



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	15 NOVEMBER 2018
REPORT OF THE:	CHIEF EXECUTIVE STACEY BURLET
TITLE OF REPORT:	TERMS OF REFERENCE FOR WORKING PARTIES AND SUB-COMMITTEES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To seek approval of terms of reference for working parties and sub-committees of the Policy and Resources Committee.
- 1.2 To seek approval to replace the Senior Management Contracts Working Party and Appointments Sub-Committee with a Senior Management Contracts Sub-Committee.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- (i) The terms of reference for working parties and sub-committees of the Policy and Resources Committee attached at Appendix 1 of this report be approved;
- (ii) The Senior Management Contracts Working Party and Appointments Sub-Committee be replaced with a Senior Management Contracts Sub-Committee, with the terms of reference attached at Appendix 2 and the same membership for the remainder of the year, until such time as new appointments are made;
- (iii) The terms of reference be presented to Policy and Resources Committee at its first meeting each year, in June, for confirmation and approval when it appoints the membership;
- (iv) That any new working parties and sub-committees which the Policy and Resources Committee create have written terms of reference.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 To action the request of the Overview and Scrutiny Committee meeting on 4 October 2018 and confirm that working parties can only make recommendations, not decisions.
- 3.2 To provide consistency and clarity with regards to the roles of working parties and sub-committees, which should assist both Members and officers in carrying out their roles.
- 3.3 To provide flexibility to cover different items of business relating to senior management contracts at the same meeting and clarity as to the remit and the powers of the meeting.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks with making the changes proposed. Written terms of reference are an example of good practice and improve governance.
- 4.2 The current situation with no written terms of reference and two different bodies, with different powers and remits, dealing with senior management contracts matters lacks clarity and thereby there is a risk of items of business being dealt with incorrectly or inefficiently.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 This report is prompted by a request from the Overview and Scrutiny Committee and also takes account of other feedback received from both Members and officers. Leadership Team have been consulted on this as part of work to review and improve governance.

REPORT

6.0 REPORT DETAILS

- 6.1 Early each municipal year, in June, the Policy and Resources Committee appoints working parties and sub-committees to support it in carrying out its business. Sub-committees have decision making powers, delegated by the Policy and Resources Committee, and are public meetings (except where it is agreed to move into exempt session), whilst working parties are advisory private meetings and can only make recommendations back to the Policy and Resources Committee for consideration. As these are discretionary bodies, which have to be appointed each year, there are no terms of reference included in the Constitution.
- 6.2 Following discussion of an item of business which had been considered at the Resources Working Party, the Overview and Scrutiny Committee at its meeting on 4 October 2018 requested officers draft terms of reference for the Working Party for consideration and approval by the Policy and Resources Committee.
- 6.3 To ensure a consistent approach to governance, officer considered that other working parties and sub-committees of the Policy and Resources Committee should also have written terms of reference. The clarity that terms of reference will provide regarding the roles of these meetings will be helpful to Members and to officers.
- 6.4 Currently matters relating to senior management contracts are dealt with by two different bodies, which have the same membership. The Appointments Sub-

Committee has decision making powers (excepting certain matters reserved to Full Council) and a remit relating only to appointments, whilst the Senior Management Contracts Working Party has a wider remit but only an advisory role, with recommendations needing to be referred on to the Policy and Resources Committee for approval. There is potential for a lack of clarity around the roles of these two different bodies and a lack of flexibility to consider multiple items of business if they fall within the remit of different meetings. There is also the risk that any potentially sensitive items of business have be referred on the Policy and Resources Committee for further consideration.

- 6.5 It is therefore proposed that these two bodies are replaced with a Senior Management Contracts Sub-Committee which can make decisions on all items within its remit (except where they are reserved to Full Council).
- 6.6 The proposed terms of reference for existing working parties and sub-committees are attached as Appendix 1 and the terms of reference for the new proposed Senior Management Contracts Sub-Committee are attached as Appendix 2.
- 6.7 It is proposed that terms of reference are reviewed and confirmed each year when the Policy and Resources Committee appoints their membership and that any new bodies created also have written terms of reference.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
The Chief Finance Officer (s151) has been consulted. There are no financial implications.
 - b) Legal
The Council Solicitor has been consulted. There are no legal implications.
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
The Head of HR has been consulted. There are no staffing implications.

Stacey Burlet
Chief Executive

Author: Simon Copley, Democratic Services Manager
Telephone No: 01653 600666 ext: 277
E-Mail Address: simon.copley@ryedale.gov.uk

Background Papers:
Minutes of the Overview & Scrutiny Committee on 4 October 2018.

Background Papers are available for inspection at:
www.ryedale.gov.uk