

**TO: ALL RECIPIENTS OF
PERFORMANCE AND AUDIT AGENDA
PAPERS**

Our reference CB
Your reference N/A
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23 May 2019

Dear Councillor

PERFORMANCE AND AUDIT SCRUTINY COMMITTEE - THURSDAY 30 MAY 2019

The Chairman of Performance and Audit Scrutiny has agreed for the above additional item to be considered at the Performance and Audit Scrutiny Committee meeting on Thursday 30 May 2019.

Agenda Item
No

11. **URGENT ITEM: Appointments to the Financial Resilience Sub-Committee and the Health and Safety Sub-Committee (Pages 1 - 10)**

Report No: **PAS/WS/19/008**

Yours sincerely

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Appointments to the Financial Resilience and the Health and Safety Sub-Committee's (2019- 2020)

Report No:	PAS/WS/19/008	
Report to and date:	Performance and Audit Scrutiny Committee	30 May 2019
Cabinet Member:	Councillor Sarah Broughton Cabinet Member for Resources and Performance Tel: 01284 703894 Email: sarah.broughton@westsuffolk.gov.uk	
Lead officer:	Leah Mickleborough Service Manager (Democratic Services) and Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk	

Decisions Plan: This item is not included in the Decisions Plan.

Wards impacted: Not applicable.

Recommendation: It is **RECOMMENDED** that, the Performance and Audit Scrutiny Committee:

- (1) Appoints three Members, and one Substitute Member from the membership of the Performance and Audit Scrutiny Committee to sit on the Financial Resilience Sub-Committee for 2019-2020; and
- (2) Appoints six members and two Substitute Members from the Performance and Audit Scrutiny Committee to sit on the Health and Safety Sub-Committee for 2019-2020.

1. Background

- 1.1 The West Suffolk Annual Council at its meeting held on 22 May 2019, approved the allocation of 12 seats to the Performance and Audit Scrutiny Committee.
- 1.2 The Constitution now expects that the appointment of members to the Financial Resilience Sub-Committee and the Health and Safety Sub-Committee be undertake at the first meeting of the Performance and Audit Scrutiny Committee following Annual Council.
- 1.3 The Constitution further expects that in making such appointments, the Performance and Audit Scrutiny Committee seeks to do so in a manner that reflects the political balance as far as practically possible.
- 1.4 In practice, as there are only a total of 9 appointments to the two sub committees (plus substitutes) it would be very difficult to be compliant with the full political balance calculations. As such, the proposals below have been developed to try to achieve an equitable and fair allocation to the groups across both sub-committees.
- 1.5 Allocation of substitute members have also been suggested. Due to the small substitute pool, some groups will not have a nominated substitute. However, if they cannot make a meeting and the group does not have a nominated substitute, a temporary substitute can be nominated by their group leader to the Monitoring Officer.

2. Appointments to the Financial Resilience Sub-Committee

- 2.1 The Sub-Committee will comprise three members and one substitute member of the Performance and Audit Scrutiny Committee, which, as above, desirably reflects the political balance of the Council, as far as practically possible.
- 2.2 A proposed seat allocation is set out below:

Group	Seat Allocation
Conservative Group	1
Spectrum Group	1
The Independent Group	1
Total	3
Substitute (Conservative Group)	1

- 2.3 Attached at **Appendix 1** to this report is the Terms of Reference, which sets out the role of the Financial and Resilience Sub-Committee.

3. Appointments to the Health and Safety Sub-Committee

- 3.1 The Sub-Committee will comprise 12 members. Six councillors and two substitutes drawn from the membership of the Performance and Audit Scrutiny Committee, which, as above, desirably reflects the political balance of the Council, as far as practically possible (to be the "employers side). Six

members of staff and two substitutes (to be the employee’s side) shall be drawn from the Officer Health and Safety Group.

3.2 A proposed seat allocation is set out below:

Group	Seat Allocation
Conservative Group	3
Spectrum Group	1
The Independent Group	1
Labour Group	1
Total	6
Substitute (Conservative Group)	1
Substitute (Spectrum Group)	1

3.3 Attached at **Appendix 2** to this report is the Terms of Reference, which sets out the role of the Health and Safety Sub-Committee.

4. Alternative Options

4.1 None, as the matter under consideration is required by the Constitution.

5. Consultation and engagement

5.1 Not applicable.

6. Risks

6.1 Not applicable.

7. Appendices

7.1 **Appendix 1** – Terms of Reference: Financial and Resilience Sub-Committee

Appendix 2 – Terms of Reference: Health and Safety Sub-Committee

7. Background documents

7.1 None

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C.6 Financial Resilience Sub-Committee

1. Remit

- 1.1 The Financial Resilience Sub-Committee will undertake the enhanced monitoring and scrutiny of the Council's financial resilience, and will be responsible to the Performance and Audit Committee for:-
- (1) The Council's responses to changes in statutory and regulatory requirements and guidance related to treasury management, capital financing and financial resilience.
 - (2) Examining and recommending Annual Treasury Management and Investment Strategy.
 - (3) On-going revisions to treasury management strategies and policies.
 - (4) The mid-year treasury management review.
 - (5) Receiving reports on treasury management performance.
 - (6) The annual report on treasury management performance, including the effects of the decisions taken and the transactions executed in the past year, and on the circumstances of any non-compliance with the Council's treasury management policy statements.
 - (7) Examining ongoing compliance with any statutory and non-statutory guidance or measures relating to financial resilience.

2. Membership and Meeting Arrangements

- 2.1 The Sub-Committee will comprise three Members and one substitute Member of the Performance and Audit Scrutiny Committee, which desirably reflects the political balance of the Council, as far as practically possible.
- 2.2 There will be one non-voting invitee, which will normally be the Portfolio Holder with responsibility for finance.
- 2.3 The Sub-Committee will be appointed annually by the Performance and Audit Scrutiny Committee (or Council) and will appoint its own Chair.

- 2.4 The Sub-Committee will meet at least three times each year, although meetings may be cancelled by the Chair due to lack of business. Special meetings of the Sub-Committee may also be called as necessary.
- 2.5 In order to help streamline the comprehensive treasury management reporting requirements of the CIPFA Code, where possible meetings will be held to coincide with existing reporting requirements.

*(*Note: This meeting is not governed by the normal Access to Information rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) in the Council. Therefore these meetings are not open to attendance by the public).*

C.5 Health and Safety Sub-Committee

1. Overview

- 1.1 The Sub-Committee's membership will be drawn from Councillors and staff of the West Suffolk Council.
- 1.2 The Sub-Committee will consider the Council's health and safety arrangements and provide guidance to support the development of executive action by Officers of the Council, including policy guidance.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding of health and safety matters.
- 1.4 To make recommendations to the Cabinet and/or Officers of the Council about policies and actions required to develop and maintain effective health and safety arrangements.
- 1.5 To advise the Performance and Audit Scrutiny Committee on the progress of their work and matters they have considered.

2. Constitution

- 2.1 The Health and Safety Sub-Committee shall comprise 12 Members. Six Councillors drawn from the membership of the Performance and Audit Scrutiny Committee, which desirably reflects the political balance of the Council, as far as practically possible (to be the 'Employers' Side'). Six members of staff (to be the 'Employees' Side'), drawn from the Officer Health and Safety Group.
- 2.2 Two Substitute Members from the Employers' side and two Substitutes from the Employees' Side.
- 2.3 It shall be the Health and Safety Manager's duty to attend and advise the Sub-Committee.
- 2.4 The Sub-Committee shall appoint a Chair and Vice-Chair from its Members. When the Chair is a Member of one side of the Sub-Committee, the Vice-Chair shall be a Member of the other side.
- 2.5 The Sub-Committee may invite attendance of any person whose particular knowledge or experience may assist the Sub-Committee in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration.

3. Terms of Reference

- 3.1 The Sub-Committee shall keep under review all matters relating to the health, safety and welfare of the Councils' employees, and to the protection of other persons against risks arising out of the work activities of the employees and of persons working under contract.
- 3.2 To review and monitor Health and Safety Policy and recommend amendments to the Officers and/or Cabinet in accordance with their respective delegations. Specifically, the Sub-Committee will work directly with the Health and Safety Manager to review and implement revisions to the operational procedures Policy under their delegated authority to make such changes.
- 3.3 Without prejudice to the foregoing terms, items for particular consideration may include:-
 - (a) The study of accidents and diseases, and in particular those notifiable to the Health and Safety Executive.
 - (b) Considering and making recommendations in respect of items submitted by the staff Health and Safety Group.
 - (c) Consideration of reports and information from the Inspectors of the Health and Safety Executive.
 - (d) Consideration of reports submitted by Safety Representatives.
 - (e) The development of safety procedures and safe systems of work.
 - (f) Recommending and monitoring the effectiveness of employee safety training.
 - (g) The presentation of publicity on safety matters; and
 - (h) Inspecting or arranging for an inspection of any particular area or activity.

4. Arrangements and Procedures

- 4.1 Meetings shall normally be held three times a year but, exceptionally, the Chair may decide, after consultation with the Health and Safety Manager, to convene an Extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact.
- 4.2 The quorum for the Sub-Committee shall be four, comprising at least two employee representatives and two Members of the Council.
- 4.3 Voting shall be by a show of hands and simple majority.
- 4.4 The report from the Sub-Committee to the Performance and Audit Scrutiny Committee and/or the Cabinet shall be by way of presentation of the minutes or by way of a brief report in an agreed format.

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