

## **TERMS OF REFERENCE OF COUNCIL COMMITTEES**

### **Scrutiny Committees**

#### **Children, Schools and Families Scrutiny Committee**

1. To scrutinise the Council's policies relating to children and the provision, planning, financing, management and performance of children's services, provided by the Children and Families Directorate and other service providers.

#### **Culture and Environment Scrutiny Committee**

1. To scrutinise the Council's cultural and environmental policies and the provision, planning, financing, management and performance of services relating to culture, environment, regeneration, community safety, parking strategy and operations, and the voluntary sector provided by the Investment, Place and Opportunity and Corporate Services Directorates and other service providers.
2. To be the Council's Crime and Disorder Committee.

#### **Housing Scrutiny Committee**

1. To scrutinise the Council's policies and the provision, planning, financing, management and performance of services relating to housing provided by the Homes and Communities Directorate and other service providers.

#### **Resources and Corporate Performance Scrutiny Committee**

1. To scrutinise the strategic and corporate policies and performance of the Council.
2. To assist the Cabinet in the development of the Council's annual budget (capital and revenue) and to review and scrutinise the Council's performance in relation to overall budgetary management.
3. To scrutinise the provision, planning, financing, management and performance of the Corporate Services Directorate (excluding parking operations), and any other Council functions not otherwise addressed by any other Scrutiny Committee.

#### **Health and Adult Social Care Scrutiny Committee**

1. To scrutinise matters relating to health, public health and adult social care and to hear the views of local residents, with a view to improving health/care services, reducing health inequalities and improving the health/care of local residents.
2. To scrutinise the impact of the Council's own services and of key partnerships (including the Health and Wellbeing Board) on the health of its population.

3. To respond to consultations by local health trusts and by the Department of Health.
4. To consider whether changes proposed by local health trusts amount to a substantial variation or development and, if so, to take appropriate action including appointing members to any joint committee where the proposals cover more than one local authority's area.
5. To undertake all statutory health scrutiny functions.
6. To receive and respond to referrals and reports from Healthwatch relating to health services in the area of Camden.
7. To receive and respond to referrals and reports from the Local Involvement Network relating to adult social care services in the area of Camden, in accordance with the Local Government and Public Involvement in Health Act, 2007 regulations and guidance.

### **North Central London Joint Health Overview and Scrutiny Committee (JHOSC)**

1. To engage with relevant NHS bodies on strategic area wide issues in respect of the co-ordination, commissioning and provision of NHS health services across the whole of the area of Barnet, Camden, Enfield, Haringey and Islington;
2. To respond, where appropriate, to any proposals for change to specialised NHS services that are commissioned on a cross borough basis and where there are comparatively small numbers of patients in each of the participating boroughs;
3. To respond to any formal consultations on proposals for substantial developments or variations in health services affecting the area of Barnet, Camden, Enfield, Haringey and Islington and to decide whether to use the power of referral to the Secretary of State for Health on behalf of Councils who have formally agreed to delegate this power to it when responding to formal consultations involving all the five boroughs participating in the JHOSC;
4. The joint committee will work independently of both the Cabinet and health overview and scrutiny committees (HOSCs) of its parent authorities, although evidence collected by individual HOSCs may be submitted as evidence to the joint committee and considered at its discretion;
5. The joint committee will seek to promote joint working where it may provide more effective use of health scrutiny and NHS resources and will endeavour to avoid duplicating the work of individual HOSCs. As part of this, the joint committee may establish sub and working groups as appropriate to consider issues of mutual concern provided that this does not duplicate work by individual HOSCs; and
6. The joint committee will aim work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.

## **Audit and Corporate Governance Committee**

### **Statement of Purpose**

1. Our Audit and Corporate Governance Committee is a key component of the London Borough of Camden's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of our Audit and Corporate Governance Committee is to provide independent assurance to the members of the adequacy of the risk management framework and the internal control environment. It provides independent review of the London Borough of Camden's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place

### **Governance**

3. The Audit and Corporate Governance Committee shall have responsibility for non-executive matters specified under the relevant legislation save for those within the remit of Licensing, Planning, Pension and Standards Committees. The Council has five Scrutiny Committees that scrutinise the executive functions of the Council. The terms of reference for the five Scrutiny Committees are set out in Part 3 of the Constitution. The Council's Standards Committee is responsible for considering the conduct of councillors and advises on ethical standards. Whilst the Audit and Corporate Governance Committee cannot take decisions within the remit of Licensing, Planning, Pension and Standards Committee it does have responsibility for the overall corporate governance of the Council.

### **Matters reserved to the Audit and Corporate Governance Committee**

#### **Governance, Risk and Control**

4. To review the Council's corporate governance arrangements against the good governance framework.
5. To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
6. To aid the achievement of the Council's goals and objectives through the review of corporate governance arrangements including considering the arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements
7. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

8. To monitor the effective development and operation of risk management in the council.
9. To monitor progress in addressing risk-related issues reported to the committee.
10. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
11. To consider the assessment of fraud risks and potential harm to the Council from fraud and corruption.
12. To monitor Council policies on whistle-blowing and the anti-fraud and anti-corruption strategy.
13. To receive an annual report on the Council's usage of its powers under the Regulation of Investigatory Powers Act (RIPA).
14. To review the governance and assurance arrangements for significant partnerships or collaborations.
15. To provide free and unfettered access to the Audit Committee Chair and committee for the independent member of the committee

### **Internal Audit**

16. To approve the internal audit charter.
17. To consider proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
18. To approve the risk-based internal audit plan, including internal audit's resource requirements (and any significant changes to either), the approach to using other sources of assurance and any work required to place reliance upon those other sources.
19. To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.
20. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Head of Internal Audit. To approve and periodically review safeguards to limit such impairments.
21. To consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
  - a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work

- b) regular reports on the results of the Quality Assurance and Improvement Programme (QAIP)
- c) reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and Local Government Application Note (LGAN), considering whether the non-conformance is significant enough that it must be included in the AGS.

22. To consider the head of internal audit's annual report:

- a) The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
- b) The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.

23. To consider summaries of specific internal audit reports as requested.

24. To consider a report from the Head of Internal Audit regarding recommendations contained in Internal Audit reports that have not been implemented within agreed timescales or where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority.

25. To monitor the outcome of the annual QAIP of internal audit and to contribute to the external quality assessment of internal audit that takes place at least once every five years.

26. To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations.

27. To provide free and unfettered access to the Audit Committee Chair for the Head of Internal Audit, including the opportunity for an informal private meeting with the committee.

### **External Audit**

28. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.

29. To consider the external auditor's annual letter, annual audit plans, and other relevant reports reporting to those charged with governance.

30. To consider specific reports as agreed with the external auditor.

31. To comment on the scope and depth of external audit work and to ensure it gives value for money.

32. To commission work from internal and external audit.

33. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
34. To provide free and unfettered access to the Audit Committee Chair for the external auditors, including the opportunity for an informal private meeting with the committee.

### **Financial Reporting**

35. To review and approve the Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
36. To review and approve any proposed changes to accounting policies produced within CIPFA guidelines.
37. To consider the external auditor's report to those charged with governance on issues arising from the audit of the Accounts.
38. To report and make recommendations to the Cabinet and/or Council as necessary on relevant issues arising from the exercise of these functions.

### **Accountability Arrangements**

39. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
40. To report to full council when it considers appropriate on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
41. To undertake an annual review of the effectiveness and the work of the committee.

### **Regulatory Framework**

42. To maintain an overview of the Council's Constitution in respect of contract procedure rules and financial regulations.
43. To review any relevant issue referred to it by the Chief Executive or the Executive Director Corporate Services or Monitoring Officer.
44. To review the treasury management activities and monitor compliance with policies, strategies and procedures plus oversight of governance, risks and assurance matters relating to debt and investment portfolios and make recommendations to full Council.

45. To receive the Council's Pay Policy Statement annually and recommend to Council its adoption.

### **General functions**

46. Responsibility for the appointment of all relevant sub-committees, including approval of their terms of reference and membership if not already appointed by Council at the annual Council meeting.

47. To determine matters relating to the organisation and conduct of elections, including the following:

- i) appointment of an Electoral Registration Officer, should the Chief Executive not be able to fulfil the role;
- ii) appointment of a Returning Officer for local government elections, should the Chief Executive not be able to fulfil this role;
- iii) division of constituencies into polling districts; and
- iv) division of the borough into polling districts.

48. To regulate matters affecting members, including remuneration and expenditure.

49. To monitor and review the Constitution, in accordance with Article 14, including the making of recommendations to Council on the revocation, alteration or making of new Standing Orders, Contract and Financial Standing Orders.

50. To recommend to Council the introduction, amendment or revocation of by-laws.

51. Responsibility for making arrangements for the proper administration of the Council's financial affairs.

52. Responsibility for the designation of statutory posts where the ordinary post holder is unable to fulfil the role (and where this does not form part of the appointments process and is therefore delegated to the appropriate Appointments Sub-Committee) as follows:

- a) Head of Paid Service, should the Chief Executive or the Deputy Chief Executive not be able to fulfil the role;
- b) Chief Financial Officer (known as the Section 151 officer) should the Executive Director Corporate Services or their nominated deputy not be able to fulfil this role;
- c) Monitoring Officer, should the Borough Solicitor or their nominated deputy not be able to fulfil this role;
- d) Data Protection Officer, should the Borough Solicitor not be able to fulfil this role;
- e) Director of Children's Services, should the Executive Director Children and Learning not be able to fulfil this role;
- f) Director of Public Health, should the Director of Health and Wellbeing not be able to fulfil this role;

- g) Director of Adult Social Services, should the Director of Adult Social Care not be able to fulfil this role; and
- h) Lead Scrutiny Officer, should the Director of Corporate Strategy and Policy Design not be able to fulfil this role.

53. To determine the terms and conditions on which officers hold office (including procedures for their dismissal).
54. Agreeing the corporate complaints policy and procedure, remedies policy and procedure, and any other policies related to payments or benefits in kind arising from maladministration findings by an Ombudsman.
55. To establish, set the terms of reference and procedures of and appoint to an Accessible Transport Appeals Panel or Panels.

### **Matters delegated to the Staff Appeals Sub-Committees**

1. To hear and determine appeals under the Council's Disciplinary Procedure.
2. To hear and determine appeals under the Council's Absence Management Procedure.

### **Matters delegated to the Performance Review Sub-Committee**

1. To review the performance of the Chief Executive's overall contribution and recommend targets for the Chief Executive to the Leader of the Council.
2. To take decisions on disciplinary matters including termination (but excluding termination for reasons of redundancy, permanent ill-health or infirmity of mind or body or the failure to renew a fixed term contract unless an undertaking to renew had already been given) of the contract of employment of the Chief Executive, Monitoring Officer or Executive Director Corporate Services ('the relevant officers') including to refer the matter to the Statutory Panel should it recommend dismissal for one or more of the relevant officers. If it does recommend dismissal the Sub-Committee will also ensure that the statutory objections procedure is followed.
3. The Sub-Committee will, in dealing with all matters relating to disciplinary issues for the relevant officers:
  - Consider whether the matter requires investigation;
  - Decide whether the relevant officer should be suspended;
  - Organise any investigation, including appointing an investigator, and reviewing the results of the investigation (having heard the views of the relevant officer and/ or his representative); and
  - Consider what disciplinary action, if any, is appropriate following consideration of the investigation results and views of the officer and/or their representative;
  - Should it recommend dismissal arrange for the referral of the matter to the statutory panel

- Put in place, as appropriate, arrangements for action where it concludes that action short of dismissal is required.

For all matters not involving the Chief Executive, the Sub-Committee may delegate the investigation and for action short of dismissal and the arrangements for action to the Chief Executive.

4. Before undertaking consideration of any disciplinary matter, the Sub-Committee will agree upon a form of procedure having taken appropriate professional advice, including for matters not involving the Chief Executive, from the Chief Executive. The procedure will follow, with appropriate amendments, the procedures which apply to all staff in Camden.
5. To take the appropriate action for termination of employment of the relevant officers as agreed and referred by full Council.
6. To consider and determine grievances by and against the Chief Executive.

#### **Matters delegated to the Statutory Officers' Appeal Sub-Committee**

1. To consider and determine an appeal by the Chief Executive, Executive Director Corporate Services or Borough Solicitor from any decision of the Performance Review Sub-Committee excluding recommendations to Council to terminate the contract of employment.

#### **Matters delegated to the Executive Directors' Appeal Sub-Committee**

1. To hear and decide an appeal by any Chief Officer, other than the Chief Executive, Executive Director Corporate Services or Borough Solicitor, in accordance with the contract of employment for chief officers.

#### **Matters delegated to the Appointments Sub-Committee<sup>1</sup>**

The Appointments Sub-Committee shall interview and offer permanent appointments to all posts at Chief Officer level within the Council (including the Chief Executive) and upon being called by the Chief Executive<sup>2</sup> the sub-committee shall provide a steer upon the termination payments to Chief Officers leaving the organisation.

#### Appointment function

1. The Appointments Sub-Committee shall interview and offer permanent appointments to all posts at Chief Officer level within the Council. It will also

---

<sup>1</sup> (see also Part 4, Section D, Committee Rules, Paragraph 20, Specific Committee and Sub-Committee Arrangements for the makeup of sub-committee and quorum)

<sup>2</sup> When the Chief Executive is personally affected then this role shall be taken by the Borough Solicitor.

**Note:** The Council at its meeting on 29<sup>th</sup> January 2014, determined that all Members of the Appointments Sub-Committee should be required to have undertaken relevant training before being able to consider either chief officer appointments or severance cases.

interview and recommend the permanent appointment of the Chief Executive to the full Council. The Sub-Committee may also nominate an Executive Director as the Deputy Chief Executive in addition to their substantive post, noting that the Chief Executive also holds the power to nominate to this position.

2. Agreement of a "longlist" of candidates is delegated to the Chief Executive in the case of Executive Director and the Borough Solicitor appointments, and the Executive Directors in the cases of Directors and the Chief Digital Information Officer or appointments within his/her department.
3. When sitting to appoint the sub-committee shall agree the shortlist of any candidates although this may also be delegated to officers. The sub-committee shall also undertake such other duties as form an appropriate part of the selection process as advised by the Director of People and Inclusion.
4. Temporary appointments of Executive Directors and the Borough Solicitor of up to six months' duration exclusively from among the Council's existing staff are delegated to the Chief Executive, in consultation with the Director of People and Inclusion.
5. Temporary appointments of Directors and the Chief Digital Information Officer of up to six months duration exclusively from among the Council's existing staff are delegated to the relevant Executive Director in consultation with the Director of People and Inclusion.
6. Temporary appointments in excess of 6 months are to be made by the relevant appointments sub-committee.

#### Termination payment function

7. It is recognised that in situations where the employment of a Chief Officer is being terminated by the Council, it is normally in the best interests of the Council to quickly reach a mutual agreement with the Chief Officer regarding the terms of the termination. The procedure below enables Members to be involved in determining the parameters of such an agreement.
8. Upon being called by the Chief Executive, the sub-committee shall provide a steer regarding the termination payments to Chief Officers leaving the organisation. The sub-committee will provide the Chief Executive with their opinion/direction as to the terms to be contained within any overall termination package and while each meeting will be assessed on its merits, this is likely to be dealt with in private.
9. The Chief Executive and Director of People and Inclusion will advise the sub-committee as to how any proposed payment has been calculated and in particular detail which parts of that package are contractual and which discretionary. In addition, when appropriate, the Borough Solicitor will supply supporting legal advice.

10. In giving advice to the Chief Executive the sub-committee will advise within payment bands and will delegate sufficient authority to the Chief Executive to allow for appropriate negotiation to be undertaken and concluded.
11. The Chief Executive shall privately inform the Members who sat on a severance case of the details of the eventual settlement that was reached.

### **Matters delegated to the Accessible Transport Appeals Panel**

1. To hear and determine appeals under the Council's accessible transport appeals procedure.

### **Matters reserved to the Pension Committee**

#### General

1. To act as Trustees of the Council's Pension Fund within the terms of the Superannuation Act 1972 and to administer all matters concerning the Council's pension investments in accordance with any applicable law and policy.
2. To make arrangement for the appointment of and appoint suitably qualified investment managers and custodians and to periodically review those arrangements.
3. To ensure that appropriate and sufficient training has been undertaken by all members of the Committee in order to discharge their functions.
4. To take proper advice from officers, investment consultants, independent investment adviser, pension board and actuary.
5. In exercising all of its functions, to take into account environmental, social and governance issues in order to seek to ensure that the Pension Fund is a responsible investor.

#### Investment

6. Set and review Investment strategy for the Fund to include reference to the Committee's [investment beliefs](#) and to always include Responsible Investment comments in all Pension Committee reports.
7. To formulate and publish an Investment Strategy Statement.
8. At least once every three months, to review the investments made by the investment managers and from time to time consider the desirability of continuing or terminating the appointment of the investment managers.
9. To determine the strategic asset allocation policy, the mandates to be given to the investment managers, the performance measures to be set for them and review investment management performance against targets.

10. To monitor the performance and effectiveness of the investment managers and their compliance with the Investment Strategy Statement.
11. Ensure the Fund's voting rights are exercised in line with the Fund's voting policy to ensure the best outcome for the Fund's investment purposes and ensure engagement supports the investment strategy and Fund's performance, except co-filing requests put forward by the LAPFF; and support for resolutions in respect of companies that the Fund does not have a direct shareholding in, which remains a matter for the Executive Director Corporate Services in consultation with the Chair of the Pension Committee unless time allows for the matter to be reported to the Committee for decision.
12. To receive and approve an Annual Report on the activities of the Fund prior to publication.
13. To keep members of the Pension Fund informed of performance and developments relating to the Pension Fund on an annual basis.

#### Liabilities

14. To review the risks inherent in the management of the Pension Fund
15. To review the strength of admitted bodies and ability to honour their liabilities.
16. To agree and keep under review a Contribution Strategy and agree the Triennial Valuation.
17. Admit new and exit ceasing employers as and when these arise.
18. To monitor liabilities and ensure progress towards full funded status of all employers.
19. To understand the maturity of the Fund and keep cash flow considerations under review.

#### Planning Committee

##### **Matters delegated and reserved to the Planning Committee**

1. Authorisation of service of any notice relating to planning, listed building, conservation area and advertisement control which in the view of the Director of Economy, Regeneration and Investment should be considered by the committee.
2. Authorisation of any legal or other action or proceedings relating to planning, listed building conservation area and advertisement control which in the view of the Director of Economy, Regeneration and Investment should be considered by the committee.

3. Consideration of the following categories of application recommended for approval (including the Council's own development), other than for prior approvals, lawful development certificates or applications that make minor or non-material amendments to an existing planning permission where those amendments do not fall within the following descriptions:
- i) Residential development involving any of the following:
    - A change of use, an extension, or the construction of a building, resulting in provision of 10 or more new dwellings (including flats); or
    - The construction of a building or buildings resulting in provision of 5 or more new dwellinghouses.
  - ii) Non-residential development involving any of the following:
    - A change of use resulting in provision of more than 1,000sqm of non-residential floor-space; or
    - The construction of a building or extension resulting in an increase of more than 500sqm of non-residential floor-space.
  - iii) The total or substantial demolition of any listed building, locally listed building, or building considered to make a positive contribution to a conservation area;
  - iv) Development involving the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 or other legislation ("the obligation") that secures more than £50,000 of financial contributions or other public benefits of estimated capital value unless;
    - The terms of the obligation are not materially different from any previous obligation approved by the committee in relation to the same site;
    - The obligation is required in connection with the presentation of the Council's case in a planning appeal;
    - The obligation is in respect of a standard financial contribution calculated in line with policy.
  - v) Development involving a significant departure from policy;
  - vi) An application submitted by or on behalf of a member of the Council (or their spouse or partner) or any Council employee (or their spouse or partner); and
  - vii) Where the Director of Economy, Regeneration and Investment has referred the application for consideration after briefing members.

4. Consideration of any other application which, in the view of the Director of Economy, Regeneration and Investment, should be considered by the committee.
5. Decisions on any matter relating to the functions of this committee referred by the Director of Economy, Regeneration and Investment.
6. Responses to consultation by adjoining authorities on applications with significant cross borough impacts.
7. Consideration and the submission of recommendations to the Cabinet on the Council's Development Plan review of planning policies, draft Supplementary Guidance, and on proposed responses to consultation on proposed changes to Government Planning Policy affecting development control.
8. To receive performance monitoring information on matters within the remit of the Committee.
9. Reviewing and agreeing changes to the Planning Protocol

#### **Delegation in respect of conditions and reasons**

Authority is delegated to the Head of Development Management to, subsequent to any meeting and in line with the Committee's general decision and direction, finalise the wording and reasons of:

- Conditions added or amended conditions;
- Approvals or refusals contrary to the officer's recommendation;
- Additional reasons for refusal or approval where not set out in the officer's report.

The delegation will apply unless the Committee specifies otherwise as part of its decision.

#### **Licensing Committee**

##### **Matters reserved for the Licensing Committee in respect of the Licensing Act 2003**

1. Responsibility for the setting of fees in accordance with Section 197A.

**The Licensing Committee shall also have responsibility for the discharge of the following functions as specified under the Licensing Act 2003**

2. Any subsequent amendments or additions to this legislation will be reflected in the Constitution.
3. Development of the Council's overall objectives and policy in relation to licensing.

#### Other matters for the Committee's consideration

4. Requesting and arranging appropriate training to enable all members of the Committee to fulfil their statutory role on behalf of the licensing authority
5. Receipt of Information reports, where appropriate, on the following matters insofar as they directly relate to the promotion of the licensing objectives under the Licensing Act 2003:
  - i) local amenity;
  - ii) crime and disorder;
  - iii) economic considerations including employment, tourism and regeneration
  - iv) cultural diversity and customer choice;
  - v) liaison with other public bodies and stakeholders;
  - vi) operation of and enforcement of Council licensing policy/licensing requirements;
  - vii) any other matter that directly relates to promotion of the licensing objectives.

#### Matters reserved for the Licensing Committee in respect of the Gambling Act 2005

6. Responsibility for the setting of fees in accordance with Section 154 and any regulations for applications.

#### Licensing functions as specified under the Gambling Act 2005

7. Any subsequent amendments or additions to this legislation will be reflected in the Constitution.

#### Matters reserved to the Licensing Committee in respect of residual functions and miscellaneous licensing applications outside the Licensing Act 2003

8. The determination of applications for new licenses, renewals, transfers, material variations of existing licenses, the revocation of licenses or the cancellation of a registration where the Executive Director Investment, Place and Opportunity considers the matter should be decided by Committee in the public interest. This may be due to the nature of an application, applications that go against a relevant policy, the number of relevant objections, or nature of the concerns raised in relevant objections. Such licenses and applications may include (without prejudice to the generality)
  - i) Street trading licenses
  - ii) Sex establishments
  - iii) Special treatment licenses
  - iv) Licenses for tables and chairs on the highway
  - v) Registration of motor salvage operators
9. Where a right of appeal exists from officer decisions and the Executive Director Investment, Place and Opportunity considers that it would be in the public interest for the appeal to be determined by the Committee.

10. The designation of streets for licensing purposes; such purposes may include:
  - i) Street trading
  - ii) Distribution of free literature

#### Residual licensing functions

11. Any subsequent amendments or additions to this legislation will be reflected in the Constitution.

### **Matters delegated to the Licensing Sub-Committees (Panels)**

#### Functions in respect of the Licensing Act 2003

1. The determination of applications where the Executive Director has received a relevant representation under the following matters:
  - i) determination of application for premises licence
  - ii) determination of application for provisional statement
  - iii) determination of application for variation of premises licence
  - iv) determination of application to vary designated premises supervisor following police objection
  - v) determination of application for transfer of premises licence following police objection
  - vi) consideration of police objection made to interim authority notice
  - vii) determination of application for club premises certificate,
  - viii) determination of application to vary club premises certificate,
  - ix) decision to give counter notice following police objection to temporary event notice,
  - x) determination of application for grant of personal licence following police objection,
  - xi) determination of application for renewal of personal licence following police objection,
  - xii) revocation of licence where convictions come to light after grant etc.
2. The determination of reviews under the following matters:
  - i) determination of application for review of premises licence in a case where relevant representations have been made;
  - ii) determination of application for review of club premises certificate in a case where relevant representations have been made;
  - iii) review following closure order, in a case where relevant representations have been made.

All other matters are delegated to the Executive Director Investment, Place and Opportunity.

#### Functions in respect of the Gambling Act 2005

3. To make decisions on the following matters:

- i) determination of an application for a premises licence in respect of which representations have been made under section 161 (and not withdrawn)
- ii) determination of an application for the variation of a premises licence in respect of which representations have been made under section 161 as applied by section 187 (and not withdrawn),
- iii) determination of an application for transfer following representations by the Commission,
- iv) determination of an application for a provisional statement under section 204 in respect of which representations have been made under section 161 as applied by section 204 (and not withdrawn)
- v) a review of a premises licence under section 201,
- vi) decision to give a counter notice under section 224,
- vii) in relation to permits under Schedule 12, determination of an application for a club gaming permit or club machine permit in respect of which objections have been made and not withdrawn
- viii) in relation to permits under Schedule 12, the cancellations of a club gaming or club machine permit.

Functions in respect of duties in relation to residual functions and the determination of miscellaneous licensing applications

4. Any matters which in the view of the Executive Director Investment, Place and Opportunity should be considered by the Sub-Committee.

All other matters are delegated to the Executive Director Investment, Place and Opportunity.

Matters delegated in respect of powers under the Policing and Crime Act 2009 that amended Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in relation to Sexual Entertainment Venues.

To determine matters relating to:

- (i) Applications for the grant of a sex establishment licence
- (ii) Applications for the renewal of a sex establishment licence
- (iii) Applications for the transfer of a sex establishment licence
- (iv) Applications for the variation of a sex establishment licence
- (v) The revocation of sex establishment licence

**“Sexual entertainment venue”** means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer

**“Relevant entertainment”** means any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means). An audience can consist of just one person (e.g. where the entertainment takes place in private booths)

### **Matters delegated to the Standards Committee<sup>3</sup>**

1. Promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
2. Assisting the councillors, co-opted members and church and parent governor representatives to observe the Code of Conduct;
3. Advising the Council on the adoption or revision of the Code of Conduct;
4. Monitoring the operation of the Code of Conduct;
5. Advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Code of Conduct;
6. Agreeing guidance for councillors on matters related to conduct to be distributed to them and when they deem it appropriate included as part of the constitutional guidance;
7. When matters are referred by the Borough Solicitor granting dispensations to Councillors, co-opted members and church; and parent governor representatives from requirements relating to interests set out in the Code of Conduct;
8. On matters being referred by the Borough Solicitor deciding whether complaints concerning members should be investigated;
9. Hearing complaints that have been referred to them by the Monitoring Officer pursuant to the Complaints Procedure;
10. Being responsible for the function of the local consideration, investigation and determination of complaints;
11. The agreement of relevant procedures for the undertaking of its functions such when appropriate to be included within the Constitution; and
12. Preparing a report on the work of the Committee during the year and work priorities for the next year should it consider this necessary.
13. To make recommendations on the following protocols and procedures to Council:
  - i) Members' Code of Conduct;
  - ii) Procedure for dealing with complaints against Members;
  - iii) Member/Officer Protocol.
14. To approve the following protocols and procures:

---

<sup>3</sup> The Standards Committee will follow the Committee Procedure Rules set out in Part 4. The Standards Committee's procedure for considering local decisions is set out in Part 5.

- i) Gifts and Hospitality Protocol for Members;
- ii) Use of Information technology – Guidance on the Members’ Code of Conduct;
- iii) Social Media Guidelines for councillors;
- iv) Ministerial and Political visits guidance;
- v) Any other minor guidance they consider helpful subject to it not making any material difference to the reserved policies.

## **Health and Wellbeing Board**

### **Purpose**

1. The Camden Health and Wellbeing Board galvanises shared action across the health and care system to make Camden the best place to grow, live and age well. The Board will:
  - Support people to live longer in good health and enhance people’s quality of life and experience of care;
  - Put residents at the heart of what we do and offer;
  - Mobilise the skills and knowledge of local people and the connections and resources within communities and organisations to improve health and well-being.
2. The Board brings together locally elected representatives, service user representatives, commissioners and providers of health and care services for adults and children to jointly assess local needs.
3. The Board will oversee and sponsor the Camden Health and Wellbeing Strategy to meet local need and drive the ambitions and outcomes to improve health and wellbeing and reduce inequalities for Camden residents. The refreshed Health and Wellbeing Strategy will represent a radical step change in our ambition for health and care integration in Camden, putting resident voice at the heart of everything the Board does.

### **Vision**

4. To make Camden the best place to grow, live and age well. The Board will work in partnership for a healthier Camden, to address health inequalities and ensure that everyone benefits from prevention of illness and improvements in health and wellbeing.
5. The Board will progress a programme of integrated work centred on the needs of residents and will promote and support actions to help ensure the health and care system is financially sustainable.

## **Legal Duties**

6. The Board is responsible for fulfilling the duties required by the Health and Social Care Act 2012 to:
  - Provide collective leadership for the general advancement of the health and wellbeing of the Camden population by promoting the integration of health and social care services
  - Identify the health and care needs of Camden residents through the preparation of the Joint Strategic Needs Assessment
  - Develop and agree the framework for health and care commissioning and provision to meet the needs of Camden residents through a Joint Health and Wellbeing Strategy
7. To ensure consistency between the Joint Health and Wellbeing Strategy and the plans of all health and care partners, there are legal duties on Camden council, NHS England and the NCL Integrated Care Board to have regard to the Camden Joint Health and Wellbeing Strategy in developing their individual plans for delivering health and care. In addition, the Joint Health and Wellbeing Strategy must have regard to NHS England's Mandate.
8. The Camden Health and Wellbeing Board is a committee of the Council and subject to (other than the below modification or the agreement of the Borough Solicitor) the Council's Procedure Rules and Standing Orders and Code of Conduct and Protocols.

## **Approach**

9. The Board will put residents at the heart of the work to improve health and wellbeing. The Board will have a bold long-term ambition for integration and is committed to delivering short, medium- and long-term improvements on the path to achieving that ambition.
10. A Citizens' Assembly informed the development of the Camden Joint Health and Wellbeing Strategy and identified the priorities of local residents. Subsequent Citizens' Assemblies will provide an ongoing participatory process to help identify the actions that are important to residents in making Camden the best place to grow, live and age well.
11. The Board will agree and oversee delivery of three to five priority areas for integration, based on resident priorities. The priorities will be reviewed on an annual basis and will be expected to change and evolve over time to build on success and reflect the movement towards a mature integrated health and care system.
12. As part of their work, the Board will collectively agree how they can mobilise their organisation's resources to support the delivery of integration priorities, including consideration of the trade-offs that may be required. There will be

shared accountability to focus on prevention and well-being and a commitment to remove organisational barriers to improving outcomes for Camden residents. The Board will work to empower people at all levels of their organisations to shape and deliver actions to improve health and well-being for Camden residents.

13. The Board will consider costs, spend and investment across the health and care system, to ensure the most efficient use of resources and any potential savings that can be realised across different services over several years.
14. The Board will play a key role in setting and agreeing priorities for the Camden Integrated Care Partnership (ICP) and will help shape and support wider working between health and the Council at ICP level.
15. The Board will work closely with other bodies outlined in the transitional governance structure at Annex A, but these structures will be reviewed and amended where appropriate in order to maximise the impact and minimise bureaucracy.
16. The Board will look to ensure there is appropriate monitoring, evaluation and accountability in place with respect to its functions.

## **Membership**

17. The membership for Camden's Health and Wellbeing Board is to consist of:
  - Leader of Camden Council\*
  - Cabinet Member for Health, Wellbeing and Adult Social Care
  - Cabinet Member for Best Start for Children and Families
  - Director of Children's Services (LB Camden)\*
  - Executive Director Adults and Health (LB Camden)\*
  - Director of Health and Wellbeing (LB Camden)\*
  - One Executive Director or their nominated representative, North Central London Integrated Care Board (NCL ICB) \*
  - Director of Place (West), NCL ICB
  - Borough Clinical Director (Camden), NCL ICB
  - Two local GP provider representatives
  - One representative from Healthwatch Camden\*
  - Two community and voluntary sector representatives
  - One representative from each of the following NHS Foundation Trusts:
    - Camden and Islington (C&I) NHS Foundation Trust
    - Central North West London (CNWL) NHS Foundation Trust
    - Great Ormond Street Hospital for Children NHS Foundation Trust
    - Royal Free London NHS Foundation Trust
    - University College London Hospitals (UCLH) NHS Foundation Trust
    - Tavistock and Portman NHS Foundation Trust

\*Statutory members

18. The Board may appoint such additional members to the Board as it thinks appropriate.
19. No member of the Health and Adult Social Care Scrutiny Committee is to be a member of the Board.

### **Co-opted members**

20. The Board will be able to co-opt members (to be non-voting unless otherwise specified in statute) as required.

### **Substitutes**

21. Every effort will be made by Board members to attend meetings. However, named substitutes will be allowed on the basis they are fully briefed and can make decisions on behalf of their organisation and have been duly appointed as a substitute by their organisation with full voting rights.

### **Voting**

22. Each member of the HWB is a voting member (unless appointed as a non-voting co-optee).

### **Chairing**

23. The Board will elect a chair from amongst its membership at the first meeting of the municipal year to serve for the duration of that year.

### **Frequency of Meetings**

24. Meetings of the Health and Wellbeing Board will take place on a quarterly basis, and other additional extraordinary board meetings can be called by the Chair of the board or by four members of the Board in writing.

### **Sub-Groups**

25. The Board has the power to set up sub-groups and discharge functions to a sub-committee of the Board as is necessary to deliver duties under paragraph 6 above.

### **Code of Conduct**

26. The Camden Members Code of Conduct applies to the members of the HWB other than where disapplied or modified by legislation

### **Quorum**

27. The quorum of the meeting shall be six members, at least three of whom must be Members or Officers of the Council and three health partners, including at least one member of the NCL Integrated Care Board.

## **Times and Places of Meetings**

28. The times, frequency and places of meeting shall be determined by the HWB.

## **Health and Wellbeing Board dis-applied legislation**

29. Section 13 of the 1989 Local Government Act provides for members of committees, who are not members of the local authority, to be treated as non-voting members, except in relation to a specified set of committees. This section is dis-applied, to make it clear that key members of the HWB can vote alongside the nominated elected representatives on the board. Decisions are expected to be reached on a consensus basis.
30. Sections 15 to 17 of and Schedule 1 of the 1989 Local Government Act impose political balance requirements on relevant local authorities and committees, in relation to allocation of seats on section 102 committees and sub committees. The proportionality rules are dis-applied in relation to HWBs.

## Appendix A

<b>Democratic oversight</b>	<b>Health and Wellbeing Board</b>	<ul style="list-style-type: none"> <li>Statutory, decision-making forum that provides strategic oversight and steers integrated care arrangements in Camden. Ensures alignment with patient / resident needs &amp; expectations, including Citizens' Assembly outputs</li> </ul>
<b>Strategy</b>	<b>Camden Integrated Care Executive</b>	<ul style="list-style-type: none"> <li>Strategic leadership forum that shapes, develops and oversees the implementation of the Camden integrated road map.</li> <li>Focused on neighbourhood development, improving long term condition pathways, and borough partnership infrastructure.</li> </ul>
<b>Planning</b>	<b>Camden Local Care Partnership Board</b>	<ul style="list-style-type: none"> <li>Senior operational leadership forum that supports the development of and is responsible for the implementation of Camden borough partnership transformation priorities, organised around 'Start Well', 'Live Well', and 'Age Well'</li> <li>Responsible too for sharing outcomes and developing the borough partnership to deliver better care</li> </ul>
<b>Delivery</b>	<b>Partnership Groups for Borough Partnership Priority Areas</b>	<ul style="list-style-type: none"> <li>Brings together health and care partners to design and deliver operational implementation of improvements in models of care</li> <li>Groups organised around 'Start Well', 'Live Well', and 'Age Well'</li> </ul>



## **Pension Board of the London Borough of Camden Pension Fund**

The Pension Board as defined by sections 5 (1) and (2) of the Public Service Pensions Act 2013 will be responsible for:

- Assisting the London Borough (LB) Camden Administering Authority as Scheme Manager to:
  - secure compliance with the Local Government Pension Scheme (LGPS) regulations and any other legislation relating to the governance and administration of the LGPS
  - secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator
  - carry out such other matters as the LGPS regulations may specify
- Securing the effective and efficient governance and administration of the LGPS for the LB Camden Pension Fund

The role is one of providing oversight of assurance in and governance of the scheme administration and not decision making

The Pension Board will ensure that the LB Camden Pension Fund is managed and administered effectively and efficiently and complies with any code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

The Pension Board shall have the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

### **Core functions**

The core role of the Pension Board is set out as above.

1. The first core function of the Board is to assist<sup>4</sup> the Administering Authority in securing compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme. Within the extent of this core function the Board may determine the areas it wishes to consider including but not restricted to:
  - i) Review regular compliance monitoring reports which shall include reports to and decisions made under the Regulations by the Committee.
  - ii) Assist with the development of and continually review such documentation as is required by the Regulations including Governance Compliance Statement, Funding Strategy Statement and Statement of Investment Principles.

---

<sup>4</sup> Please see paragraph 3.28 of the Guidance for more information on what assisting the Administering Authority means.

- iii) Review the implementation of revised policies and procedures following changes to the Scheme.
  - iv) Review the arrangements for the training of Board members and those elected members and officers with delegated responsibilities for the management and administration of the Scheme.
  - v) Review the outcome of external audit reports.
  - vi) Review draft accounts and Fund annual report.
2. The second core function of the Board is to ensure the effective and efficient governance and administration of the Scheme. Within this extent of this core function the Board may determine the areas it wishes to consider including but not restricted to:
- i) Review the effectiveness of processes for the appointment of advisors and suppliers to the Administering Authority.
  - ii) Monitor investment costs including custodian and transaction costs.
  - iii) Review the risk register as it relates to the scheme manager function of the authority.
  - iv) Review the outcome of actuarial reporting and valuations.
  - v) Monitor in the development of asset voting and engagement processes and compliance with the UK Stewardship Code.
3. In support of its core functions the Board may make a request for information to the Pension Committee with regard to any aspect of the Administering Authority's function. Any such request should be reasonably complied with in both scope and timing.
4. In support of its core functions the Board may make recommendations to the Pension Committee which should be considered and a response made to the Board on the outcome within a reasonable period of time.

*The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committee or to sub-committee or officers under the Constitution, standing orders or scheme of delegation of the Administering Authority apply to the Pension Board unless expressly included within these terms of reference or Article 11 in Part 2 of the Constitution.*

## **Statutory Panel for Statutory Officer Dismissal**

The Statutory Panel (formed pursuant to The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) will be called upon a referral from the Audit and Corporate Governance (Performance Review) Sub-Committee.

The Panel will be comprised of three Independent Persons (IPs) who will ordinarily be the two IPs appointed by Camden plus one appointed from another London Authority. However, if the Camden IPs are not able to participate an IP or IPs appointed by another authority/ies will be invited to ensure three IP members on the panel;

The Panel must be formed at least 20 working days before the day of the Council meeting to which a reference may be made and will be formed upon the Performance Review Sub-Committee recommending dismissal for one or more of the relevant officers.

The Panel will:

1. Consider the referral and report from the Audit and Corporate Governance (Performance Review) Sub-Committee recommending dismissal of one of the relevant officers;
2. Consider whether or not to recommend dismissal of the relevant officer to the Council and make a report to Council so recommending together with any advice or views along with supplying the report from the Performance Review Sub-Committee.

## **Council Meeting**

Should the Council be asked to vote on whether or not to approve a dismissal of the Chief Executive, Executive Director Corporate Services or Borough Solicitor they must in particular take into account:

1. Any advice, views or recommendations of the Statutory Panel for Statutory Officer Dismissal;
2. The conclusions of any investigation into the proposed dismissal;
3. Any representations from the relevant officer who will be able to make such representations both in writing and orally should they so choose;
4. Any further advice as to process to ensure compliance with the contractual and statutory rights of the relevant officer

Should Council approve dismissal they will refer the matter back to the Audit and Corporate Governance (Performance Review) Sub-Committee, who will take the appropriate action to put the decision into effect.

## **Camden Standing Advisory Council on Religious Education (SACRE)**

### **1. The Legislation**

- 1.1. The legislation is set out in Sections 390 to 397 of the Education Act 1996. Guidance is provided within the non-statutory Guidance for Religious Education in English Schools published in 2010.
- 1.2. The Act requires each Local Authority (LA) to set up a Standing Advisory Council on Religious Education (known as SACRE). This is a statutory body in its own right and is not a sub-committee of the Council.

### **2. Duties**

- 2.1. To advise the LA on matters concerned with school worship and with Religious Education according to an Agreed Syllabus, either referred to SACRE by the LA or as SACRE may see fit. These matters might include, for example, the provision of INSET, methods of teaching and choice of materials and the consideration of complaints, if the LA so requires.
- 2.2. To receive and decide whether Determinations (applications from headteachers to vary the requirement for worship to be broadly or mainly Christian character for the whole school or for groups of pupils) are appropriate.
- 2.3. To publish an annual report outlining the advice given by SACRE to the LA and whether a Statutory Conference was requested. The report should broadly describe the nature of advice provided and, if such advice was in relation to matters not referred to SACRE by the LA, giving the reasons for offering such advice. A copy of the report should be sent by SACRE to the Qualifications and Curriculum Development Agency (QCDA).
- 2.4. To require the LA to set up a Statutory Conference to review the Agreed Syllabus if, in the opinion of SACRE, this becomes necessary.

### **3. Membership**

#### **Members**

- 3.1. SACRE consists of 4 groups of Members ('the Representative Groups'), which are:

#### **Group A**

Persons representing such Christian and other religious denominations reflecting, in the opinion of the Authority, the principal religious traditions of the Borough. So far as possible the membership of this group should reflect broadly the proportionate strength of each denomination or religion within the Borough. This group shall not include persons appointed to represent the Church of England.

## **Group B**

Persons representing the Church of England

## **Group C**

Persons representing teacher associations in the Borough

## **Group D**

Persons representing the Local Authority

- 3.2. Members of groups A and B must be representative of their faith or denominational group.
- 3.3. Members of group C should have experience of religious education and worship and knowledge of good current practice.

### Appointment, Removal and Resignation

- 3.4. The LA appoints the members of groups A-D, having ascertained that they are representative of their denomination, faith or association. Members may resign at any time, or, if appointed by the LA, may be removed by the LA if they are no longer representative of the religion, denomination or association which they were appointed to represent or (as the case may be) they cease to be representative of the LA. The LA may remove any member if they are absent for more than three consecutive meetings. If a member is unable to attend, a substitute may attend in his/her absence (see paragraph 4.8).

### Co-options

- 3.5. Additional members may be co-opted by SACRE or by a group within it. Co-opted members may not themselves co-opt. Persons co-opted shall hold office on such terms as may be determined by the members co-opting them.

### Sub-groups

- 3.6. Any sub-group set up by SACRE shall include at least one member from each of groups A-D. Each group and sub-group will elect its own chair and may convene its own meetings.

## **4. Procedures**

### Dates

- 4.1. The dates of the main meetings will be decided in advance.

## Agenda

- 4.2. Matters for the agenda of any meeting shall be sent to the clerk at least 21 days in advance of the meeting.
- 4.3. The agenda shall be distributed to reach members at least 7 working days in advance of a meeting.

## Notice of Meetings

- 4.4. At least five clear days before a meeting of SACRE, notice of the time and place of such meeting shall be given by posting it at the offices of the LA. If the meeting is convened sooner, then notice to be given as soon as the meeting is convened.
- 4.5. At least five clear days before a meeting of SACRE, copies of the agenda and copies of any report for the meeting (except reports under paragraph 5.10 below) shall be available for inspection. However, where the meeting is convened, or an item added to the agenda, on shorter notice the requirement to provide inspection shall apply from the time the meeting was convened, or item added to the agenda, respectively.
- 4.6. No business shall be transacted at any meeting of SACRE unless:
  - iv) A copy of the agenda including the item has been available for inspection from the time set out within paragraph 4.5 above.
  - v) By reason of special circumstances, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. The special circumstances should be recorded within the minutes of the meeting.

## Minutes

- 4.7. The draft minutes of meetings shall be circulated to Members within one month of the meeting.

## Substitutes

- 4.8. Members may arrange for substitutes to attend meetings and have full voting rights. Such substitutions should be notified to the Clerk before the meeting.

## Pre-meetings

- 4.9. Facilities will be made available for groups to arrange pre-meetings before the main meetings of SACRE.

## **5. Conduct of meetings**

### Voting

- 5.1. The decision to request the authority to set up a Statutory Conference to review the Agreed Syllabus is made by Groups A-C only and with regard to this matter Group D does not have a vote. On all other matters, each representative group has one vote.

### Chair and Vice-Chair

- 5.2. SACRE shall appoint a Chair and Vice-Chair for one year at its first meeting in the academic year. The Chair does not have a casting vote.

### Quorum

- 5.3. No formal decisions shall be taken unless there is a quorum of 1 or more representatives from 3 or more representative groups present.

### Clerk

- 5.4. The Chief Executive or his/her delegate will act as clerk to SACRE.

### Meetings

- 5.5. The full SACRE will meet at least 3 times in each school year. The Annual Report will be received at the meeting in the autumn term.

### Access to the press and public

- 5.6. Members of the public and duly accredited representatives of the news media shall be permitted to attend all meetings of SACRE subject to paragraphs 5.9 – 5.11 below.
- 5.7. Members of the public and representatives of the news media may be excluded from any meeting for the purpose of suppressing or preventing disorderly conduct or other misbehaviour at any meeting.
- 5.8. At all meetings which are open to the public there shall be made available for use by members of the public present a reasonable number of copies of the agenda and all reports, save for those reports referred to within paragraph 5.10.

### Confidentiality

- 5.9. Nothing within these terms of reference shall be taken to authorise or require the disclosure of confidential information.
- 5.10. Where any report contains, in the opinion of the Chair, confidential information the Chair may exclude such reports from those made available for inspection

under paragraph 4.5 above or made available at the meeting under paragraph 5.8.

5.11. Members of the public and representatives of the news media may be excluded from any meeting during an item of business whenever it is likely that, if members of the public were present, confidential information would be disclosed.

#### Advisers

5.12. The Executive Director Children and Learning or their delegate will act as Professional Adviser to SACRE.

#### Validity of Proceedings

5.13. The validity of the proceedings of SACRE, or those of any group within it, shall not be affected by a vacancy in the office of any member required under 3.1 or 3.4 above or on the grounds that any member appointed as a representative of their denomination, faith or association does not, in fact do so.

## **Delegations to Joint Committees and Other Bodies**

### **Functions discharged by London Councils<sup>5</sup> Joint Committees**

#### **London Councils Leaders' Committee**

The Leaders' Committee comprises one member of each of the London local authorities who is designated the authority's Leader for the purposes of carrying out these functions.

The Leaders' Committee's functions are:

1. To consult on the common interests of the London Local Authorities and to discuss matters relating to local government.
2. To represent the interests of the London Local Authorities to national and local government, to Parliament, to the European Union and other international organisations and to other bodies and individuals, and to negotiate as appropriate on behalf of member authorities.
3. To formulate policies for the development of democratic and effectively managed local government including matters relating to Transport, the Environment and Grants.
4. To provide forums for the discussion of matters of common concern to the London Local Authorities and a means by which their views may be formulated and expressed.
5. To appoint representatives or staff to serve on any other body.
6. To represent the interests of the London Local Authorities as employers.
7. To provide services to the London Local Authorities including the dissemination of information on local government and on other relevant issues.
8. To provide information to the public, individuals and other organisations on the policies of the London Councils and local government issues relevant to London.
9. To act as the regional body of the Local Government Association.

#### **London Councils Transport and Environment Committee**

The Transport and Environment Committee (TEC) comprises one member from each London local authority and a member from Transport for London (which is part of the Greater London Authority). Its functions are:

1. TEC is an associated joint committee of London Councils. When the Transport Committee for London (TCfL) became part of the then new Association of London

---

<sup>5</sup> Formerly the Association of London Government

Government in April 2000, there was a need to retain a separate identity because of the statutory involvement of Transport for London in the Committee's work for certain functions. Leaders' Committee agreed that TCfL should also undertake the role of the old ALG Transport and Environment panel and so the new Committee was renamed Transport and Environment Committee (TEC).

2. TEC is a statutory committee with specific responsibility for:
  - Functions under the Road Traffic Act 1991 – including appointment of parking adjudicators and determining penalty charge levels and fees for declamping, vehicle recovery storage and disposal
  - The provision of an independent appeals service for Parking on Private Land in England and Wales (POPLA)
  - Operation of the TRACE service for locating towed-away vehicles
  - Operation of the Health Emergency Badge scheme for medical practitioners
  - Implementation and enforcement of the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (“The London Lorry Control scheme”)
  - Travel concession arrangements under section 244 of the Greater London Authority Act 1999 – including negotiation of settlements with Transport for London, the Association of Train Operating Companies (ATOC) and independent bus operators
  - Setting of fixed penalties, issuing of Codes of Practice and other functions under the London Local Authorities Acts 2004 and 2007
  - Operation of the London Taxicard scheme
3. TEC also initiates and develops policies across a range of areas:
  - Transport policy issues (including road, rail and airports)
  - Environment issues (including air quality and biodiversity)
  - Trading standards and public protection issues
  - Waste issues
4. In considering transport and environment matters which have implications and relevance to Londoners, TEC aims to ensure that:
  - The transport and environment needs of London are recognised and promoted
  - The allocation of resources and the development of policies and legislation influenced to the best effect for London; and
  - Borough interests (financial and otherwise) are represented and protected.
5. The Council has agreed to delegate to TEC the power to make a byelaw (the byelaw to be made under the enabling power (section 235, Local Government Act 1972)) for the specific purpose only of enacting a byelaw for the control of the parking of dockless vehicles across the borough, along with all other London local authorities, to enable one uniform byelaw to be enacted across the whole of London.

## **London Councils Grants Committee**

The Grants Committee comprises one member from each London local authority. Its functions are to:

1. To ensure the proper operation of the Grants Scheme;
2. To make recommendations to Leaders' Committee on overall policies, strategy and priorities;
3. To make recommendations to Leaders' Committee on the annual budget for the Grants Scheme; and
4. To consider grant applications and make grants to eligible voluntary organisations.

In particular:

5. The constituent councils have resolved to delegate the function specified in section 48(10) Local Government Act 1985 (review of needs of Greater London) to London Councils from 1 April 2000 and shall submit, via the Grants Committee, a proposal for reviewing the needs of Greater London to London Councils for approval annually.

## **Matters Delegated to Officers**

### **Arrangements during emergencies (executive and non-executive decision)**

#### **a) Emergencies lasting for 48 hours or less**

An emergency – for the purposes of this section – is defined as an incident or series of incidents, which has occurred or is anticipated as being likely to occur at short notice, which has, will, or is likely to have noticeable effects on a significant number of people within the Borough and carries the potential of risk to life, property, and/or the environment.

Officers of the Council are on permanent rota appointed by the Executive Director Investment, Place and Opportunity to act as the duty Director of Resilience (DDR). The DDR can be contacted at any time by officers who may need support in an emergency or by other emergency responders, such as from the Police, ambulance service, or fire service.

In the case of an emergency, the DDR will be contacted by an emergency responder requesting assistance or be activated by the duty Emergency Planning Officer (EPO). The DDR will decide upon the resources to be deployed and make all necessary decisions working with the EPO and other members of the Council's Crisis Support Team (CST) as required. They will declare that an emergency situation has occurred, notifying Chief Officers, through email or other form of appropriate communication, providing details as appropriate. Depending on the

nature of the emergency, the fact that the Council is in an emergency situation will be as far as possible published on the Council's website.

The DDR is authorised to expend a maximum of £30,000 over any 48-hour period in dealing with the emergency, should such spending be urgently required. The Chief Executive (or Deputy Chief Executive in their absence) may authorise additional spending they consider urgent and necessary after consultation with the Executive Director Corporate Services and Director of Finance. The Chief Executive or Deputy Chief Executive will also take over overall strategic command should the incident be considered by them as significant enough to warrant this.

Should an emergency occur which is deemed significant, the Leader of the Council (or in their absence the Deputy Leader), the Cabinet, and councillors representing impacted wards will be informed of the situation and updated as appropriate regarding events and significant decisions made.

In line with their constitutional powers on matters of urgency, the Chief Executive (or Deputy Chief Executive in their absence) may use their existing emergency decision-making powers to take decisions that would ordinarily be taken by councillors after consulting as far as possible:

- a) In the case of executive decisions, with the Leader of the Council and / or Deputy Leader and relevant Cabinet Members as appropriate. These decisions are exempt from Forward Plan requirements and call-in, but will be reported to the Leader of the Council – if not already consulted – and chair of the relevant scrutiny committee as soon as possible and also reported to the next meeting of the Council;
- b) In the case of non-executive decisions, with the Chair (or in their absence, and should there be one Vice-Chair) of the relevant Committee. These decisions will be reported to the next meeting of the Committee.

While matters will be dealt with at the utmost pace, decision-makers will look to consider equality matters and other impacts of decisions made with a further review being undertaken as soon as possible after the emergency as deemed appropriate.

A record of all decisions made and monies expended during the emergency will be maintained – known as the emergency incident log – the form of which will be determined by the Borough Solicitor. The log will be subject to data protection, commercial confidentiality and any other description of exempt information as would otherwise apply through our normal decision-making routes, but subject to any redactions required to comply with those requirements, that record will be open to inspection. All officers involved in an emergency must retain adequate records of decisions and actions taken throughout.

All information will flow via the EPO, DDR and or Borough Emergency Control Centre (BECC), which co-ordinates and supports the Council's response in an emergency, unless the Chief Executive or Deputy Chief Executive determines differently.

**b) Emergencies which last longer than 48 hours (enduring)**

The Chief Executive (or Deputy Chief Executive in their absence) may, having consulted the Leader of the Council (or Deputy Leader in their absence), take a decision to declare the emergency enduring due to it lasting longer than 48 hours and being significant in its impact. All Members will then be notified of this, usually via email.

The Chief Executive (or Deputy Chief Executive) may continue to take urgent decisions that would ordinarily be taken by councillors in line with the provisions set out above. Any urgent necessary decisions – whether ordinarily reserved to Members or not – by the Chief Executive (or Deputy Chief Executive) will be taken, when it is practicable, after meeting and consulting with senior officers. The Chief Executive (or in their absence the Deputy Chief Executive) will at their discretion convene regular meetings of their senior management team and a record of the discussion, consultation undertaken, and any decisions made by way of those meetings will be recorded in the minutes which will, subject to data protection, commercial confidentiality and any other description of exempt information as would otherwise apply through our normal decision-making routes, be published. Alongside this Chief Officers will make decisions in the usual way as authorised by the Constitution.

Depending on the length of the emergency, a record of significant decisions taken by the Chief Executive (or the Deputy Chief Executive if acting for the Chief Executive) pursuant to their emergency powers and other Chief Officers will be reported to Cabinet for information. Scrutiny committee will be entitled to scrutinise this report in so far as the decisions relate to their remits.

Upon the advice of the Borough Solicitor, and when timing allows, decisions will be taken through the Council's usual decision-making processes as far as possible, though noting this will likely require use of specified urgency provisions within the Constitution.

The Chief Executive (or in their absence the Deputy Chief Executive) will ultimately determine how and what information will be gathered and circulated, though this will usually be through the DDR, EPO and BECC.

The Chief Executive (or in their absence the Deputy Chief Executive) will, having consulted the Leader of the Council (or Deputy Leader in their absence), take a decision to declare an enduring emergency over and will notify all Members and Chief Officers of this, usually by way of email.

### **c) Declaring a major incident**

Should the Council declare a major incident, then the Council will seek assistance from other local authorities.

Only the Chief Executive – or in their absence the Deputy Chief Executive – having as far as practical consulted with the Cabinet, may declare a major incident on behalf of the Council.

Should a major incident be declared, all councillors and Chief Officers will be informed immediately.

## **Specific delegations**

### Audit matters

The following have been delegated to the Executive Director Corporate Services:

1. To comment on the scope and depth of external audit work and to ensure that it gives value for money;
2. To liaise with Public Sector Audit Appointments over the appointment of the Council's external auditor;
3. To commission work from internal and external audit; and
4. To oversee the production of the Authority's Annual Governance Statement.

## **Non-specific delegations**

All matters not specifically referred to above shall be functions exercisable by the appropriate Executive Director.

The Chief Executive shall have all the powers delegated to the other Executive Directors and shall be able to exercise those powers in the place of that Executive Director. Further, in the event of any dispute or doubt as to the delegated powers of any other Executive Director, the Chief Executive shall have the authority to determine which Executive Director is to exercise that power.

Executive Directors may, as a result of delegations to them either by virtue of Part 3 of the Constitution or by way of specific delegations by Cabinet or Cabinet Member, authorise in writing other officers under their managerial control to exercise some or all of their delegated powers either indefinitely or for a period of time subject to:

- i) such powers being exercised in the name of/or upon behalf of the relevant Executive Director to whom the delegations were made;
- ii) responsibility in law for any actions taken by a substitute officer shall remain with the officer to whom authority was delegated.

## **Decision-making by Officers**

Officers make a significant number of decisions upon behalf of the Council as a result of delegation to them by the Council. The vast majority of these decisions are "day to day" and part of the management of the relevant directorate. These are administrative or operational decisions on how officers go about their day to day work. Given the number and relatively trivial nature of these decisions records are not publicly available.

Officers will also sometimes make significant decisions beyond the day to day running of their departments. This will often include matters that have been to Cabinet or Committee and when a specific delegation is given to officers to make a further decision.

These decisions (although this is rare) may be so significant as to be said to be “key”. Key decisions are executive decisions which are likely to:

- i) to result in the relevant local authority incurring expenditure which is or the making of savings which are significant having regard to the relevant local authorities budget for the service or function to which the decision relates; and
- ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.

If officers are to make a key decision then they will appear on the Forward Plan and can be the subject to call in by the relevant scrutiny committee. A copy of the report upon which the decision will be taken will be published and subject to parts of it being confidential (for example if it contains commercially sensitive material) it will be available to the public.

For decisions taken by officers which are not key but nonetheless significant (whether they are related to executive or non-executive functions (such as planning or licensing)) the record of the decision which will be published will include the following information:

- Date the decision was taken
- Record of the decision along with reasons
- Details of alternatives options if any considered and rejected
- Whether any conflict of interest was declared