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## Proposed Changes to the Constitution

(additions shown in bold, italic text with deletions struck through)

### Changes to Part 2

(Updating Cabinet meeting frequency and removing obsolete reference to senior advisers)

- 2.07 When major decisions are to be discussed or made, these are published in the Cabinet's Forward Plan insofar as they can be anticipated. Formal meetings of the Cabinet **are held monthly and** ~~which are infrequent and held mainly around the time of the budget in January each year~~ are open to the public except where exempt or confidential matters are being discussed. The Cabinet and Cabinet Members have to make decisions which are in line with the County Council's overall policies and budget. If they wish to make a decision which is outside the budget or Policy Framework, this must be referred to the County Council as a whole to decide.
- 2.08 The Cabinet and Cabinet Members are assisted in their work by advisers ~~and senior advisers~~ to cabinet members and cross-party executive task and finish groups, which provide advice to a Cabinet Member in relation to the development of commissioning plans or plans for service provision, or such other service-related proposal as the Cabinet Member decides. The terms of reference and the membership of an executive task and finish group is decided by the Cabinet Member and published to all members. The output from such work will also be available to all members.

### Changes to Part 3 – Responsibility for Functions

#### Appendix 1 – Cabinet

(removal of obsolete differentiation in minority group leader size)

10. The leaders of each of the ~~large and medium~~ minority groups of the Council shall be invited to attend any meeting of the Cabinet and may speak for up to three minutes on any item **for decision** on the agenda.

#### Appendix 2 – Cabinet Members

(removal of obsolete reference to senior advisers and clarification of risk responsibility)

- 1.6 Cabinet members may be supported by advisers ~~or senior advisers~~ and by cross-party executive task and finish groups, which provide advice to a cabinet member on service-related matters. The terms of reference and the membership of an executive task and finish group are decided by the Cabinet Member and published to all members. Task and finish groups will operate for a time-limited period set by the Cabinet Member. The output of their work will be available to all members save in exceptional cases.
- 1.7 **An** ~~senior~~ adviser shall be appointed to advise and lead on the support to the Cabinet Member in relation to the County Council's responsibilities as the Fire and Rescue Authority.

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3.1 The collective responsibilities of the Cabinet are as follows:

- ❑ Co-ordinating priorities and policies across the County Council
- ❑ Assurance and performance management of Council Plan and budget (Revenue and capital), ***seeking assurance that corporate risk is effectively managed***
- ❑ Development of future Council Plan and the budget, policies and programmes to achieve it
- ❑ Ensuring value for money and co-ordinated external bidding
- ❑ Climate Change Strategy
- ❑ The West Sussex Economy
- ❑ Co-ordinating communications, lobbying
- ❑ Customer service and providing a focus for community leadership
- ❑ Ensuring co-ordinated and effective partnership working
- ❑ Representing and promoting the reputation of the County Council
- ❑ Ensuring sound democratic systems, effective scrutiny and local member engagement
- ❑ Fire and Rescue Authority functions except where delegated to the relevant Cabinet Member or Chief Fire Officer.

#### **Appendix 4 - Proper Officers Functions Designated by the County Council**

(Correction of missing designation of Proper Officer)

##### **Highways Act 1980**

<b>Section</b>	<b>Subject</b>	<b>Proper Officer</b>
S59	Issuing certificates associated with the recovery of expenses due to extraordinary traffic	Director of Highways, Transport and Planning
S96	Signing consents to plant in the highway	<b><i>Director of Highways, Transport and Planning</i></b>
S115B&E	Approving and issuing public notices for the installation of public seats and notice boards in the highway	Director of Highways, Transport and Planning
S142	Signing licences to plant in the highway	Director of Highways, Transport and Planning

##### **Appendix 5 – Regulation, Audit and Accounts Committee**

(clarification of risk responsibility and removing obsolete reference to senior adviser)

12. To agree revisions to the County Council's Standing Orders on Procurement and Contracts, Financial Regulations and Risk Management Procedures.
13. To oversee the production of the County Council's Annual Governance Statement and to recommend its adoption.
14. To monitor the effective development ~~and operation~~ of risk management,

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***including annually agreeing the Council's risk approach as detailed in the Risk Management Strategy.*** ~~in the County Council.~~

### **Explosives Act Applications Panel**

A sub-committee of the Regulation, Audit and Accounts Committee comprising the Chairman of the Regulation, Audit and Accounts Committee, an Adviser ~~or Senior Adviser~~ to the Cabinet Member for Community Support, Fire and Rescue and the local member of the County Council for the application site. Quorum is three.

### **Appendix 6 – Standards Committee**

(updating terminology of policies)

10. To advise the County Council on any aspects of Standing Orders relating to conduct, or otherwise on propriety including the Code of Practice on Probity in Planning, Protocol on Relationships between Members and Officers, ~~Protocol for Use of IT~~ **Policy for** Equipment Supplied to Members, Code of Practice on Publicity, Guidance on Propriety and Official Conduct for Officers and Confidential Reporting **Whistle Blowing** Policy (~~Whistle Blowing~~).

### **Appendix 7 – Governance Committee**

(updating terminology)

21. To receive a report on staffing matters twice a year ~~and a report on the output of the Culture Board once a year.~~

### **Appendix 7 - Pensions Committee**

(confirming arrangements for appointing a member to the ACCESS Joint Committee)

#### **Constitution**

A sub-committee of the Governance Committee comprising seven members of the County Council and three representative members.

Quorum: Five members, the majority of whom must be members of the County Council

#### **Note:**

The three representative members will comprise the following:

One representing the borough and district councils  
One representing the scheduled bodies  
One representing members.

It is not part of the Administering Authority's remit to administer the selection process for the borough and district, scheduled body or employee members sitting on the Pensions Committee or to ensure their attendance at meetings, unless they wish to do so, but instead to determine what sectors or groups are to be invited to sit on the Pensions Committee and to make places available.

However, as far as possible, employer representatives should have a democratic mandate in addition to the mandate from their governing body or equivalent.

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The term of office of representative members will be equivalent to the length of the election cycle of the body of which they are an elected member. The usual maximum length of committee membership will be three terms.

***The Chairman of the Pensions Committee will be the Council's main representative on the ACCESS Joint Committee.***

### **Terms of Reference**

To exercise the powers and duties of the County Council in its capacity as Administering Authority in relation to the Local Government Superannuation Acts and Regulations made thereunder including to be responsible for:

1. Appointment of professional and specialist investment advisers and managers on a consultancy basis.
2. Consideration of the recommendations of the advisers and managers including the Fund's investment strategy.
3. Determination of the Pension Fund's investment strategy and oversight of the delivery of the strategy.
4. Consideration of and response to the recommendations of the LGPS ACCESS Joint Committee.
5. Consideration of and response to key scheme governance, funding and administration issues, including responses to statutory consultations.
6. Monitoring the Fund's performance.
7. Ensuring that arrangements are in place for consultation and communication with stakeholders as necessary.
8. Establishing member groups to review aspects of investment strategy or to undertake work on key themes and to report back to the Committee.
9. Consideration of the work of the Regulation, Audit and Accounts Committee with regards to the Pension Fund accounts, internal and external auditors' reports, development and operation of risk management and approval of changes to anti-fraud and corruption strategy.
10. ***To appoint a substitute representative for the ACCESS Joint Committee.***

### **Note:**

1. Standing Orders relating generally to committees shall apply to the Pensions Committee, subject to a quorum of five members, the majority of whom must be County Council members.
2. To meet quarterly or as required.
3. Members of the Pensions Committee are required to acquire and maintain an appropriate level of expertise, knowledge and skills as set out by CIPFA in order to remain members of the Committee.

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## Appendix 8 – Scrutiny Committees

(updating and simplifying terminology, clarifying risk responsibilities and to streamline scrutiny work programme approval process)

***Scrutiny committees complement the work of the Cabinet and Cabinet Members, acting as a democratic check and balance to executive decision-making. They monitor the plans and decisions of the Cabinet and can 'call-in' and scrutinise proposals which have not yet been implemented. They may also choose to or be invited by the Cabinet to advise on emerging proposals and the development of policy. There are five scrutiny committees:***

- Performance and Finance Scrutiny Committee (***see terms of reference at Appendix 8A***)
- Health and Adult Social Care Scrutiny Committee (***see terms of reference at Appendix 8B***)
- Children and Young People's Services Scrutiny Committee (***see terms of reference at Appendix 8C***)
- Communities, ***Highways*** and Environment Scrutiny Committee (***see terms of reference at Appendix 8D***)
- Fire and Rescue Service Scrutiny Committee (***see terms of reference at Appendix 8E***)

~~Their constitutions and terms of reference are set out in the Appendices. Each committee shall undertake **scrutiny of the Cabinet portfolio areas set out in the table below (full details of [Cabinet portfolio responsibilities](#) are contained in Appendix 2)** the functions set out below in respect of those items relevant to the Scrutiny Committee's specific service area.~~

Each **scrutiny committee** shall have no more than 12 County Council members with the exception of the Performance and Finance Scrutiny Committee which will have 15 members to include the other ~~Select~~ **scrutiny** committee chairmen where compliant with rules on political proportionality. ***This will be followed by*** following confirmation of their appointment ***to the Performance and Finance Scrutiny Committee*** at the next meeting of the County Council. The members of each **scrutiny committee** shall be appointed, having taken into account the following guiding principles:

- That the member has an interest in the business of the Committee.
- That the member is able to devote the time needed to undertake the work of the Committee.
- That the member remains free to serve on scrutiny or executive task and finish Groups.
- Four of the members of the Performance and Finance Scrutiny Committee shall be the four members who are at any time the chairmen of the other four Scrutiny Committees, providing that this can be accommodated in line with political proportionality for that committee.

~~A list of Scrutiny Committees is below, including areas of responsibility:~~

Scrutiny Committee	Area of scope for scrutiny Responsibility
Performance and Finance	<p><b>Leader's portfolio</b>  <b>Finance and Property portfolio</b>  <b>Support Services and Economic Development portfolio</b></p> <p>Strategic overview of scrutiny process; Leader's portfolio; general strategy issues; Partnership Working; County Local Committees; IT and Customer &amp; Community Access; Finance; Property; Procurement; Human Resources Strategy; Performance Management; Equality and Diversity; Law and Governance; Communications; Media &amp; Marketing; Europe liaison; Economic Strategy</p>
Health and Adult Social Care	<p><b>Adults' Services portfolio</b>  <b>Public Health and Wellbeing portfolio relating to both adults and children</b></p> <p>Adults' Social Care Services; Adults' Safeguarding; Coroner and Mortuaries; Dementia Services; Drug and Alcohol Action; Health and Health Partnerships; Public Health;</p> <p>Review and scrutiny of the planning, provision and operation of health services in West Sussex (The health functions of the Health and Adult Social Care Scrutiny Committee arise under Part I of the Health and Social Care Act 2001)</p>
Children and Young People's Services	<p><b>Children and Young People's Services portfolio (apart from public health for children)</b>  <b>Learning and Skills portfolio</b></p> <p>Social Services relating to children and young people; Education; Educational Attainment and Skills; Adult Skills and Learning; Youth Services; Youth Justice</p>
Communities, <b>Highways</b> and Environment	<p><b>Environment and Climate Change portfolio</b>  <b>Communities, Fire and Rescue portfolio (apart from Fire and Rescue and Emergency Planning)</b>  <b>Highways and Transport portfolio</b></p> <p>Environment; Coast and Countryside Matters (including the South Downs National Park); Rights of Way; Transport Planning and Policy; Highway Infrastructure; Aviation; Public Transport Liaison; Land use Planning; Minerals and Waste; Fracking; Waste Minimisation; Community Safety; Trading Standards; Gypsies and Travellers; Police Liaison; Registration Services; Arts &amp; Heritage Liaison; Libraries and Archives;; Domestic Violence</p>

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Scrutiny Committee	Area of scope for scrutiny Responsibility
	Crime and Disorder <b><i>functions of the Crime and Disorder (Overview and Scrutiny) Regulations 2009</i></b>
Fire & Rescue Service Scrutiny Committee	<b><i>Communities</i></b> , Fire and Rescue Service <b><i>portfolio (apart from Communities), including</i></b> Emergency Planning

### Business Planning Groups

Each Scrutiny Committee, except for the Fire and Rescue Service Scrutiny Committee, shall have a Business Planning Group comprising the Chairman and Vice-Chairman of that Committee and three other members. Two of the five members shall be minority group members. The Chairman of the Scrutiny Committee shall be the chairman of the Business Planning Group and the Vice-Chairman of the Scrutiny Committee shall be the vice-chairman of the Group.

The Business Planning Group shall oversee the planning of the Committee's business ***using***, ~~and may identify issues of common interest to other scrutiny committees. It may do this by acting jointly with the Business Planning Group of another scrutiny committee. In doing this, the Business Planning Group will use the 'Scrutiny Business Planning Guide and Checklist'.~~

The Business Planning Group(s) shall discuss with the relevant Cabinet Member(s) ~~the need for any referral by the Cabinet Member to the Committee for the their~~ ***plans for*** undertaking of work relating to the planning of services or their commissioning ***and how that work is best carried out***. ~~In such circumstances, the Business Planning Group shall decide its terms of reference in discussion with the Cabinet Member(s).~~

The Business Planning Group shall have responsibility for deciding whether an area of work is considered by a ***scrutiny*** Task and Finish Group, ~~The Business Planning Group is responsible for deciding to establish a Task and Finish Group and for defining its outline terms of reference. The Fire and Rescue Service Scrutiny Committee will carry out the establishment of Task and Finish Groups itself.~~

### Scrutiny Task and Finish Groups

Each Scrutiny Committee may choose to establish from its members or from the whole non-executive membership a cross-party group that will be given the task of undertaking detailed work which falls within its area of ***scope for scrutiny responsibility***. The Scrutiny Committee Business Planning Group will decide the size and membership of the ***Task and Finish*** Group and its outline terms of reference. It will also decide how the outcome of the work of the Group will be reported - to the Committee or direct to the Cabinet Member.

A Task and Finish Group shall comprise no more than seven members (cross party) ~~and the membership shall be decided by the Business Planning Group(s),~~ but it may co-opt such other persons as the Task and Finish Group considers appropriate to the task in hand.

The Chairman of the Task and Finish Group shall be appointed by the members of the Task and Finish Group unless there is an urgent need to progress the initial work, in

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which case the Business Planning Group will appoint the chairman ~~of the Group~~.

Where the work is related to the business of more than one Scrutiny Committee a Task and Finish Group **may** ~~will~~ be established to undertake the work. The outline terms of reference and reporting lines ~~of the task and finish group~~ will be agreed by the relevant Scrutiny Committee Business Planning Groups co-ordinated by the relevant Scrutiny Committee chairmen.



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## Appendix 8A Performance and Finance Scrutiny Committee

### Constitution

15 members of the County Council. Quorum is four.

### Terms of Reference

1. To consider existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's ***area of scope for scrutiny*** ~~specific portfolio and to issues of major strategic importance to the County Council.~~
2. To consider the effectiveness of the Council's arrangements and systems for the management of contracts ***relevant to the Committee's area of scope*** and for the scrutiny of the achievement of such commissioning outcomes as have been determined.
3. ***To undertake the scrutiny of the performance of the Council's services against the agreed outcomes, objectives and measures; including the scrutiny of how effectively relevant corporate and service risks are managed.***
4. To review ***or preview proposed*** decisions of the Executive ***(including officers) within the Committee's area of scope for scrutiny, including call-in.***
- ~~5. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call in).~~
- ~~6. To review the manner in which non-Executive committees take decisions.~~
7. To consider matters referred to the Scrutiny Committee by the Executive.
- ~~8. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
- ~~9. To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~
- ~~10. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~11. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~
12. ~~In addition to the budget and performance scrutiny responsibilities of its portfolio,~~ **To consider the annual budget and performance framework on a strategic basis at each meeting (rather than the detail of individual portfolios which are the preserve of the individual Scrutiny Committees) and to scrutinise the annual Treasury Management Strategy and performance in delivering it.**
13. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review ~~in relation to its portfolio for~~

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approval as part of the Scrutiny Committee work programme.

- ~~14. To consider the Scrutiny Committees' suggested programme of work as a whole, its relevance and its resource implications, before proposals are finally recommended to the County Council for approval.~~
15. To **be responsible for** monitor and co-ordinate the Scrutiny Committees' work programme including the resolution of any disputes as to where a piece of **scrutiny** work should be placed **between the scrutiny committees**.
16. To **contribute to** receive annual written reports from Scrutiny Committees on work activity to include outcomes/impacts etc to be used to produce an Annual Scrutiny Report on scrutiny activity during the previous year and endorse the Annual Scrutiny Report for publication.
17. To identify major items of work undertaken by Scrutiny Committees to be reported to meetings of the County Council for debate, with the intention that no more than one item will be reported to any one meeting of the County Council.
- ~~18. To oversee the scrutiny function including the development of good practice and supporting arrangements, member training and development, and the consideration of any proposals for revisions to the scrutiny function.~~
- ~~19. To consider any relevant local government matter raised by any member.~~
20. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
21. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
22. To ~~consider the business plans of the other four Scrutiny Committees and to advise on the establishment of~~ cross-cutting Task and Finish Groups as needed for the better discharge of the business of scrutiny **and only** to undertake cross-cutting work in relation to its own areas of responsibilities.
- ~~23. To oversee the effectiveness of arrangements for Scrutiny Task and Finish Groups.~~
24. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

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## Appendix 8B - Health and Adult Social Care Scrutiny Committee

### Constitution

12 members of the County Council and seven members comprising one from each of the borough and district councils (voting on health matters only) and one Local HealthWatch representative (non-voting). Quorum on health matters is five members **of which at least three should be members of the County Council**. Quorum on adult social care matters is three members of the County Council.

### Terms of Reference

1. To consider ~~existing~~ policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific service area **of scope for scrutiny**.
2. To consider and align its business in the context of the Council's ambitions and objectives **in the Council Plan relevant to its area of scope for scrutiny** ~~associated with needs and aspirations of the community for later life~~.
3. To discharge the **statutory** Health Scrutiny functions (including power of referral) on behalf of the County Council (see also paragraphs **18 to 26** below).
4. To undertake the scrutiny of the performance of the Council's services against the outcomes, objectives and measures **including the scrutiny of how effectively relevant corporate and service risks are managed** ~~set through a relevant commissioning process~~.
5. To review **or preview proposed** decisions of the Executive **(including officers) within the Committee's area of scope for scrutiny, including call-in**.
- ~~6. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).~~
- ~~7. To review the manner in which non-Executive committees take decisions.~~
8. To consider matters referred to the Scrutiny Committee by the Executive.
- ~~9. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
- ~~10. To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~
11. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.~~
- ~~12. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~13. To receive and consider a referral from a County Local Committee made in~~

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~~accordance with the procedures for a Councillor Call for Action.~~

- ~~14. To consider any relevant local government matter raised by any member.~~
15. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
  16. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
  17. To review and scrutinise any matter relating to the planning, provision and operation of health services in the geographical area covered by West Sussex County Council, the health of the people of West Sussex and matters of general concern affecting the determinants of health for the community of the West Sussex area.
  18. To set up appropriate procedures in accordance with the relevant statutory framework to facilitate the conduct of health review and scrutiny in West Sussex, in consultation with the district and borough councils in West Sussex and with the local NHS bodies.
  19. To make reports and recommendations to local NHS bodies and to West Sussex County Council or any borough or district council in West Sussex on any health matter reviewed or scrutinised by it.
  20. To respond to consultation by any local NHS body with reference to any proposal for a substantial development of the health service in the area of West Sussex or for a substantial variation in the provision of such service with the exception of urgent proposals as defined in Regulation 23 (2) of the Local Authority (Public health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and to make comments by the due date specified by the local NHS body referring the matter.
  21. To delegate health scrutiny powers to, appoint members to and agree terms of reference of a joint committee when there is an intention by a local NHS body to consult on a substantial variation or development to health services that extends beyond West Sussex.
  22. To report to the NHS body(ies) or to the Secretary of State in writing in any case where the Committee is not satisfied that
    - (a) consultation on any proposal has been adequate in relation to content or time allowed; or
    - (b) that the reasons given by the local NHS body for failing to consult because of urgency are not adequate.
  23. To report to the Secretary of State in writing on any such proposals as are referred to above which it considers would not be in the interests of the health service in the area of West Sussex.

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24. To take such other steps as may be appropriate including requiring the attendance of officers of local NHS bodies and other relevant people to attend the Committee and take steps to obtain appropriate information and explanations as may be appropriate to enable the Committee to discharge its functions effectively.
  25. To delegate health scrutiny powers to one or more West Sussex borough and district councils whether or not they are acting jointly with the County Council when exercising its health scrutiny powers or to another county or unitary, borough or district council. To agree the terms of reference for any delegation and, in the case of any joint committee, to appoint members from the Committee.
  26. To make such recommendations to the County Council as it sees fit as to the constitution of the Committee within the statutory framework.
  27. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

**Note:**

A local NHS body is any body or organisation which provides, or arranges for the provision of, or performs any management function in relation to, NHS services to persons residing within West Sussex.

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## Appendix 8C Children and Young People's Services Scrutiny Committee

### Constitution

12 members of the County Council and four nominated members (voting). Quorum on education matters is four ***of which at least three should be members of the County Council***. Quorum on social care matters is three members of the County Council.

### Note:

The four nominated (voting on education matters only) members on the Children and Young People's Services Scrutiny Committee will comprise the following representatives:

Two parent governors

One from the Church of England Diocese of Chichester

One from the Roman Catholic Diocese of Arundel and Brighton

The term of membership of parent governor representatives will be four years. Where a 'casual' vacancy is filled, the new representative will be appointed for the remainder of the term.

### Terms of Reference

1. To consider existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific service area ***of scope for scrutiny***.
2. To consider and align its business in the context of the Council's ambitions and objectives ***in the Council Plan relevant to its area of scope for scrutiny*** ~~associated with needs and aspirations of the community for the start of life.~~
3. To undertake the scrutiny of the performance of the Council's services against the outcomes, objectives and measures ***including the scrutiny of how effectively relevant corporate and service risks are managed*** ~~set through a relevant commissioning process.~~
4. To review ***or preview proposed*** decisions of the Executive (***including officers***) ***within the Committee's area of scope for scrutiny, including call-in.***
- ~~5. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).~~
- ~~6. To review the manner in which non-Executive committees take decisions.~~
7. To consider matters referred to the Scrutiny Committee by the Executive.
- ~~8. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
- ~~9. To consider items raised at meetings of the County Council and referred initially~~

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~~to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~

10. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.~~
- ~~11. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~12. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~
- ~~13. To consider any relevant local government matter raised by any member.~~
14. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
15. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
16. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

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## Appendix 8D – Communities, Highways and Environment Scrutiny Committee Constitution

12 members of the County Council. Quorum is three.

### Terms of Reference

1. To consider existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific service area **of scope for scrutiny**.
2. To consider and align its business in the context of the Council's ambitions and objectives **in the Council Plan relevant to its area of scope for scrutiny** ~~associated with needs and aspirations of the community for the economy of the county.~~
3. To undertake the scrutiny of the performance of the Council's services against the outcomes, objectives and measures **including the scrutiny of how effectively relevant corporate and service risks are managed** ~~set through a relevant commissioning process.~~
4. To review **or preview proposed** decisions of the Executive **(including officers) within the Committee's area of scope for scrutiny, including call-in.**
- ~~5. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).~~
- ~~6. To review the manner in which non-Executive committees take decisions.~~
7. To consider matters referred to the Scrutiny Committee by the Executive.
- ~~8. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.~~
- ~~9. To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.~~
10. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.~~
- ~~11. To refer any matter arising within these terms of reference to a County Local Committee for consideration.~~
- ~~12. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.~~
- ~~13. To consider any relevant local government matter raised by any member.~~
14. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) **and to** consider a request for a review of the



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County Council's response to a petition in accordance with the Petitions Scheme.

15. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
16. To hold an annual meeting to scrutinise the work of the County Council and partner organisations in tackling crime and disorder.
17. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

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## Appendix 8E - Fire & Rescue Service Scrutiny Committee

### Constitution

7 members of the County Council. Quorum is three.

### Terms of Reference

1. To consider policies and the effectiveness of their delivery for the County Council's responsibilities as Fire and Rescue Authority for the County.
2. To plan and carry out its business in the context of the Council's ambitions and objectives associated with needs and aspirations of the community in relation to fire and rescue functions and associated responsibilities.
3. To undertake the scrutiny of the performance of the Council's fire and rescue services against the outcomes, objectives and measures, **including the scrutiny of how effectively relevant corporate and service risks are managed** ~~set by the Council.~~
4. To consider developing policies, proposals or decisions of the Executive in relation to fire and rescue responsibilities.
5. To review **or preview** proposed decisions of the Executive ~~(including key decisions under delegated powers made by officers)~~ **within the Committee's area of scope for scrutiny, including** ~~on behalf of the Executive (call-in).~~
6. To consider matters referred to the Committee by the Executive.
7. To consider a programme of work which the Committee believes is in the interests of the County Council **to review**, ~~and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council.~~
8. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43 (b) and to consider a request for a review of the County Council's response to a petition in accordance with the Scheme.
9. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
10. To encourage members individually or in a group to lead on specific topics within the Committee's remit, as agreed by the Committee.

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### **Part 3, Appendix 15 – Health and Wellbeing Board**

(removal of obsolete reference to senior adviser)

Constitution - West Sussex County Council

- Cabinet Members whose portfolio responsibilities include:
  - Community Development
  - Health and Adults' Services
  - Children and Families

Note: the relevant ~~Senior~~ Adviser may attend in place of the Cabinet Member

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## Appendix 22 – Local Government Pension Scheme ACCESS Joint Committee

### Constitution of the Joint Committee

#### Part 1 Membership

1. The Joint Committee shall consist of one elected councillor appointed by each Council. The member so appointed must, at the time of the appointment, be an elected councillor serving as a member of the Committee of a Council which discharges the functions of that Council as pension administering authority.
2. Each Council may appoint a substitute. Any substitute must meet the eligibility requirements in paragraph 1. The substitute may attend any meeting of the Joint Committee or any of its sub-Committees in place of that authority's principal member if notice that the substitute will attend is given to the Secretary of the Joint Committee by the Council concerned.
3. Where a substitution notice is in effect with respect to a particular member at a particular meeting, the substitute shall be a full member of the Joint Committee for the duration of the meeting in place of the principal member.
4. Each Council may remove its appointed member and appoint a different member by giving written notice to the Secretary to the Joint Committee.
5. Each appointed member shall be entitled to remain on the Joint Committee for so long as the Council appointing them so wishes, but shall cease to be a member if he or she ceases to meet the eligibility criteria in paragraph 1 or if that Council removes the appointed member.
6. Any casual vacancies will be filled as soon as reasonably practicable by the Council from which such vacancy arises by giving written notice to the Secretary to the Joint Committee or his or her nominee.
7. The Joint Committee may co-opt any other person whom it thinks fit to be a non-voting member of the committee. The Joint Committee may from time to time make rules as to:
  - 7.1 Registration and declaration of interests by co-opted members.
  - 7.2 Standards of behaviour required to be observed by co-opted members when acting as such.
8. The Chairman of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Chairman of the Joint Committee shall hold that office until ***another member is appointed*** ~~their replacement is appointed which shall be at the first meeting to take place after the second anniversary of their appointment.~~ ***The appointment of the Chairman shall take place every two years, beginning with the Commencement Date with subsequent appointments falling not later than the first meeting of the Joint Committee following the annual meetings of the Councils in the relevant years.***
9. The Vice-Chairman of the Joint Committee will be appointed from time to time by the members of the Joint Committee. Subject to paragraph 5, the Vice-Chairman of the Joint Committee shall hold that office until their replacement is appointed ~~which shall be at the first meeting to take place after the second~~

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anniversary of their appointment. ***The appointment of the Vice-Chairman shall take place every two years, beginning with the Commencement Date with subsequent appointments falling not later than the annual meetings of the councils in the relevant years.***

10. The Joint Committee may appoint such sub-committees from among its membership as it thinks will help it to enable it to fulfil its remit. The Joint Committee may delegate its responsibilities to such sub-committees. Sub-Committees may co-opt non-voting members.
11. The Joint Committee may set up working groups to advise it on matters within its remit. Such working groups may be formed of members or officers of the constituent ***councils*** ~~authorities~~ or any other third party as the Joint Committee sees fit. Such working groups are advisory only and the Joint Committee may not delegate its responsibilities to such working groups.
12. Each member of the Joint Committee and any Sub-committee shall comply with any relevant code of conduct of their Council when acting as a member of the Joint Committee.
13. The Chairman may direct the Secretary to call a meeting and may require any item of business to be included in the summons.
14. Any 5 members of the Joint Committee may by notice in writing require the Chairman to call a meeting to consider a particular item of business and if the Chairman fails to do so within 20 working days of receipt of the notice then those 5 members may direct the Secretary to call a meeting to consider that business.
15. The Committee may, if the law permits, arrange for attendance at meetings via video conferencing. Any such attendance shall be in accordance with the law and any other requirements imposed by the Joint Committee from time to time.

## **Part 2 Proceedings**

### **16. Time and Place of Meetings**

**16.1** The Joint Committee will meet at least four times each year. All meetings of the Joint Committee will take place at a suitable venue and at a time to be agreed by the Councils.

**16.2** ***Any Section 151 Officer or Monitoring Officer is entitled to attend all parts of all meetings of the Joint Committee or of any sub-committee appointed by the Joint Committee.***

### **17. Notice of and Summons to Meetings**

The Secretary to the Joint Committee will give notice to the public of the time and place of any meeting in accordance with Part VA of the Local Government Act 1972. At least five clear days before a meeting, the Secretary to the Joint Committee will send a summons by email and if a member so requests by post to every Member at their last known address. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

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## **18. Chairing of Joint Committee**

The Vice-Chairman shall preside in the absence of the Chairman. If there is a quorum of members present but neither the Chairman nor the Vice-Chairman is present at a meeting of the Joint Committee, the other members of the Joint Committee shall choose one of the members of the Joint Committee to preside at the meeting.

## **19. Quorum**

19.1 The quorum of a meeting will be at least 8 members who are entitled to attend and vote.

19.2 If there is no quorum present at the start of the meeting the meeting may not commence. If after 1 hour from the time specified for the start of the meeting no quorum is present then the meeting shall stand adjourned to another time and date determined by the Secretary.

## **20. Voting**

### **20.1 Majority**

Each elected member shall have one vote. Co-opted members will not have a vote. Any matter will be decided by a simple majority of those members of the Councils represented in the room at the time the question is put. In the event of equality of votes the person presiding at the meeting will be entitled to a casting vote under paragraphs 39(1) and 44 of Schedule 12 of the Local Government Act 1972.

### **20.2 By Substitutes**

The member appointed as a substitute shall have the same voting rights as the member for whom he or she is substituting. Where notice of substitution has been given for a particular meeting the principal member may not vote unless the notice of substitution is withdrawn before the start of the meeting.

### **20.3 Show of hands**

The Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### **20.4 Recording of individual votes**

The minutes of the meeting shall record how a member of the Committee voted on a particular question if, at the time that the vote is taken or immediately thereafter, that member asks the Secretary or his or her representative at the meeting to record his vote.

## **21. Minutes**

22.1 The Secretary to the Joint Committee shall arrange for written minutes to be taken at each meeting of the Joint Committee and shall present them to the Joint Committee at its next meeting for approval as a correct record. At the next meeting of the Joint Committee, the Chairman shall move that the minutes of the previous meeting be signed as a correct record. If this is

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agreed, the Chairman of the Joint Committee shall sign the minutes. ~~The only part of the minutes that can be discussed is their accuracy.~~

22.2 Draft minutes or a summary of the decisions taken at the meeting and a note of the actions arising shall be circulated to the Committee and to each Council by email no later than 7 days after the date of the meeting.

22.3 Minutes of the meeting shall be published by the Host Authority to the extent required by Part VA of the Local Government Act 1972.

## **22. Access for elected members of the Councils**

Any elected member of the Councils who is not a member of the Joint Committee may speak at a meeting of the Joint Committee if the Chairman of the Joint Committee invites him or her to do so but an elected member of the Councils who is not a member of the Joint Committee shall not be entitled to vote at a meeting of the Joint Committee.

## **23. Public Access**

Meetings of the Joint Committee shall be open for members of the public to attend unless the Joint Committee determines that it is necessary to exclude members of the public in accordance with Part VA of the Local Government Act 1972 or the Joint Committee determines that it is necessary to close the meeting to the public because of a disturbance.

23.1 Copies of the agenda for meetings of the Joint Committee and any reports for its meetings shall be open to inspection by members of the public at the offices of the Councils with the exception of any report which the Secretary to the Joint Committee determines relates to items which in his or her opinion are likely to be considered at a time when the meeting is not to be open to the public.

24. If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will arrange for their removal from the meeting room and will suspend the meeting until the member of the public has left or been removed.

25. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

## **26. Overview and Scrutiny**

26.1 Each Council has overview and scrutiny committees which have the right to scrutinise the operation of the Joint Committee and the Joint Committee and the Host Authority will co-operate with reasonable requests for information from any of the Councils' overview and scrutiny committees.

26.2 The decisions of the Joint Committee are not subject to call-in.

## **27. Regulation of Business**

27.1 Any ruling given by the Chairman as to the interpretation of this constitution with respect to the regulation of proceedings at a meeting shall be final.

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27.2 Subject to the law, the provisions of this Constitution and the terms of any contract, the Joint Committee may decide how it discharges its business.

## Terms of Reference

### Part 1 – Operating the Pool and Taking Advice

1. ***The Joint Committee shall consult with and consider the advice of the Section 151 Officers Group (and, where requested, the Monitoring Officers and from appropriate professional advisers) in discharging its functions, recording, if appropriate, where such advice is not followed and the rationale for not doing so. It may decide to procure such professional advisers on such terms as it thinks fit. Accordingly, any procurement of advisers must comply with the constitution of the Council designated to undertake the procurement and that Council will enter into a contract with the appointed adviser on behalf of the Councils.***
2. ***The Joint Committee shall decide which functions shall be performed by the ASU.***
3. ***The Joint Committee shall at all times have regard to the principles set out in Schedule 1.***

### Part 2 - Functions in relation to the Operator(s)

1. **Specifying Operator services:** Deciding, in consultation with the Councils, the specification of services and functions that **each** the Operator will be required to deliver including the sub-funds and classes of investments required to enable each Council to execute its investment strategy.
2. **Procuring an the Operator:** agreeing the method and process for the procurement and selection of the **one or more** Operators.
3. **Appointing an the Operator:** Making a recommendation to the Councils as to the identity of the **each** Operator and the terms upon which **each** the Operator is to be appointed.
4. **Reviewing the Performance of the Operator:** Keeping the performance of **each** the Operator under constant review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the **ASU Officer Working Group** to enable it to do so including but not limited to:
  - 4.1 the performance of **an** the Operator against its contractual requirements and any other performance measures such as any Service Level Agreement (SLA) and key performance indicators (KPIs) and officer Working Group recommendations on any remedial action;
  - 4.2 sub-fund investment performance;
  - 4.3 investment and operational costs including the annual review of investment manager costs;



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4.4 performance against the strategic business plan agreed by the Councils.

5. **Managing the Operator:** The Joint Committee shall:

5.1 Make recommendations to the Councils on the termination or extension of the Operator **Agreements** Contract; and

5.2 Make decisions about any other action to be taken to manage the Operator **Agreement** Contract-including the giving of any instruction or the making of any recommendation to the **relevant** Operator including but not restricted to recommendations on investment managers (within any regulatory constraints that may apply); **and**

5.3 ***Make recommendations to the councils about appropriate arrangements to replace an Operator Agreement on its termination.***

~~6. **Appointment of Advisers**~~

~~6.1—The Joint Committee may appoint such professional advisers on such terms as it thinks fit. Any procurement of advisers must comply with the constitution of the Authority designated to undertake the procurement and that Authority will enter into a contract with the appointed adviser on behalf of the Authorities.~~

~~6.2—The Joint Committee shall decide which tasks shall be performed by the Client Unit and which Council shall manage the Client Unit including the employment arrangements for employees in the Client Unit.~~

***(all paragraphs renumbered from here)***

**Part 3 2 Functions in relation to management of Pool Assets**

6. The Joint Committee shall make recommendations to the Councils on the strategic plan for transition of assets that are to become Pool Assets.

**Part 4 3 Functions Concerning Pool Aligned Assets**

7. ***The Joint Committee shall make*** making recommendations to the Councils about Pool Aligned Assets (including proposals concerning the migration of investments such as passive investments via life fund policies to become Pool Aligned Assets) in accordance with this Agreement or any other delegation to the Joint Committee by the Councils.

8. ***Specifying services of Pool Aligned Assets Provider(s): Deciding, in consultation with the Councils, the specification of Services which any Pool Aligned Assets provider will be required to deliver including the sub-funds and classes of investments required to enable each Council to execute its investment strategy.***

9. ***Procuring a Pool Aligned Assets Provider: Agreeing the method and process for the procurement and selection of one or more Pool Aligned Assets Providers.***

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10. ***Appointing Pool Aligned Assets Providers: Making a recommendation to the Councils as to the identity of each Pool Aligned Assets Provider and the terms upon which each Pool Aligned Assets Provider is to be appointed.***
  11. ***Reviewing the Performance of a Pool Aligned Assets Provider: Keeping the performance of each Pool Aligned Assets Provider under review and making arrangements to ensure that the Joint Committee is provided with regular and sufficient reports from the ASU to enable it to do so including but not limited to:***
    - 11.1 The performance of a Pool Aligned Assets Provider against its contractual requirements and any other performance measures such as any Service Level Agreement (SLA) and key performance indicators (KPIs) and officer recommendations on any remedial action;***
    - 11.2 Investment performance of the Pool Aligned Assets Vehicle(s) or sub-funds, as appropriate;***
    - 11.3 Investment and operational costs including the annual review of investment manager costs;***
    - 11.4 Performance against the strategic business plan agreed by the Councils.***

#### **Part 5 4 Functions concerning Business Planning and Budget**

12. ***Having taken account of any advice from the Section 151 Officers Group (or, where relevant, recording the rationale for not following such advice) the Joint Committee shall do the following:***
13. Make recommendations to the Councils about the annual strategic business plan for the Pool.
14. Determine the budget necessary to implement that plan and meet the expenses of undertaking the Specified Functions (insofar as they will not be met by individual transaction costs paid by Councils to the Operator) in accordance with Schedule 5 hereof.
15. Keep the structures created by this Agreement under review from time to time and make recommendations to the Councils about:
  - 15.1 the future of the Pool;
  - 15.2 any changes to this Agreement; and
  - 15.3 as to the respective merits of continuing to procure operator services by means of a third party or by creation of an operator owned by the Councils.

#### **Part 6 – Functions concerning communications**

16. The Joint Committee ***may agree a protocol for communications in respect***

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**of the Pool with third parties, including the LGPS Scheme Advisory Board, other LGPS administering authorities, press relevant government departments** is required to commence the first review by the second anniversary of its first meeting.

**Part 7 – Review of this Agreement**

- 17. The Joint Committee is required to undertake a review of the Pool and this Agreement:
  - 17.1 to be completed 18 months before the expiry of each and every Operator Contract including as a result of the exercise of any option to terminate the Operator Contract;
  - 17.2 whenever a Council gives notice of withdrawal under clause 12 of this agreement;
  - 17.3 **at such times as a Council may request under clause 11 (Variation of Agreement).**

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## Changes to Part 4, Section 1

(removal of obsolete references to senior advisers, adding external audit report to list of County Council reports and clarification of written question and notice of motion expectations. Also includes clarification of Regulation 11 decision-making roles and call-in notification arrangements)

### Extract from the Council (section 2)

- 2.14 The Leader shall appoint the cabinet members and advisers ~~or senior advisers~~ to cabinet members (up to two per cabinet member) on such terms and to such areas of responsibility as the Leader may determine and shall do so in such a manner that enables the County Council to discharge its obligations to take executive decisions under Standing Order 3.02 without undue delay.
- 2.15 Members of the Cabinet may not be members of a scrutiny committee nor County Council appointed members of the West Sussex Joint Scrutiny Steering Group. An adviser ~~or senior adviser~~ to a cabinet member may not be a member of the Scrutiny Committee that deals with his or her Cabinet Member's portfolio.
- 2.16 If a member resigns from his or her political group, his or her resignation carries with it an automatic resignation from any posts to which he or she has been appointed (other than cabinet member or adviser ~~or senior adviser~~ to a cabinet member) in accordance with the wishes of his or her group, unless agreed otherwise by that group, in which case he or she will remain in post until the matter is considered by the County Council.
- 2.22 New item of business to be added to Council - **(s) to receive an annual report from the External Auditor.**

### Written Questions

- 2.38 Subject to the giving of the notice required by Standing Order 2.39, a member may ask a question on any matter in relation to which the County Council has powers or duties or which affects West Sussex (including any matter considered by the Executive, a scrutiny committee or non-executive committee) ~~which is~~. **The subject should not already otherwise be on the agenda for the meeting, and which the Chairman does not may rule out any questions considered to be irrelevant or inappropriate. The question will be deferred for a later reply** if it involves the expenditure of a disproportionate amount of time or money to prepare the answer.

### Notices of Motion

- 2.45 Except as provided by Standing Order 2.56, every notice of motion shall be in writing, signed by the member giving the notice, and shall be delivered to the Director of Law and Assurance, no later than noon on the seventeenth day before the next meeting of the County Council and no earlier than four weeks before the meeting.

[N.B. The deadline will be before noon on the Tuesday two weeks before that of the meeting, when this is held on a Friday].

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- 2.46 A motion may be considered with less than the required notice if the Chairman decides that the matter is urgent i.e. it could not have been anticipated before the deadline for notices of motion, and that the proposer has given as much notice as was practical.
- 2.47 Every notice of motion shall be relevant to some question over which the County Council has power, or which affects the county as such. The Director of Law and Assurance will advise the Chairman accordingly.
- 2.48 The Chairman, in consultation with political group leaders, may decide that a motion shall be:
- (a) moved and debated at the next meeting (***usually no more than two per meeting unless the Chairman determines otherwise***);
  - (b) moved and referred to a cabinet member or non-executive committee at the next meeting;
  - (c) moved at a later meeting;
  - (d) moved and referred to a cabinet member or non-executive committee at a later meeting; or
  - (e) dealt with outside the meeting.

#### **Extract on Access to meetings and documents (section 4)**

- 4.35(f) a report of the membership and terms of reference of each scrutiny or executive task and finish group or partnership board established since the last such report and the appointment, nature and duration of role of any advisers ~~or senior advisers~~ to cabinet members;

#### **Extract from Cabinet and Executive Decision-Making (section 5)**

- 5.05 Cabinet members shall comply with a request to attend a meeting of a scrutiny committee to address issues relating to the Cabinet Member's area of responsibility, unless attendance is impracticable in which case any relevant adviser ~~or senior adviser~~ to a cabinet member shall attend or another cabinet member at the discretion of the Leader.
- 5.07 (b) may consult an adviser ~~or senior adviser~~ to a cabinet member or an executive task and finish group before deciding a cabinet member matter.

#### **Extract from Special Urgency (Regulation 11) Provisions (section 5)**

- 5.23 If the date by which a decision must be taken and the general exception provisions cannot be followed, then the decision can be taken urgently ***by the usual decision maker (in the absence of a relevant cabinet member, this will be the Leader). The decision can be taken*** only if the Director of Law and Assurance or Chief Executive obtains the agreement of
- ~~(a) the usual decision taker (if an individual) or the chairman of the usual body making the decision (in the absence of a relevant cabinet member, this will be the Leader)~~

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- (b) the chairman of a relevant scrutiny committee that the taking of the decision cannot be reasonably deferred. If there is no chairman of a relevant scrutiny committee or if the chairman of each relevant scrutiny committee is unable to act, then the agreement of the Chairman of the County Council must be obtained. If there is no chairman of either the relevant Scrutiny Committee or the County Council, agreement must be sought from the Vice-Chairman of the County Council.

5.24 As soon as reasonably practicable after the decision maker has obtained agreement under Standing Order 5.23 that the making of the decision was urgent and could not reasonably be deferred, the **Director of Law and Assurance** decision-maker must make available at the offices of the County Council and on its website a notice setting out the reasons why the decision was urgent and could not reasonably have been deferred.

### **Extract from Scrutiny Committees (section 8)**

(to remove obsolete reference to senior adviser and to streamline scrutiny work programme approval)

~~8.12—The Scrutiny Committees shall submit to the Performance and Finance Scrutiny Committee and then to the County Council by the end of May each year, proposals for the reviews and development of County Council policies for the following year. Such proposals shall be reviewed to assess their suitability for joint scrutiny following their approval by the County Council.~~

~~8.13—Scrutiny committees may submit proposals to amend their approved programmes and substitute alternative studies to the Performance and Finance Scrutiny Committee, in the light of any overlap between the work of scrutiny committees, or changed circumstances.~~

8.19(b) An adviser ~~or senior adviser~~ to a cabinet member;

~~8.21—Chairmen of the four service scrutiny committees who are not already members of the Committee may attend and speak at meetings of the Performance and Finance Scrutiny Committee when the scrutiny work programme and annual report are considered.~~

### **Extract from Call-In Protocol (section 8)**

(to clarify notification requirements)

8.29 A member wishing to request the call-in of a proposed decision must notify the **Monitoring Officer** ~~statutory Scrutiny Officer~~ by, at the latest, 5 p.m. on the seventh working day (fifth day for CLC decisions) after the proposal is published via the EDD. The request must be supported by four (including the requester) members of the County Council. The request should be in writing (which includes e-mail), should contain the reason for the request and the outcome being sought. The decision whether to call-in a proposed decision will be taken by the Monitoring Officer or, in his or her absence, the Deputy Monitoring Officer.