee

Substitutes:

- Substitutes are not allowed to sit

Period of Operation

- As required by Standards and Constitution Committee – work to be completed during the new Municipal Year 22/23.

Terms of Reference

1. To review and update the Council Constitution and related documents:
 - To develop a Workplan which will set out order of work, priorities and timeline for completion.
 - To make proposals to the Standards & Constitution Committee for consideration prior to recommendation to Full Council for adoption during the 22/23 Municipal year.

Human Resources Panel

Frequency: Twice annually (if required)

Membership: 6 members (5 RA and 1 OPP)

The ToR below have been amended as indicated but will be further reviewed throughout the 22/23 Municipal year to ensure they are fit for purpose.

1. TERMS OF REFERENCE

1. To ~~advise~~ **provide** the Strategy and Resources Committee ~~on~~ **with**:
 - a. ~~employment policies and good practice (excluding the setting of staff pay);~~
 - b. ~~staff wellbeing.~~
 - **Key points of the annual workforce report**
 - **Proposal for any new staff pay deal**
2. The Panel is able to invite the **Chair of the** Staff Consultative Group to attend the Panel **for specific items** as and when required ~~or to present such reports as it may require.~~

Health Liaison Panel

Frequency: 3 meetings annually

Membership: 7 members (6 RA and 1 OPP)

The ToR below have not been amended but will be reviewed throughout the 23/24 Municipal year in the light of significant changes to wider healthcare provision, particularly health inequalities, which are subject to ongoing discussions at this time.

1. TERMS OF REFERENCE

To advise the Community & Wellbeing Committee on:

1. Preparing, promoting and monitoring the Council's Health Strategy in association with National Health Service bodies, Social Services and the voluntary sector;
2. Providing leadership and liaising with NHS bodies, the County Council and other agencies to promote the effective use of all resources and the delivery of best value Health and Social Services to the community.

3. Working in partnership with a Member from each of the following – Elmbridge Borough Council, Mole Valley District Council, Reigate & Banstead District Council and officers from these local authorities on:
 1. Promoting the interests of the local residents in any decisions concerning health services;
 2. Developing a shared vision for the nature, location and quality of local NHS services;
 3. Facilitating partnership working and the sharing of information and to co-ordinate input into the NHS decision-making processes;
4. Providing a focus for the Councillor-lead meetings and interaction with local NHS representatives.
5. Furthering the local democratic legitimacy of NHS bodies and their local public accountability.

Member Champions - Role Description

1. Purpose of Member Champions

1.1. The main purpose of Member Champions is to:

- 1.1.1. promote the cause for which they are a champion;
- 1.1.2. support the work of Epsom and Ewell Borough Council.

1.2. Member Champions achieve this through:

- 1.2.1. being outward-facing, enthusiastic, and focused on raising the profile of the area they champion;
- 1.2.2. developing in-depth knowledge and understanding of the issue(s) they Champion. using that knowledge to support the relevant Committee Chair(s) and Vice Chair(s);
- 1.2.3. represent their area both within and outside the Council in line with Council policy;
- 1.2.4. engaging relevant stakeholders to include them in the Council's work;
- 1.2.5. acting as an advocate or spokesperson for the Council's business and activities;
- 1.2.6. providing positive support and on occasions constructive challenge to officers in driving forward the Council agenda on relevant issues;
- 1.2.7. acting as the Council's representative on relevant external bodies where appointed to by the Council;
- 1.2.8. encouraging communications and positive action over the issue(s) they represent.

2. Role of Member Champions

2.1. All Member Champions will have an allocated area of responsibility agreed at the Annual meeting.

2.2. Member Champions are aligned to the themes of the Future 40 Vision:

- Green & Vibrant
- Safe & well

- Opportunity & Prosperity
- Smart & Connected
- Cultural & Creative
- Effective Council

2.3 In addition, there is an Armed Forces Champion.

2.4 All Member Champions must act reasonably in their role and recognise and work to the agreed priorities and working practices adopted by the Council. As such the Member Champion must work with and communicate regularly with the relevant Committee Chair(s).

2.5 A Member Champion cannot make decisions and must not commit the Council in any way or in a manner that could be interpreted as being contrary to established policy and practice. They may however confirm a position as stated in a published policy.

3. Conditions of being a Member Champion

3.1. A Member Champion can be any member of the Council who is not a Committee Chair.

3.2. If a Member Champion is a member of the Audit and Scrutiny Committee and it conducts a review of the area they champion, they must declare a non-pecuniary interest.

3.3. A Member Champion may be called to provide information to the Audit and Scrutiny Committee and would be expected to attend as requested.

4. Committee Chairs

4.1. The Chair of Committees will:

- 4.1.1. acknowledge the right of Member Champions to be consulted on matters relating to their area of interest;

- 4.1.2. take full account of any views offered by the Member Champions prior to making decisions relating to their area of interest;
- 4.1.3. co-operate with Member Champions in the formulation of action plans that have been developed with lead officers;
- 4.1.4. consider nominating Champions to represent the Council at relevant conferences/seminar on the subject matter of the Member's interest in accordance with 2.1 above.

5. Allowances

- 5.1. Member Champions are not entitled to receive a Special Responsibility Allowances.
- 5.2. Any change to this position would require recommendation by an Independent Remuneration Panel and the approval of Full Council.

6. Term

- 6.1. A Member Champion will normally be expected to serve for a minimum 2-year term. This may be extended at the discretion of the Chair of the Majority Group and relevant Policy Committee Chair.
- 6.2. In year changes and additions (where necessary, and after consultation with the Chair of the Majority Group and relevant Policy Committee Chair) to be appointed at the next available relevant policy committee.

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