
Governance Committee: Revisions to the Constitution

Mandatory training for members

Background and context

- 1 Some Council committees require a particular level of training to ensure their members take sound decisions and have a thorough understanding of their responsibilities. Training is generally understood to be a requirement for the Appeals Panel, Fostering Panel, Pensions Committee and Planning and Rights of Way Committee but this is not included in the Constitution. The Member Development Group (MDG) has considered this as part of a review of training requirements for all members. It recommends that these panels/committees' terms of reference be revised to include that members be required to undertake certain mandatory training (and as set out in the table at paragraph 3).

Proposal details

- 2 As recommended by the MDG, it is proposed that the following statement be included in the terms of reference of the Appeals Panel, Fostering Panel, Pensions Committee and Planning and Rights of Way Committee (in Part 3 of the Constitution):
 - Members of this Committee are required to undertake training as specified by the relevant Director or lead service officer, prior to being able to take part in meetings of the Committee/Panel.
- 3 This requirement will apply to all committee members, including any co-opted members. The current training requirements for each panel/committee are set out below but will not be included in the Constitution, to allow for flexibility, in consultation with the relevant panel/committee). It should be noted that the functions of the County Council's Planning and Rights of Way Committee are very different from those of a district or borough council and familiarity with such a committee as a member of such a Council will not suffice.

Panel or Committee	Mandatory training requirement
Appeals Panel	To be completed prior to taking part in any meetings: <ul style="list-style-type: none">• Staff Dismissal Appeal Process• Staff Grievance Appeal Process• School Transport Appeal Process
Foster Panel	To be completed prior to taking part in any meetings, with at least one day refresher training per year: <ul style="list-style-type: none">• Fostering Process and role of the Foster Panel• Observation of a Foster Panel meeting
Pensions Committee	To acquire and maintain an appropriate level of knowledge and understanding in compliance with the Fund Training Strategy. Induction training with officers should be completed prior to taking part in meetings. Areas of knowledge and understanding currently include:

Panel or Committee	Mandatory training requirement
	<ul style="list-style-type: none"> • Pensions Legislation • Public Sector Pension Scheme governance • Financial markets and pension fund investments • Pension Fund operation and administration • Actuarial methods, standards and practices • Procurement and relationship management
Planning and Rights of Way Committee	Training to be provided by officers in relation to: <ul style="list-style-type: none"> • Role and Operation of the Committee, including member interests • Background to the Planning System • Waste and Minerals Planning • Planning applications process • Determining Planning Applications • Definitive Map Modification Orders • Town and Village Green applications • Public path creations, diversions and extinguishments and any relevant legislation

Recommended

- (1) That that the statement set out in paragraph 2 be included in the terms of reference of the Appeals Panel, Fostering Panel, Pensions Committee and Planning and Rights of Way Committee in Part 3 of the Constitution;

Terms of reference of the Health and Adult Social Care Scrutiny Committee

Background and context

- 4 The Health and Care Act 2022 makes changes to how local authorities engage with the NHS. One change relates to the health scrutiny function, with the removal of the power to refer proposals for the substantial reconfiguration of NHS services to the Secretary of State. The NHS is still required to consult on such proposals, but the health scrutiny committee may now only write to the Secretary of State to request that a proposal be called-in. The Department of Health and Social Care expects these requests only to be used in exceptional situations where local resolution has not been reached. It is therefore necessary to amend the terms of reference of the Council's Health and Adult Social Care Scrutiny Committee.

Proposal details

- 5 It is proposed that the Health and Adult Social Care Scrutiny Committee's terms of reference be revised as follows:
 3. To discharge the statutory Health Scrutiny functions ~~(including power of referral)~~ on behalf of the County Council.

Recommended

- (2) That paragraph 3 of the terms of reference of the Health and Adult Social Care Scrutiny be amended as set out in paragraph 5; and

Terms of reference of the Governance Committee

Background and context

- 6 The Governance Committee's terms of reference include that it should receive a report on staffing matters twice a year from the Chief Executive or Director of Human Resources and Organisational Development. This was added in 2017 to cover updates on general staffing matters, including as raised through officer liaison with trades unions. Since that time the Council's Performance and Resources report has been introduced, providing detailed workforce information for consideration by Cabinet and each scrutiny committee on a quarterly basis. Reports to the Committee are no longer needed and, to avoid any duplication, it is proposed that this be removed from the Committee's terms of reference. The Committee continues to play an important role in staffing policy matters, including receiving an annual report on Staff Appeals and reviewing the Staff Pay Policy.

Proposal details

- 7 To reflect current practice on reporting workforce information to members, it is proposed that the following paragraph be removed from the Governance Committee's terms of reference:
 22. To receive a report on staffing matters twice a year from the Chief Executive or Director of Human Resources and Organisational Development.

Recommended

- (3) That paragraph 22 of the terms of reference of the Governance Committee be removed.

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Background papers

None