

## Part 2B & Part 2C

# Terms of Reference and Delegation of Duties to Committees and Joint Arrangements

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## Part 2B - Terms of Reference and Delegation of Duties to Committees and Sub-Committees

### 1 Appeals Committee

- 1.1 The Appeals Committee is comprised of 3 members, including one member of the Executive, who are not also members of the Employment Sub-committee. Council will appoint 1 substitute Member from each group.
- 1.2 The Committee shall hear appeals by the Head of Paid Service, Chief Finance Officer and Monitoring Officer under the relevant disciplinary procedure against action taken against them short of dismissal.
- 1.3 The Committee may uphold the decision or reduce or remove the sanction.

#### 1.4 Quorum

- 1.5 2 Members

### 2 Governance, Audit, Risk Management and Standards Committee

#### 2.1 Statement of purpose

- 2.2 The Governance, Audit, Risk Management and Standards Committee is a key component of Barnet Council'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.

- 2.3 The purpose of the committee is to provide independent assurance to the members of the adequacy of Barnet Council'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. It also acts as the Standards Committee.

- 2.4 The Governance, Audit, Risk Management and Standards Committee has the following powers and duties:

- 2.4.1 To review the council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance.
- 2.4.2 To monitor the effective development and operation of risk management in the council.
- 2.4.3 To monitor progress in addressing risk-related issues reported to the committee
- 2.4.4 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- 2.4.5 To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.
- 2.4.6 To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- 2.4.7 To review the governance and assurance arrangements for significant partnerships or collaborations.

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- 2.4.8 To approve the internal audit charter and support the independence of Internal Audit.
- 2.4.9 To review proposals made in relation to the appointment of external providers of internal and external audit services and to make recommendations.
- 2.4.10 To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- 2.4.11 Anti-Fraud Activity, to monitor the effective development and operation of the Council's Corporate Anti-Fraud Team (CAFT) and approve the Counter Fraud Framework.
- 2.4.12 To review any issue referred to it by the Chief Executive and to oversee the production of the authority's Annual Governance Statement and to recommend its adoption.
- 2.4.13 Accounts, to review and approve the annual statement of accounts and consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- 2.4.14 Annual Report, the Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness
- 2.4.15 To review the Treasury Management strategy and monitor progress on treasury management in accordance with CIPFA codes of practice.
- 2.4.16 To agree and have oversight of the Council's Whistleblowing Policy.
- 2.4.17 To have oversight of the Council's ombudsman complaints and internal complaints performance (excluding complaints for Adults and Children's complaints).
- 2.4.18 Promoting and maintaining high standards of conduct by Members, co-opted members and "church" and parent governor representatives.
- 2.4.19 Monitoring the operation of the Members' Code of Conduct.
- 2.4.20 To establish sub-committees and working groups to deal with complaints that a member or a co-opted member has failed to comply with the Council's Code of Conduct.
- 2.4.21 On referral from the Monitoring Officer, to decide whether to take action against a member for breach of the Code of Conduct and if so, to decide what action should be taken.
- 2.4.22 Determine Members requests for non-committee information as specified in the Members Information Management Policy
- 2.4.23 To oversee Member Development
- 2.4.24 To consider any application received from any officer of the Authority for exemption from political restriction under Sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that officer and may direct the Authority that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Authority under Section 2(2) of that Act.

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2.4.25 Upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Authority under Section 2(2) of the 1989 Act, and may direct the Authority to include a post in that list.

### 2.5 Membership

- 2.5.1 An Elected Mayor, the Leader or a member of the Executive may not be Members;
- 2.5.2 Membership of this Committee will be 6 elected Members and Council will appoint 3 substitutes from each group;
- 2.5.3 There will also be 2 Independent Members (for audit matters);
- 2.5.4 The Independent Persons are not members of this Committee and shall be invited to meetings if there is a Standards item on the agenda.

### 2.6 Quorum

- 2.6.1 4 members

## 3 Standards Sub-committee

3.1 This is a sub-committee of GARMS set up to hear standards complaints about Members in accordance with the procedure for dealing with complaints against Members set out in this Constitution.

### 3.2 Membership

- 3.2.1 4 Members drawn from the GARMS Committee (2 from each of the main Political Groups) and an Independent Person.
- 3.2.2 Council will appoint 1 substitute from each group.

### 3.3 Quorum

- 3.3.1 3 members

## 4 Health and Wellbeing Board

### 4.1 Accountability

- 4.1.1 The Health and Wellbeing Board is set up in accordance with section 102 of the Health and Social Care Act 2012 which makes provision for the Council to establish a Health and Wellbeing Board as a Committee of the Council appointed under section 102 of the Local Government Act 1972. The Council can choose to delegate decision making powers to the Health and Wellbeing Board.
- 4.1.2 Members of the Board will be required to abide by the Code of Conduct.

### 4.2 Purpose of the Board

- 4.2.1 The Health and Wellbeing Board has the following main functions:
  - 4.2.2.1. To work (together with Barnet Borough Partnership) with Integrated Care Partnership (ICP) and Integrated Care Board (ICB) to determine the integrated approach that will best deliver holistic and streamlined care and prevention activities, including action on wider determinants in their communities.
  - 4.2.2.2. To jointly assess the health and social care needs of the population with NHS commissioners and use the findings of a Barnet Joint Strategic Needs Assessment

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(JSNA) to inform all relevant local strategies and policies across partnership including North Central London Integrated Care Strategy.

- 4.2.2.3. To agree a Health and Wellbeing Strategy (HWBS) for Barnet taking into account the findings of the JSNA and strategically oversee its implementation to ensure improvement of population outcomes and plans to tackle health inequalities. The Joint Health and Wellbeing Strategy (JHWS) should directly inform the development of joint commissioning arrangements in the local area, and the coordination of NHS and local authority commissioning, including Better Care Fund plans.
- 4.2.2.4. To work together to ensure the best fit between available resources to meet the health and social care needs of the whole population of Barnet, by both improving services for health and social care and helping people to move as close as possible to a state of complete physical, mental and social wellbeing. Specific resources to be overseen include money for social care being allocated through the NHS; dedicated public health budgets; the Better Care Fund; and Section 75 partnership agreements between the NHS and the Council.
- 4.2.2.5. To provide collective leadership and enable shared decision making, ownership and accountability
- 4.2.2.6. To promote partnership and, as appropriate, integration, across all necessary areas, including joined-up commissioning plans and joined-up approach to securing external funding across the NHS, social care, voluntary and community sector and public health.
- 4.2.2.7. To explore partnership work across North Central London where appropriate.
- 4.2.2.8. Specific responsibilities for:
  - Overseeing public health and promoting prevention agenda across the partnership
  - Developing further health and social care integration.
  - Receiving regular reports on the North Central London Integrated Care Board and their partner NHS trusts and NHS foundation trusts, including joint capital resource use plans, ICB Annual reports, Forward Plans and Performance Assessments

## 4.3 Membership

### 4.3.1 14 Members:

- Chair, Vice Chair, Members and substitutes appointed by Council.
- Vice Chair is Clinical Lead (Barnet), North Central Integrated Care Board
- 3 Members of the Council
- Director of Public Health & Prevention
- Executive Director for Children & Family Services
- Executive Director Adults & Health

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- Two North Central London Integrated Care Board Members: Clinical Lead for Barnet, North Central London Integrated Care Board; Director of Integration, Barnet Directorate, North Central London Integrated Care Board - Board Members x3
- Primary Care Provider Representative x1
- Health Service Provider Representatives x2
- Barnet Healthwatch representative
- Barnet voluntary and community sector representative
- Independent Chair of the Adults Safeguarding Boards (Non-Voting Member)

4.3.2 Each member may nominate a substitute if they cannot attend. Requirement for proportionality is waived and voting rights allowed to members other than Members of the Council.

### 4.4 Quorum

4.4.1 The Quorum should consist of at least one Councillor, one officer from North Central London Integrated Care Board, and one Council officer.

## 5 Independent Panel

### 5.1 The Panel has the following duties:

- 5.1.1 To consider reports recommending dismissal made by the Independent Investigator and the Employment Sub-Committee in accordance with the disciplinary procedure applying to the Head of Paid Service, Chief Finance Officer and Monitoring Officer;
- 5.1.2 To prepare a report to Council stating whether it agrees or disagrees with the recommendation to dismiss, including its reasons.

### 5.2 Membership

5.2.1 The Independent Panel shall consist of 2 independent persons appointed under s.27(7) of the Localism Act 2011.

### 5.3 Quorum

5.3.1 2 Independent persons

## 6 Licensing and General Purposes Committee

6.1 Powers and the duties of the Licensing and General Purposes Committee are:

- 6.1.1 To consider all matters which under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (referred to in the Schedule 3A-1) to this document, are required not to be the responsibility of the Executive, save for those matters delegated to other Committees of the Council;
- 6.1.2 To carry out the functions under any relevant statutory provision within the meaning of Part I (Health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer;
- 6.1.3 Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries;

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- 6.1.4 To determine all matters and duties on the authority imposed by legislation, regulations orders, codes, and similar provisions for:
- 6.1.4.1 All activities under the Licensing/Gambling Acts
  - 6.1.4.2 Food safety and control.
  - 6.1.4.3 Animal health, welfare, safety and control.
  - 6.1.4.4 Gambling, betting, lotteries and related amusements
  - 6.1.4.5 Crime and disorder issues related to the above duties.
- 6.1.5 To keep under review the Officer Code of Conduct and, after consultation with unions representing staff, make recommendations to Council for amendment or addition.

6.1.6 To receive an annual report on Health and Safety Strategy and Performance.

~~6.1.6~~ 6.1.7 Act as corporate trustee in respect of all assets held by the Council as charitable trustee. Make decisions in respect of those assets in the best interests of the relevant charity. Ensure strict compliance with the relevant Trust document.

## 6.2 Membership

6.2.1 12 Members.

## 6.3 Quorum

6.3.1 6 Members.

## 7 Licensing Sub-Committee

7.1 The Licensing sub-committee has the following powers and duties:

7.1.1 To determine applications and to make Orders in respect of:

7.1.1.1 Registration of common land, town greens and variations of rights of common where objections have been received.

7.1.2 To determine applications and to make Orders in respect of:

7.1.2.1 Fees issues within the terms of reference of the Panel;

7.1.2.2 Applications under Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended from time to time.

7.1.2.3 Specific delegations under the Licensing Act 2003 as set out in the Licensing Policy, and the Statement of Principles under the Gambling Act 2005.

7.1.3 In the case of alcohol control provisions in the Licensing Act 2003 to determine:

7.1.3.1 Applications for personal licences where:

7.1.3.1.1 Representations have been made, but remain unresolved.

7.1.3.1.2 Applicants have relevant unspent convictions.

7.1.4 Matters relating to the licensing, certification and authorisation at premises where:

7.1.4.1 Representations have been made to an application, but remain unresolved.

7.1.4.2 An application is made for the review of a premises licence or club premises certificate.

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7.1.4.3 Matters of an exceptional nature that in a licensing officer's opinion justify consideration by the Licensing Panel.

7.1.5 [Appeals against decisions of the Licensing Panel must be made to the Magistrates' Court.]

### **7.2 Membership**

7.2.1 3 Members of the Licensing & General Purposes Committee (Political Balance requirements do not apply)

### **7.3 Quorum**

7.3.1 3 Members.

## **8 Employment Sub-Committee (a Sub-Committee of Licensing and General Purposes Committee)**

8.1 The Employment Sub-Committee has the following powers and duties:

8.1.1 to make recommendations to Council on the appointment of the Head of Paid Service;

8.1.2 to appoint and dismiss Chief Officers (as defined in Part 4C – HR Regulations), excluding the appointment of the Head of Paid Service and the dismissal of the Head of Paid Service, Chief Financial Officer and Monitoring Officer. The designation of Statutory Officers is reserved to Council.

8.1.3 to make recommendations to Council on the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer except in cases of redundancy, permanent ill health or the expiry of a fixed term contract;

8.1.4 to consider whether to impose a disciplinary sanction on a Chief Officer;

8.1.5 to consider matters and take action as required or permitted under the disciplinary procedure for the Head of Paid Service, Chief Finance Officer and Monitoring Officer including:

8.1.6 to suspend such an officer and to review such suspension

8.1.7 to appoint an independent investigator, agree terms of remuneration and working methods

8.1.8 to appoint external advisers

8.1.9 to consider the report of an independent investigator and in relation to that report:

8.1.9.1 to hold a hearing if appropriate to consider the report

8.1.9.2 to impose action short of dismissal on an officer

8.1.9.3 to decide to take no further action

8.1.9.4 to recommend informal resolution or other appropriate procedures

8.1.9.5 to refer back to the independent investigator for further investigation and report to propose dismissal of an officer to Council (in which case the matter should be referred to the Independent Panel prior to referral to Council)



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- 8.1.10 to decide whether any objections made by a member of the Executive are material and well-founded and, if it decides that they are, to take appropriate action;
  - 8.1.11 to consider grievances by the Head of Paid Service, and appeals by a Chief Officer against decisions made by the Head of Paid Service in relation to a grievance made by the officer;
  - 8.1.12 Staff matters generally including council wide contractual changes to salaries and terms and conditions;
  - 8.1.13 approving any changes to the chief officer structure;
  - 8.1.14 pay and reward strategy;
  - 8.1.15 HR policies where a new or changed policy will have a significant impact on the council's workforce or its external reputation, or where the policy will result in significant additional cost to the council. ~~HR policies which go over and above statutory requirements;~~
  - 8.1.16 develop the annual pay policy statement for Full Council approval
- 8.2 When considering a report on staffing matters, a representative of the trade unions may submit a request to speak which requires the consent of the Chair, or be questioned by the Sub-Committee before a decision is made. Each representative will have up to 3 minutes to address the committee.

### 8.3 Membership

- 8.3.1 ~~3-6~~ Members including 1 Cabinet Member and Council will appoint 1 substitute Member from each group.

### 8.4 Quorum

- 8.4.1 3 Members

## 9 Overview and Scrutiny Committee and Scrutiny Sub-Committees

### 9.1 General Role

- 9.2 Within their terms of reference, the Overview and Scrutiny Committee and Sub-Committees (other than the Call-In Sub-Committee) will have the following roles:
  - 9.2.1 To consider any decisions of the West London Economic Prosperity Board which have been called in.
  - 9.2.2 Policy Development and Review – by supporting the Council and Executive in developing the policy framework and budget for the Council, working with partner organisations on issues that may be outside the remit of the Council and reviewing and/or scrutinising decisions made or actions taken in connection with the discharge of any of the Council's functions;
  - 9.2.3 Service Reviews - by making reports and/or recommendations to the full Council, Executive, Portfolio Holders and any Joint or Area Committees on any of their functions;
  - 9.2.4 Review of Issues of Concern to Local People by considering any matter affecting the area or its inhabitants and monitoring and scrutinising the activities of others;

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- 9.2.5 Pre-Decision Scrutiny following consideration of the Key Decision Schedule (Forward Plan) and with the agreement of the Executive, to scrutinise key decisions prior to them being made;
- 9.2.6 Performance Review - to receive selected monitoring reports (including KPI, financial performance and risk information) in relation to internally and externally delivered services.
- 9.2.7 Scrutiny of Partners – to review or scrutinise the performance of anybody carrying out any function on behalf of or in partnership with the Council.
- 9.2.8 The Call-In Sub-Committees may call in Executive decisions made but not yet implemented.

### **9.3 Specific Functions**

- 9.3.1 Policy development and review
- 9.3.2 The Overview and Scrutiny Committee and Scrutiny Sub-Committee(s) may:
  - 9.3.2.1 assist the Council, the Executive and Portfolio Holders in the development of the budget and policy framework by in-depth analysis of policy issues;
  - 9.3.2.2 conduct research, community and other consultation in the analysis of policy issues and possible options;
  - 9.3.2.3 consider mechanisms to encourage and enhance community participation in the development of policy options;
  - 9.3.2.4 question Members of the Executive and/or Committees and chief officers about their views on issues and proposals affecting the area; and
  - 9.3.2.5 liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

### **9.4 Scrutiny**

- 9.4.1 The Overview and Scrutiny Committee and Scrutiny Sub-Committee(s) may:
  - 9.4.1.1 review and scrutinise the decisions made by, and performance of, the Executive, Portfolio Holders and/or Committees and Council officers both in relation to individual decisions and over longer periods of time;
  - 9.4.1.2 review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - 9.4.1.3 require the attendance of and question Members and chief officers about their decisions and performance, or in relation to particular decisions, initiatives or projects;
  - 9.4.1.4 make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
  - 9.4.1.5 where partnership working permits, review and scrutinise the performance of other public services in the area, by inviting reports from partners and requesting that they address the Overview and Scrutiny Committee and Scrutiny Sub-Committees about their activities and performance;
  - 9.4.1.6 question and gather evidence from any person (with their consent); and

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- 9.4.1.7 carry out the scrutiny of matters relating to Health and Social Care including those matters delegated to the Adults and Health Overview and Scrutiny Sub-Scrutiny Committee.

### 9.5 Annual Report

- 9.5.1 The Overview and Scrutiny Committee will report annually to full Council on its workings and make recommendations for future work programmes and amend working methods, if appropriate.

## 10 Overview and Scrutiny Committee

- 10.1 The Overview and Scrutiny Committee has the following power and duties:
  - 10.1.1 To oversee an agreed work programme that can help secure service improvement through in-depth investigation of performance issues and the development of an effective strategy/policy framework for the council and partners;
  - 10.1.2 To have general oversight of the council's scrutiny function;
  - 10.1.3 To offer challenge and critical support to the Executive's policy development function and the long-term strategic direction of the borough;
  - 10.1.4 To anticipate policy changes and determine their potential impact on residents and to recommend changes where these are appropriate;
  - 10.1.5 To consider the council and partners' strategic approach to service delivery, using, where necessary, the power of overview and scrutiny committees to receive information from partner agencies and to require partner authorities to have regard to reports and recommendations from the Committee, as set out under Part Five of the Local Government and Public Involvement in Health Act 2007;
  - 10.1.6 To undertake detailed investigation of service/financial performance in order to recommend policy changes to the Executive and to undertake investigations;
  - 10.1.7 To report scrutiny findings and recommendations to the Executive within 8 weeks of being published or to its next meeting, whichever is the sooner, in accordance with the council's constitution;
  - 10.1.8 To review or scrutinise decisions made, or other action taken, in connection with the discharge of responsible authorities of their crime and disorder functions in accordance with s.19 of the Police and Justice Act 2006.
  - 10.1.9 To consider items included in the Forward Plan;
  - 10.1.10 To consider Councillor Call for Action in terms of
    - 10.1.10.1 Local Government Matters (9FC of the Local Government act 2000)
    - 10.1.10.2 Local Crime & Disorder Matters (Section 19, Police & Justice Act 2006)

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### 10.2 Membership

10.2.1 11 Members and Council will appoint 3 substitutes from each group.

### 10.3 Quorum

10.3.1 5 Members.

## 11 Call-In Sub-Committee

11.1 The Call-In Sub-Committee has the following powers and duties:

11.1.1 to examine decisions of the Executive which are taken but not implemented, and which are 'called in' in accordance with the Committee Procedure Rules;

11.1.2 to refer matters called in to the decision taker with reasons and recommendations for changes;

11.1.3 to refer Executive decisions to full Council if they consider they are contrary to the policy framework or contrary to or not wholly in accordance with the budget.

### 11.2 Membership

11.2.1 3 Members (drawn from the Membership of the Overview and Scrutiny Committee and Sub-Committees).

11.2.2 Reserves to be drawn from the membership of Overview and Scrutiny Committee, Adults & Health Overview and Scrutiny Sub-Committee and Children & Education Overview and Scrutiny Sub-Committee.

### 11.3 Quorum

11.3.1 3 Members.

## 12 Adults and Health Overview and Scrutiny Sub-Committee

12.1 The Adults and Health Overview and Scrutiny Sub-Committee shall perform the overview and scrutiny role and function in relation to:

12.1.1 All matters as they relate to Adults Social Care;

12.1.2 Reviewing and scrutinising, matters relating to the planning, provision and operation of health services in Barnet including inviting the relevant Chief Executive(s) of NHS organisations to account for the work of their organisation (s) as set out and required by the Health and Social Care Act 2001 and related primary and secondary legislation;

12.1.3 [To request call-in by the Secretary of State on major reconfigurations \(in exceptional circumstances\) in accordance with the Local Authority \(Public Health, Health and Wellbeing Boards and Health Scrutiny\) \(Amendment and Saving Provision\) Regulations 2024 Referring contested major service reconfigurations to the Secretary of State in accordance with the Health and Social Care Act 2001;](#)

12.1.4 Receiving and commenting upon any external inspections and reviews;

12.2 Chair, Vice-Chair, Members and substitutes to be appointed by Council;

12.3 The Adults & Health Overview & Scrutiny Sub-Committee has the following powers and duties:

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- 12.3.1 To be responsible in accordance with Regulation 28 of the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 for scrutiny of the Council's health functions ~~other than the power under Regulation 23(9) to make referrals to the Secretary of State.~~
- 12.3.2 To recommend to Council that a referral be made to the Secretary of State under Regulation 23(9) of the Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013.
- 12.3.3 To have specific responsibility for scrutiny of the following functions:
- 12.3.3.1 Health and social care infrastructure and service
  - 12.3.3.2 NHS England, Integrated Care Boards and the Health and Wellbeing Board
  - 12.3.3.3 Public Health
  - 12.3.3.4 Other policy proposals which may have an impact on health, public health, social care and wellbeing
  - 12.3.3.5 Collaborative working with health agencies
  - 12.3.3.6 Commissioning and contracting health services
- 12.3.4 To review the planning, provision and operation of Health services in Barnet and ensure compliance with Regulation 21(1) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 by inviting and taking account of information and reports from local health providers and other interested parties including the local HealthWatch.
- 12.3.5 Where a referral is made through the local HealthWatch arrangements, to comply with Regulation 21(3) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 by ensuring that the referral is acknowledged within 20 days and that the referrer is informed of any action taken.
- 12.3.6 Where appropriate, to consider and make recommendations for response to NHS consultations on proposed substantial developments/variations in health services that would affect the people of London Borough of Barnet.
- 12.3.7 Where appropriate, to consider and make recommendations for response to consultations from local health trusts, Department of Health and Social Care.
- 12.4 Care Quality Commission and any organisation which provides health services outside the local authority's area to inhabitants within it.
- 12.5 To discharge the functions conferred by Section 244 (2ZE) of the National Health Service Act 2006 as amended and Regulation 21 of the Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny Regulations 2013) of reviewing and scrutinising, matters relating to the planning, provision and operation of health services in Barnet.
- 12.6 To respond to consultations from local health trusts, Department of Health and Social Care and any organisation which provides health services outside the local authority's area to inhabitants within it.
- 12.7 Membership**
- 12.7.1 8 Members and 2 Advisers (one for matters relating to adult social care and one for matters relating to health). Council will appoint 2 substitute Members from each group.

## 12.8 Quorum

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12.8.1 6 members.

### **13 Children & Education Overview and Scrutiny Sub-Committee**

13.1 The Children and Education Overview and Scrutiny Sub-Committee shall perform the overview and scrutiny role and function in relation to:

13.1.1 All matters as that relate to Children's Social Care

13.1.2 All matters which relate to services pertaining to the education and well-being of children and young people including youth services

13.1.3 Receive and comment upon any external inspections and reviews.

#### **13.2 Membership**

13.2.1 8 Members and 5 Co-Opted Members (as detailed at 1.3.2.2 below). Council will appoint 2 substitute Members from each group.

13.2.2 2 Parent Governor representatives and 3 "church" representatives (representing the Church of England, Roman Catholic and Jewish faiths).

#### **13.3 Quorum**

13.3.1 6 Members

### **14 Local Pension Board**

#### **14.1 Role of the Board**

14.2 The Board is responsible for assisting with:

14.2.1 securing compliance with Local Government Pension Scheme (LGPS) Government regulations and any other legislation relating to the governance and administration of the LGPS or securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator

14.2.2 such other matters that the LGPS regulations may specify Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund. The Local Pension Board maintain separate detailed terms of reference which are approved annually

#### **14.3 Membership**

14.3.1 7 Members comprising: 3 employers side representatives (1 councillor\* and 2 employer representatives from an admitted body 3 employee side representatives (1 active member and 2 deferred member) 1 independent member/advisor \*Councillors appointed to the Board cannot also sit on the Pension Fund Committee.

#### **14.4 Terms of Reference for the London Borough of Barnet Pension Board**

14.4.1 The purposed of this document is to set out the detailed Terms of Reference for the Local Pension Board of the London Borough of Barnet Pension Fund.

#### **14.5 Role of the Local Pension Board**

14.5.1 The role of the local Pension Board, as defined by sections 5(1) and (2) of the Public Services Pension Act 2013 and regulation 106 of the Local Government Pension Scheme (LGPS) Governance Regulations 2013 is to assist with:

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- 14.5.1.1 securing compliance with LGPS Government regulations and any other legislation relating to the governance and administration of the LGPS
  - 14.5.1.2 securing compliance with the requirements imposed in relation to the PGPS by the Pensions Regulator.
  - 14.5.1.3 such other matters as the LGPS regulations may specify
  - 14.5.1.4 Ensure the effective and efficient governance and administration of the LGPS for the LBB Pension Fund.
  - 14.5.1.5 ensure the Pension Fund's strategy and policy documents are in place and have been maintained in accordance with the LGPS Regulations. These documents are: the communications policy statement; funding strategy statement; governance compliance statement; statement of investment principles; and the Pension Fund annual report and accounts.
  - 14.5.1.6 ensure the Pension Fund's internal Risk Register is in place and reviewed at least annually.
  - 14.5.1.7 review the Pension Fund's performance in complying with the requirements of the LGPS Regulations and any other legislation relating to the governance and administration of the LGPS.
  - 14.5.1.8 review the Pension Fund's performance in complying with the requirements of the Pension Regulator.
  - 14.5.1.9 annually submit a proposed work plan for the forthcoming financial year to the Pension Fund Committee
  - 14.5.1.10 carry out any other activities relating to the efficient governance and administration of the Pension Fund.
  - 14.5.1.11 submit an annual budget to the Barnet Pension Fund Committee for approval.
  - 14.5.2 The Local Pension Board does not replace the Administering Authority or make decisions or carry out duties which are the responsibility of the Administering Authority (refer to Compliance statement). The Pension Board is an advisory/scrutiny board and does not have decision making powers.
  - 14.5.3 The Administering Authority retains ultimate responsibility for the administration and governance of the scheme. The role of the Board is to support the Administering Authority to fulfil that responsibility and secure compliance with any requirements imposed by the Pensions Regulator.
- 14.6 Appointment of members of the Pension Board**
- 14.6.1 All Board members will be appointed by Full Council. It is a statutory requirement (section 248A of the 2004 Act) that the Administering Authority must be satisfied that every individual member of the Pension Board, is conversant with;
    - 14.6.1.1 the legislation and associated guidance of the Local Government Pension Scheme
    - 14.6.1.2 any document recording policy about the administration of the fund which is for the time being adopted by LBB Fund; and
    - 14.6.1.3 has knowledge and understanding of;
      - the law relating to pensions; and

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- such other matters as may be prescribed.

### 14.7 Rules governing Membership the Local Pension Board

- 14.7.1 Local Pension Boards must include an equal number of employer and member representative with a minimum requirement of no fewer than four in total.
- 14.7.2 No officer or Councillor who would be responsible for the discharge of any functions under the Regulations (apart from any relating to LPB) may be a Member of the Local Pension Board of that authority.
- 14.7.3 Officer precluded would be any officer named in the scheme of delegation (e.g. Section 151 Officer and the head of investments). The guidance also states that consideration should be given as to whether officers of the Fund at a senior level, who are not named in the formal scheme of delegation, but who are responsible for discharging functions under the Regulations, should be precluded from being a member of the LPB.

### 14.8 Composition of the Board

- 14.8.1 The Board shall consist of 7 members constituted as follows:
- 14.8.1.1 3 employer representatives comprising:
- 1 councillors who are not members of the Pension Fund Committee
  - employer representatives from an admitted or scheduled body (e.g. Re, CSG or Middlesex University)
- 14.8.1.2 3 scheme member representatives (employee side) comprising:
- 1 active members
  - retired/deferred members
- 14.8.1.3 1 independent member/advisor
- Having no current employment, contractual, financial or other material interest in the Council or any scheme employer fund and not being a member of the LGPS Fund.
- 14.8.2 Independent and Scheme Members shall be appointed following a public recruitment, selection and interview process.

### 14.9 Chairman and Vice-Chairman of the Board

- 14.9.1 The Chairman and Vice-Chairman of the Board will be appointed by Members of the Board as the first business at their first meeting.
- 14.9.2 Should the elected Chairman be an Employer representative the Vice-Chairman must be a Scheme Member representative and vice versa.

### 14.10 Substitute Members

- 14.10.1 Each member will have a substitute to act as Board member in her/his absence, which will be recommended following a recruitment process consistent with their own appointment. These nominations will be approved as part of the overall appointments made by Full Council.

**NB:** The independent member shall not have a substitute.

### 14.11 Quorum



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14.11.1 The Pension Board will be quorate when 3 voting Pension Board Members are in attendance.

### **14.12 Period of Office**

14.12.1 Each Board member shall be appointed for a fixed period of four years, which appointment will normally occur at the Annual Council meeting.

### **14.13 Termination of office**

14.13.1 Each Board member will be expected to attend all meeting and training sessions during the year. The membership of any member who fails to attend two or more meetings shall be reviewed and determined by other Board members in consultation with officers.

14.13.2 The removal of a member from office during her/his term of appointment can only be effected by the unanimous agreement of the other members present at the meeting.

14.13.3 In the absence of mitigating factors a Board member can be removed from the Board in the following circumstances (but not limited to):

14.13.3.1 A poor attendance record;

14.13.3.2 If a member does not undertake training as requested;

14.13.3.3 If a member is in breach of Council's Code of Conduct, Pension Board Code of Conduct and Conflict of Interest policy;

14.13.3.4 If a member has a conflict of interest that cannot be managed in accordance with the Board's conflicts policy.

14.13.4 Should the Council representative members, or the active scheme member(s) cease to be Council representatives or active scheme members, he/she will automatically cease to be a member of the Board and the Administering Authority will conduct a replacement process.

14.13.5 Any Board member choosing not to continue her/his role must provide a written notice of resignation from their post to the Governance Service. The notice period shall be two months. Once the written notice is received the Board shall be notified accordingly and arrangements shall be made for a replacement in line with the procedures for the original appointment.

### **14.14 Voting Rights (this is dependent on makeup of the Board)**

14.14.1 All Board Members will have equal voting rights.

14.14.2 In the event of an equality of voted the Chairman will have the casting vote.

### **14.15 Frequency of meeting**

14.15.1 The number of meetings a year should be in alignment with the number of the Pension Committee meetings year, or should be determined by the Board once it has agreed a workplan, with a minimum of two meetings annually.

### **14.16 Notice of meeting and circulation of papers**

14.16.1 In accordance with the Access to Information Procedure Rules as set out in the Council's Constitution.

### **14.17 Minutes**

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14.17.1 In accordance with the Access to Information Procedure Rules as set out in the Council's Constitution.

### **14.18 Accountability and reporting**

14.18.1 The Board is accountable solely to the Council for the effective operation of its functions.

14.18.2 The Board shall report to the Pensions Committee as often as the Board deems necessary and at least annually:

14.18.2.1 a summary of the work undertaken;

14.18.2.2 the work plan for the next 12 months;

14.18.2.3 details of training received and planned; and

14.18.2.4 details of any conflicts of interest and how they were dealt with.

14.18.2.5 On certain matters the board will report directly to Council;

14.18.3 The Board shall report annually to Full Council on its work.

14.18.4 It will also and as necessary from time to time report to Full Council any breach in compliance or other significant issues such as:

14.18.4.1 any areas of persistent non-compliance

14.18.4.2 any area of non-compliance within the LGPS Regulations that have been reported to the Pension Fund Committee

14.18.4.3 areas raised to the Board to be investigated and how they were dealt with;

14.18.4.4 any risks or other areas of potential concern it wishes to raise;

### **14.19 Code of Conduct**

14.19.1 All members of the Board are expected to act in accordance with Barnet Council's Code of Conduct for Councillors, and where applicable and the Pensions Regulator's Code of Practice.

### **14.20 Conflicts of interest**

14.20.1 All members of the Board must declare on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.

14.20.2 In accordance with s5(5) Public Service Pension Act 2013, a Board member must not have a financial or other interest that could prejudice him/her in carrying out his/her Board duties. This does not include a financial or other interest arising merely by virtue of being a member of the LGPS.

14.20.3 On appointment to the Board and following any subsequent declaration of potential conflict the conflict must be managed in line with the Council's Members Code of Conduct, the Local Government Pension Scheme (LGPS) Guidance on Conduct of Members and Conflicts of Interest, the requirements of the Public Service Pensions Act 2013 and the requirements of the Pensions Regulator's codes of practice on conflict of interest for Board members.

### **14.21 Knowledge and understanding including training**

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- 14.21.1 All new members must follow an induction training plan and all members of the Board will be expected to attend the training provided to ensure that they have the requisite knowledge and understanding to fulfil their role.
- 14.21.2 All members must be prepared to participate in such regular personal training needs analysis or other processes as are put in place to ensure that they maintain the required level of knowledge and understanding to carry out their role.
- 14.21.3 Failure to attend training or participate in the processes may lead to membership being reviewed.

**14.22 Definitions**

The following terms shall have the following meanings when used in this document:

<i>Administering Authority</i>	London Borough of Barnet
<i>Board or Pension Board</i>	The local Pension Board for the London Borough of Barnet, Administering Authority for the London Borough of Barnet Pension Fund as required under the Public Service Pensions Act 2013
<i>Board Member</i>	A member of the Board including Employer representatives, Scheme Member representatives and an independent member
<i>Code of Practice</i>	The Pensions Regulator’s [draft] Code of Practice no 14 entitled “ <i>Governance and administration of public service pension schemes.</i> ”
<i>Conflicts of Interest</i>	As defined in the Public Service Pensions Act 2013
<i>Employer Representative</i>	A person appointed to the Board for the purpose of representing employers for the Scheme
<i>Fund</i>	The London Borough of Barnet Pension Fund within the Scheme administered and maintained by the Scheme Employer
<i>Independent Member</i>	A Member of the Board who is neither an Employer Representative nor a Member Representative
<i>LGPS</i>	The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009.
<i>Member Representative</i>	A person appointed to the Board for the purpose of representing members of the Scheme

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<i>Scheme</i>	The Local Government Pension Scheme as defined under LGPS
<i>Scheme Manager</i>	London Borough of Barnet as administering authority of the London Borough of Barnet Pension Fund

## 15 Pension Fund Committee

- 15.1 To have responsibility for all aspects of the governance, investment and administration of the LB Barnet Pension fund, including, but not limited to the following:
  - 15.1.1 To ensure compliance with all Local Government Pension Scheme statutes, regulations and best practice.
  - 15.1.2 To consider approval and act in accordance with statutory Pension Fund documents:
    - 15.1.2.1 Investment Strategy Statement
    - 15.1.2.2 Funding Strategy Statement
    - 15.1.2.3 Governance Policy Statement
    - 15.1.2.4 Pension Administration Strategy
    - 15.1.2.5 Communication Policy Statement.
  - 15.1.3 To review the above documents at least triennially, or more frequently if advised by the Chief Finance Officer of the need to do so.
  - 15.1.4 If required, to appoint and monitor:
    - 15.1.4.1 Investment advisors
    - 15.1.4.2 Pension Fund investment managers
    - 15.1.4.3 Pension Fund actuaries
    - 15.1.4.4 Performance management company
    - 15.1.4.5 Custodians
    - 15.1.4.6 Pension Administrator
  - 15.1.5 To review and challenge at least quarterly the performance of the Pension Fund's investments taking into consideration the benchmarks and targets set out in the Investment Strategy Statement and investment management contracts and to consider advice from the investment advisor(s).
  - 15.1.6 To monitor the administration of the Pension Fund.
  - 15.1.7 To approve admissions agreements with any admission body.
  - 15.1.8 To consider actuarial valuations and their impact on the Pension Fund.
  - 15.1.9 To review and consider approval of the Pension Fund's Annual Report and Statement of Accounts, together with recommendations from external and internal auditors.
  - 15.1.10 To consider recommendations from the Local Pension Board.
  - 15.1.11 To determine how the various administering authority
- 15.2 Membership**
  - 15.3 6 Members. Council will appoint 2 substitute Members from each group.
  - 15.4 The Committee will invite a recognised representative from the trades unions and a representative from Middlesex University (the largest scheduled / admitted body) to committee meetings These representatives are appointed to advise the committee on behalf of the interests they represent, but are not to have any voting rights.

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15.4.1 Further invites to scheduled/admitted bodies to be decided by the chair of the committee.

### 15.5 Quorum

15.5.1 4 members

## 16 Strategic Planning Committee

16.1 To determine Applications for Planning Permission, including permissions in principle, made under the Town and Country Planning Act 1990 where the recommendation is for approval and the development:

16.1.1 is within the categories which must be referred to the Mayor of London under the London Mayor Order;

16.1.2 does not accord with the provisions of the Development Plan and, in the opinion of the Chief Planning Officer, constitutes a significant departure; or

16.1.3 is by or on behalf of the Council and, in the opinion of the relevant Chief Planning Officer], it is a significant development The confirmation of Directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 2015.

16.2 The confirmation of Town and Village Green Registration Applications under the Commons Act 2006, including considering the recommendations of a non-statutory inquiry chaired by an independent person.

16.3 Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.

16.4 Consider Neighbourhood Development Orders and Community Right to Build Orders for recommendation to Full Council for adoption.

16.5 Recommending the creation of Conservation Areas to Full Council

16.6 Consider approving Article 4 Directions for consultation.

16.7 Take action under Part 8 of the Anti-Social Behaviour Act 2003 relating to high hedges.

16.8 Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.

16.9 Any other planning application or planning matter referred to this Committee by relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chair.

16.10 Reports on all matters reserved to the Committee shall be made direct to the Committee and not through a Planning Committee.

16.11 Any Planning Committee agenda item referred to this Committee for consideration and determination.

16.12 To consider additions, deletions or amendments to the entries in the Council's Brownfield Land Register, including any referrals from Planning Committees A and B, and conduct any other functions related to the Brownfield Land Register.

### 16.13 Membership

16.13.1 10 Members. Council will appoint 3 substitute Members from each group.

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### 16.14 Quorum

16.14.1 6 members.

## 17 Planning Committees ~~A and B~~

17.1 To determine the following application types, except where they are referable under the Constitution to the Strategic Planning Committee:

17.1.1 Applications for Planning Permission made under the Town and Country Planning Act 1990;

17.1.2 Applications for Listed Building Consent made under the Planning (Listed Buildings and Conservation Areas) Act 1990;

17.1.3 Applications for Consent to Display an Advertisement made under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;

17.1.4 Applications for permissions in principle made under the Town and Country Planning Act 1990 and any application to add, delete or amend any entries in the Council's Brownfield Land Register" after the words "To determine the following application types, except where they are referable under the Constitution to the Strategic Planning Committee" Where the recommendation is for:

17.1.4.1 approval and there is significant local public objection (defined as ~~5-10~~ or more objectors who have objected in writing in response to a planning application)

17.1.4.2 approval or refusal and there is a Councillor referral of an application which affects their Ward which has been 'called in' to committee identifying a planning consideration.

17.1.5 Any decision on an application that will result in the Council being liable for the payment of compensation, except where that compensation is as a result of an Article 4 Direction.

17.1.6 Any other application or planning matter referred to this Committee by the relevant Chief Planning Officer acting in his or her discretion, after consultation with the Chair.

17.1.7 Applications to undertake treatment to trees included within a Tree Preservation Order Applications for a Hedgerow removal notice made under the Hedgerow Regulations 1997.

17.1.8 Applications to demolish buildings on the Council's Local List.

### 17.2 Membership

17.2.1 6 Members ~~per Committee~~. Council will appoint ~~2-4~~ substitute Members from ~~the Labour Group and 2 substitute Members from the Conservative Group~~ each group.

### 17.3 Quorum

17.3.1 4 members.

## 18 Area Committees

18.1 **Area Committee North** (East Barnet, Barnet Vale, High Barnet, Underhill, Totteridge and Woodside, Mill Hill, Edgwarebury and Whetstone);

18.2 **Area Committee West** (Burnt Oak, Edgware, Colindale North, Colindale South, West Hendon, Hendon, Cricklewood and Childs Hill); and

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**18.3 Area Committee East** (Brunswick Park, Friern Barnet, Woodhouse, West Finchley, Finchley Church End, Golders Green, East Finchley and Garden Suburb

**18.4** In relation to the area covered:

18.4.1 Provide an opportunity for any resident to raise matters affecting the area (except matters relating to licensing and planning applications).

18.4.2 Responsibility for all area specific matters relating to the local environment including parking, road safety, transport, allotments, parks and trees.

18.4.3 Consider area specific matters as agreed with the Chair.

18.4.4 Consider matters relating to Town Centre regeneration and designating conservation areas.

18.4.5 Determine the allocation of Community Infrastructure Levy funding within the area subject to sufficient of the budget allocated to the committee being unspent.

**18.5 Membership**

18.5.1 8 Members and substitutes appointed by Council.

18.5.2 Committee members must represent a ward in the Area Committee area. All members in the Area Committee area can act as substitutes in that area.

**18.6 Quorum**

18.6.1 6 Members



## Part 2C - Joint Arrangements and Boards

### 1 Joint Committee of the Boroughs of Barnet, Brent, Ealing, Harrow and Hounslow (known as “West London Economic Prosperity Board”)

#### 1.1 Functions and Procedure Rules

##### 1.1.1 Purpose of the Joint Committee

The London Boroughs of Barnet, Brent, Ealing, Hammersmith & Fulham, Harrow and Hounslow (“the Participating Boroughs”) have established the Joint Committee pursuant to powers under the Local Government Acts 1972 and 2000, and under the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

1.1.2 The Joint Committee shall be known as ‘**West London Economic Prosperity Board**’.

1.1.3 The Joint Committee’s role and purpose on behalf of the Participating Boroughs relates to ensuring appropriate, effective and formal governance is in place for the purposes of delivering the West London Vision for Growth and advancing Participating Boroughs’ aspirations for greater economic prosperity in West London, including promoting “the Economic Prosperity Agenda”, in partnership with employers, representatives from regional and central government, and education and skills providers.

1.1.4 The purpose of the Joint Committee will be collaboration and mutual co-operation and the fact that some functions will be discharged jointly by way of the Joint Committee does not prohibit any of the Participating Boroughs from promoting economic wellbeing in their own areas independently from the Joint Committee.

1.1.5 The Joint Committee is not a self-standing legal entity but is part of its constituent authorities. Any legal commitment entered into pursuant of a decision of the Joint Committee must be made by all of the Participating Boroughs.

1.1.6 These Procedure Rules govern the conduct of meetings of the Joint Committee.

#### 1.2 Definitions

1.2.1 Any reference to “Access to Information legislation” shall mean Part V and VA of the Local Government Act 1972 (as amended) and, to the extent that they are applicable, to the Openness of Local Government Bodies Regulations 2014 (as amended) and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (as amended).

1.2.2 Any reference to “executive”, “executive arrangements”, “executive function” or “committee system” has the meaning given by Part 1A of the Local Government Act 2000.

#### 1.3 Functions

1.3.1 The Joint Committee will discharge on behalf of the Participating Boroughs the functions listed below related to promoting economic prosperity in West London:

1.3.1.1 Making funding applications and/or bids to external bodies, in relation to economic prosperity for the benefit of the local government areas of the participating local authorities.

1.3.1.2 Providing direction to a nominated lead borough on the allocation of any such funding awards to appropriate projects for the benefit of the local government areas of the participating local authorities, including, where applicable,

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approving the approach to the procurement to be undertaken by the lead borough.

- 1.3.1.3 Seeking to be the recipient of devolved powers and/or funding streams for the local government areas of the participating local authorities, which relate to the economic prosperity agenda.
  - 1.3.1.4 Exercising any such powers and allocating any such funding.
  - 1.3.1.5 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies and central government on matters relating to economic prosperity for the benefit of the local government areas of the participating authorities.
  - 1.3.1.6 Representing the participating authorities in connection with the Greater London Authority, London Councils and the London Enterprise Panel, for the benefit of the local government areas of the participating authorities, in matters relating to the economic prosperity agenda.
  - 1.3.1.7 Representing the participating local authorities in discussions and negotiations in relation to pan-London matters relating to economic prosperity.
  - 1.3.1.8 Seeking to influence and align government investment in West London in order to boost economic growth within the local government areas of the participating authorities.
  - 1.3.1.9 Agreeing and approving any additional governance structures as related to the Joint Committee, or any sub-committees formed by the Joint Committee.
  - 1.3.1.10 Representing the participating local authorities in discussions and negotiations with the Secretary of State for Communities and Local Government to encourage legislative reform enabling Economic Prosperity Boards, as defined by the Local Democracy, Economic Development and Construction Act 2009 Act, to be established by groups of boroughs in London.
  - 1.3.1.11 Inviting special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, higher education sector, schools, voluntary sector, and health sector to take an interest in, and/or seek to influence, the business of the committee including by attending meetings and commenting on proposals and documents.
- 1.3.2 In relation to the Participating Boroughs which operate executive arrangements only executive functions of each borough may be exercised.

## 1.4 Membership and Quorum

- 1.4.1 The membership will comprise of 6 members with each Participating Borough appointing one person to sit on the Joint Committee as a voting member.
- 1.4.2 Each Participating Borough will make a suitable appointment in accordance with its own constitutional requirements.
- 1.4.3 Where a Participating Borough operates executive arrangements, then the appointment of a voting member of the West London EPB will be by the leaders of the executive or by the executive. It is anticipated that, where practicable, the leader of each such executive will be appointed to the West London EPB.

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- 1.4.4 Where a Participating Borough does not operate executive arrangements, the appointment of a voting member of the West London EPB will be in accordance with the Borough's own procedures. It is envisaged that this will usually be one of its senior councillors.
- 1.4.5 In all cases, the appointed person must be an elected member of the council of the appointing Participating Borough. Appointments will be made for a maximum period not extending beyond each member's remaining term of office as a councillor, and their membership of the Joint Committee will automatically cease if they cease to be an elected member of the appointing Participating Borough.
- 1.4.6 Members of the Joint Committee are governed by the provisions of their own Council's Codes and Protocols including the Code of Conduct for Members and the rules on Disclosable Pecuniary Interests.
- 1.4.7 Each Participating Borough will utilise existing mechanisms for substitution as laid down in their own Standing Orders. Continuity of attendance is encouraged.
- 1.4.8 Where a Participating Borough wishes to withdraw from membership of the Joint Committee this must be indicated in writing to each of the committee members. A six month notice period must be provided.
- 1.4.9 When a new borough wishes to become a Participating Borough then this may be achieved if agreed by a unanimous vote of all the existing Participating Boroughs.
- 1.4.10 The quorum for the Joint Committee is three members. If the Joint Committee is not quorate it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed until a quorum is achieved. If no quorum is achieved after 30 minutes has elapsed, the clerk will advise those present that no business can be transacted and the meeting will be cancelled.

## **1.5 Chair and Vice-Chair**

- 1.5.1 The Chair of the Joint Committee will be appointed for 12 months, and will rotate amongst the Participating Boroughs.
- 1.5.2 Unless otherwise unanimously agreed by the Joint Committee, each Participating Borough's appointed person will serve as chair for 12 months at a time. Where the incumbent Chair ceases to be a member of the Joint Committee, the individual appointed by the relevant borough as a replacement will serve as Chair for the remainder of the 12 months as chair.
- 1.5.3 The Joint Committee will also appoint a Vice-Chair from within its membership on an annual basis to preside in the absence of the Chair. This appointment will also rotate in a similar manner to the Chair.
- 1.5.4 At its first meeting, the Committee will draw up the rotas for Chair and Vice-Chair respectively.
- 1.5.5 Where neither the Chair nor Vice-Chair are in attendance, the Joint Committee will appoint a Chair to preside over the meeting.
- 1.5.6 In the event of any disagreement as the meaning or application of these Rules, the decision of the Chair shall be final.

## **1.6 Sub-Committees**

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1.6.1 The Joint Committee may establish sub-committees to undertake elements of its work if required.

### **1.7 Delegation to officers**

1.7.1 The Joint Committee may delegate specific functions to officers of any of the Participating Boroughs.

1.7.2 Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of the other boroughs.

1.7.3 It may also be subject to the requirement for the officer with delegated authority to consult with the Chair of the Joint Committee and the Leaders of the one or more Participating Boroughs before exercising their delegated authority.

### **1.8 Administration**

1.8.1 Organisational and clerking support for the Joint Committee, and accommodation for meetings, will be provided by the Participating Borough whose representative is Chair unless otherwise agreed by the Joint Committee. The costs of this will be reimbursed by contributions from the other Participating Boroughs as approved by the Joint Committee.

### **1.9 Financial matters**

1.9.1 The Joint Committee will not have a pre-allocated budget.

1.9.2 When making a decision which has financial consequences, the Joint Committee will follow the relevant provisions of the Financial Procedure Rules of LB Ealing.

### **1.10 Agenda management**

1.10.1 Subject to 10.2, all prospective items of business for the Joint Committee shall be agreed by a meeting of the Chief Executives of the Participating Boroughs or their representatives.

1.10.2 It will be the responsibility of each report author to ensure that the impacts on all Participating Boroughs are fairly and accurately represented in the report. They may do this either by consulting with the monitoring officer and chief finance officer of each Participating Borough or by some other appropriate method.

1.10.3 In pursuance of their statutory duties, the monitoring officer and/or the chief financial officer of any of the Participating Boroughs may include an item for consideration on the agenda of a meeting of the Joint Committee, and may require that an extraordinary meeting be called to consider such items.

1.10.4 Each Participating Borough operating executive arrangements will be responsible for considering whether it is necessary [in order to comply with Access to Information legislation regarding the publication of agendas including Forward Plan requirements] to treat prospective decisions as 'key- decisions' and/or have them included in the Forward Plan. Each Participating Borough operating a committee system will apply its local non statutory procedures.

### **1.11 Meetings**

1.11.1 The Joint Committee will meet as required to fulfil its functions.

1.11.2 A programme of meetings at the start of each Municipal Year will be scheduled and included in the Calendar of Meetings for all Participating Boroughs.

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1.11.3 Access to meetings and papers of the Joint Committee by the Press and Public is subject to the Local Government Act 1972 and to the Openness of Local Government Bodies Regulations 2014. The Joint Committee will also have regard to the Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012, notwithstanding the fact that its provisions do not strictly apply to the Joint Committee for so long as the committee has any members who are not members of an executive of a Participating Borough.

### **1.12 Notice of meetings**

1.12.1 On behalf of the Joint Committee, a clerk will give notice to the public of the time and place of any meeting in accordance with the Access to Information requirements.

1.12.2 At least five clear working days in advance of a meeting a clerk to the Joint Committee will publish the agenda via the website of clerk's authority and provide the documentation and website link to the Participating Boroughs to enable the information to be published on each Participating Borough's website. "Five Clear Days" does not include weekends or national holidays and excludes both the day of the meeting and the day on which the meeting is called.

1.12.3 The clerk to the Joint Committee will arrange for the copying and distribution of papers to all Members of the Committee.

### **1.13 Public participation**

1.13.1 Unless considering information classified as 'exempt' or 'confidential' under Access to Information Legislation, all meetings of the Joint Committee shall be held in public.

1.13.2 Public representations and questions are permitted at meetings of the Joint Committee. Notification must be given in advance of the meeting indicating by 12 noon on the last working day before the meeting the matter to be raised and the agenda item to which it relates. Representatives will be provided with a maximum of 3 minutes to address the Joint Committee.

1.13.3 The maximum number of speakers allowed per agenda item is 6.

1.13.4 Where the number of public representations exceed the time / number allowed, a written response will be provided or the representation deferred to the next meeting of the Joint Committee if appropriate.

1.13.5 The Joint Committee may also invite special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, voluntary sector, and health sector to take an interest in the business of the committee including by attending meetings and commenting on proposals and documents.

1.13.6 The Chair shall have discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting.

### **1.14 Member participation**

1.14.1 Any elected member of the council of any of the Participating Boroughs who is not a member of the Joint Committee may ask a question or address the Committee with the consent of the Chair.

### **1.15 Business to be transacted**

1.15.1 Standing items for each meeting of the Joint Committee will include the following:

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- 1.15.1.1 Minutes of the Last Meeting
- 1.15.1.2 Apologies for absence
- 1.15.1.3 Declarations of Interest
- 1.15.1.4 Provision for public participation
- 1.15.1.5 Substantive items for consideration
- 1.15.2 The Chair may vary the order of business and take urgent items as specified in the Access to Information Requirements at his / her discretion. The Chair should inform the Members of the Joint Committee prior to allowing the consideration of urgent items.
- 1.15.3 An item of business may not be considered at a meeting unless:
  - 1.15.4 A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or
  - 1.15.5 By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
  - 1.15.6 "Special Circumstances" justifying an item being considered as a matter of urgency will relate to both why the decision could not be made at a meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.
- 1.16 Extraordinary meetings**
  - 1.16.1 Arrangements may be made following consultation with Chair of the Joint Committee to call an extraordinary meeting of the Joint Committee. The Chair should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.
  - 1.16.2 The business of an extraordinary meeting shall be only that specified on the agenda.
- 1.17 Cancellation of meetings**
  - 1.17.1 Meetings of the Joint Committee may, after consultation with the Chair, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meetings may be varied after consultation with the Chair and appointed members of the Joint Committee in the event that it is necessary for the efficient transaction of business.
- 1.18 Rules of debate**
  - 1.18.1 The rules of debate in operation in the Chair's authority shall apply.
- 1.19 Request for determination of business**
  - 1.19.1 Any member of the Joint Committee may request at any time that:
    - 1.19.1.1 The Joint Committee move to vote upon the current item of consideration.
    - 1.19.1.2 The item be deferred to the next meeting.
    - 1.19.1.3 The item be referred back to a meeting of the Chief Executives of the Participating Boroughs for further consideration.
    - 1.19.1.4 The meeting be adjourned.
  - 1.19.2 The Joint Committee will then vote on the request.

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### 1.20 Urgency procedure

- 1.20.1 Where the Chair (following consultation with the appointed Members of the Joint Committee) is of the view that an urgent decision is required in respect of any matter within the Joint Committee's functions and that decision would not reasonably require the calling of an Extraordinary Meeting of the Joint Committee to consider it and it cannot wait until the next Ordinary Meeting of the Joint Committee, then they may request in writing the Chief Executive of each Participating Borough (in line with pre-existing delegations in each Borough's Constitution) to take urgent action as is required within each of the constituent boroughs.

### 1.21 Voting

- 1.21.1 The Joint Committee's decision making will operate on the basis of mutual cooperation and consent and will take into account the views of the special representatives. It is expected that decisions will be taken on a consensual basis wherever reasonably possible.
- 1.21.2 Where a vote is required it will be on the basis of one vote per member and unless a recorded vote is requested, the Chair will take the vote by show of hands.
- 1.21.3 Any matter (save for a decision under the rules above) shall be decided by a simple majority of those members voting and present. Where there is an equality of votes, the Chair of the meeting shall have a second and casting vote.
- 1.21.4 Any two members can request that a recorded vote be taken.
- 1.21.5 Where, immediately after a vote is taken at a meeting, if any Member so requests, there shall be recorded in the minutes of the proceedings of that meeting whether the person cast they vote for or against the matter or whether they abstained from voting.

### 1.22 Minutes

- 1.22.1 At the next suitable meeting of the Joint Committee, the Chair will move a motion that the minutes of the previous meeting be agreed as a correct record. The meeting may only consider the accuracy of the minutes and cannot change or vary decisions taken at a previous meeting as a matter arising out of the minutes.
- 1.22.2 Once agreed, the Chair will sign them.
- 1.22.3 There will be no item for the approval of minutes of an ordinary Joint Committee meeting on the agenda of an extraordinary meeting.

### 1.23 Exclusion of Public and Press

- 1.23.1 Members of the public and press may only be excluded from a meeting of the Joint Committee either in accordance with the Access to Information requirements or in the event of disturbance.
- 1.23.2 A motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings. The motion shall specify by reference to Section 100(A) Local Government Act 1972 the reason for the exclusion in relation to each item of business for which it is proposed that the public be excluded. The public must be excluded from meetings whenever it is likely, in view of the nature of business to be transacted, or the nature of the proceedings that confidential information would be disclosed.
- 1.23.3 If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think is necessary.

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1.23.4 Background papers will be published as part of the Joint Committee agenda and be made available to the public via the website of each authority.

### **1.24 Overview and Scrutiny**

1.24.1 Decisions of the Joint Committee which relate to the executive functions of a Participating Borough will be subject to scrutiny and 'call -in' arrangements (or such other arrangements equivalent to call-in that any Participating Borough operating a committee system may have) as would apply locally to a decision made by that Participating Borough acting alone.

1.24.2 No decision should be implemented until such time as the call-in period has expired across all of the Participating Boroughs.

1.24.3 Where a decision is called in, arrangements will be made at the earliest opportunity within the Participating Borough where the Call-In had taken place for it to be heard.

1.24.4 Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Borough concerned have been concluded.

### **1.25 Access to minutes and papers after the meeting**

1.25.1 On behalf of the Joint Committee, a clerk will make available copies of the following for six years after the meeting:

1.25.1.1 the minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Joint Committee, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;

1.25.1.2 the agenda for the meeting; and

1.25.1.3 reports relating to items when the meeting was open to the public.

### **1.26 Amendment of these Rules**

1.26.1 These Rules shall be agreed by the Joint Committee at its first meeting. Any amendments shall be made by the Joint Committee following consultation with the monitoring officers of the Participating Boroughs. Note that Rule 19.3 (Functions) may only be amended following a formal delegation from each of the Participating Boroughs.

### **1.27 Background Papers**

1.27.1 Every report shall contain a list of those documents relating to the subject matter of the report which in the opinion of the author:

1.27.1.1 disclose any facts or matters on which the report or an important part of it is based;

1.27.1.2 which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information and in respect of reports to the Joint Committee, the advice of a political assistant.

1.27.2 Where a copy of a report for a meeting is made available for inspection by the public at the same time the clerk shall make available for inspection:



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- 1.27.2.1 a copy of the list of background papers for the report
- 1.27.2.2 at least one copy of each of the documents included in that list
- 1.27.3 The Clerk will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

## **2 North Central London Joint Health Overview and Scrutiny Committee**

- 2.1 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;
- 2.2 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;
- 2.3 To respond to any formal consultations on proposals for substantial developments or variations in health services across affecting the areas 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;
- 2.4 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;
- 2.5 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
- 2.6 The joint committee will aim to work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.

## Terms of Reference of Boards

### 3 Local Strategic Partnership (Barnet Partnership Board)

3.1 A Local Strategic Partnership is an advisory committee which brings together the key public, private and voluntary organisations within the borough to identify and articulate the needs and aspirations of Barnet's local communities and to provide a forum to assist the Council by collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies

#### 3.2 Membership

3.2.1 Leader of the Council. Council representatives to be appointed by Annual Council. Senior representatives from:

- 3.2.1.1 Related Argent
- 3.2.1.2 Barnet & Southgate College
- 3.2.1.3 Barnet Council
- 3.2.1.4 Brent Cross Shopping Centre
- 3.2.1.5 Barnet Together Alliance
- 3.2.1.6 North Central London Integrated Care Board
- 3.2.1.7 Department for Work and Pensions
- 3.2.1.8 Federation of Small Business
- 3.2.1.9 London Fire Service
- 3.2.1.10 Middlesex University
- 3.2.1.11 Metropolitan Police
- 3.2.1.12 Saracens West London Alliance

### 4 Children's Partnership Board

4.1 Barnet's Children's Partnership Board brings together all services for children and young people in the borough, to focus on hearing the voice of children and young people and improving their outcomes.

4.2 Senior representatives from partner organisations make up the Children's Partnership Board which keeps strategic oversight of the Barnet Children and Young People's Partnership Plan. Each organisation has agreed to be responsible for implementing this plan which will be monitored by the Board.

4.3 The legal framework underpinning Barnet's Children's Partnership Board arrangements is the 'duty to cooperate' and improve the well-being of children across the Borough, set out in S10 of the Children Act 2004. The terms of reference and membership will be the subject of annual review to take account of local or national changes and developments.

4.4 General Responsibilities and Functions the Children's Partnership Board is accountable for the following:

- 4.4.1 Ensuring the voice of children and young people is heard in Barnet
- 4.4.2 Developing and delivering the Children & Young People's Plan.

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- 4.4.3 Ensuring that the collective resources of the partners are being used to the best effect to meet the priorities in the Children & Young People's Plan.
- 4.4.4 Resolving issues that block progress against the priorities.
- 4.4.5 Reviewing Plans and Strategies relating to Children and Young People in Barnet prior to consideration by executive groups (e.g. Cabinet, Health & Wellbeing Board, etc.)
- 4.4.6 Working with the Voluntary Sector in a particular approach to enable the best outcomes for children and young people
- 4.5 This includes shared responsibility for:
  - 4.5.1 Meeting the priorities in the Children & Young People's Plan
  - 4.5.2 Jointly developing, delivering and resourcing strategies and action plans necessary to meet the priorities
  - 4.5.3 Addressing barriers to meeting the priorities and to identifying future needs, including communication, information and data sharing
  - 4.5.4 Keeping Children's workforce informed and involved, providing clear direction, development and training as necessary
  - 4.5.5 Releasing staff to develop and attend network events
  - 4.5.6 Clarifying and simplifying governance structures and decision-making
  - 4.5.7 Ensuring that children, young people and families have a voice in decision making that affects them
  - 4.5.8 Monitoring performance towards agreed outcomes and taking remedial action where necessary.
  - 4.5.9 Building upon good practice and developing an evidence-based approach to what works.
- 4.6 The partnerships remit includes the needs of all children and young people in Barnet under the age of 19, young people up to the age of 25 leaving care and young people up to the age of 25 with disabilities and/or learning difficulties. These responsibilities include effective transition arrangements, where necessary.
- 4.7 Roles and Responsibilities of Board Members All members of the Board are required to agree to undertake the following:
  - 4.7.1 Attendance at all Board meetings (or representation provided by as senior replacement).
  - 4.7.2 Members will be responsible for an effective two-way communication system whereby the decisions and aims of the Board are widely disseminated and relevant organisational issues from members' own agencies are communicated to the Board.
  - 4.7.3 Provide leadership on strategic issues to members of the Board
  - 4.7.4 Champion the objectives of the Children and Young People's Plan and ensure relevant activities within the plan are implemented by their organisation.
  - 4.7.5 Contribute to the development of a strategic three to five-year vision Meetings will be held quarterly and dates for each year will be set in advance.

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### 4.8 Membership

4.8.1 The Board will be chaired by the Executive Director for Children's Services

4.8.2 Members are able to delegate a deputy of suitable authority if they are unable to attend, by agreement with the chair. Current partners and members are:

4.8.3 Barnet Council

- Lead Member for Children's Services;
- Executive Director for Children's Services;
- Assistant Director Education Strategy & Partnerships;
- Commissioning Strategy & Policy Advisor;
- Assistant Director Commissioning & Strategy;
- Voice of the Child Participation Officer;
- Housing Commissioning Lead;
- Commissioning Lead Growth & Development;
- Senior Communications & Campaigns Manager;
- Public Health Consultant;

4.8.4 North Central London Integrated Care Board (NCL ICB)

- Director for Adults Joint Commissioning
- CYP Health Commissioning Children's Clinical Lead NHS;

4.8.5 Metropolitan Police – Inspector;

4.8.6 Schools –

- Three representative headteachers, one each from Barnet primary, secondary and special schools

4.8.7 Barnet Education & Learning Service – Chief Executive;

4.8.8 Voluntary Sector –

- Chief Executive, Inclusion Barnet;
- Chief Executive, Young Barnet Foundation;

4.8.9 Young Persons Representatives –

- Member of Barnet Youth Parliament 1;
- Member of Barnet Youth Parliament 2

4.8.10 Multi-Faith Representative - Chair, Barnet MultiFaith Forum;

4.8.11 Parent / Carer Group Representative – Chair of the Parent Carer Forum

### 4.9 Quorum

4.9.1 5 – must include the following:

- Chair (or deputy)
- At least one representative of the LB Barnet

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- At least one representative NCL CCG
- At least one representative of Schools
- At least one member representing the voluntary sector

## 5 Safer Communities Partnership Board

- 5.1 The Safer Communities Partnership Board (SCPB) is the inter-agency mechanism in Barnet to reduce crime and anti-social behaviour and reoffending and promote social cohesion. It acts as the Crime and Disorder Reduction Partnership as defined (and required) by the 1998 Crime and Disorder Act and subsequent amendments including the 2006 Police and Justice Act and the 2009 Policing and Crime Act.
- 5.2 The SCPB operates within the constitutional requirements of Barnet Council, the Metropolitan Police and other partner agencies, who ensure that the Board's approaches to policy formulation and resource allocation are consistent with those of the agencies concerned.
- 5.3 It is taking forward one of the objectives in the strategy to develop an Integrated Offender Management system that brings together the different agencies involved in managing the punishment and rehabilitation of offenders in a much more efficient and joined up way, reducing the risks of reoffending and ensuring far more offenders complete their drug rehabilitation successfully. Barnet Safer Communities Partnership is an unincorporated body and therefore it does not have a legal personality. Its members work collectively within their own individual legal frameworks.
- 5.4 Meetings will be quarterly and a quorum will comprise four members provided this consists of: The Chair (Barnet Councillor) and Vice Chair (Metropolitan Police) At least one other representative each of the Council and the Metropolitan Police.
- 5.5 Other current partners are:
- London Probation Trust
  - National Probation Service
  - London Fire Brigade
  - North Central London Integrated Care Board
  - MOPAC (Mayor's Office Policing/Crime)
  - Barnet Safer Neighbourhood Board
  - Middlesex University
  - North West London Magistrates' Court
  - Inclusion Barnet
  - Victim Support, North London Division
  - Department for Work and Pensions
  - Voluntary Sector Representative (as invited by the Board)