



NOTICE OF MEETING

Special Standards Committee

TUESDAY, 12TH MAY, 2015 at 19.00HRS – CIVIC CENTRE, HIGH ROAD, WOOD GREEN, LONDON N22

MEMBERS: Councillors C Bull, Rice (Chair), Ryan, Weston and Morris

AGENDA

1. APOLOGIES FOR ABSENCE

2. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

3. URGENT BUSINESS

It being a special meeting the Chair will only consider the admission of any late item of urgent business in relation to the items shown in the summons in accordance with Part Four Section B 17 of the constitution.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. ABOLITION OF AREA COMMITTEES AND AREA FORUMS (PAGES 1 - 6)

6. AMENDMENT TO THE MEMBERS' ALLOWANCES SCHEME FOR 2015/16 (PAGES 7 - 30)

7. REMOVAL OF THE DESIGNATED INDEPENDENT PERSON REQUIREMENT FOR THE DISMISSAL OF THE HEAD OF PAID SERVICE, MONITORING OFFICER AND CHIEF FINANCE OFFICER (PAGES 31 - 76)

Bernie Ryan
Assistant Director – Corporate Governance and
Monitoring Officer
River Park House
225 High Road
Wood Green
London N22 8HQ

Clifford Hart
Democratic Services Manager
London Borough of Haringey
Tel: 020 8489 2920
Fax: 020 8489 2660
Email: clifford.hart@haringey.gov.uk

1 May 2015



Haringey Council

Report for:	Standards Committee 12 May 2015 Full Council – 14 May 2015	Item number	
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Title:	Abolition of Area Committees and Area Forums
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Report authorised by :	Nick Walkley, Chief Executive <i>Bernie Ryan P.P. Nick Walkley.</i>
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Lead Officer:	Bernie Ryan –Assistant Director of Corporate Governance
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Ward(s) affected: N/A	Report for Non Key Decision
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1. Describe the issue under consideration
 - 1.1 To propose to full Council the abolition of Area Committees and Area Forums.
2. Recommendations
 - 2.1 That the Standards Committee recommend to Full Council that they:
 - 2.1.1 Approve the abolition of area committees and area forums, and
 - 2.1.2 Direct the Assistant Director of Corporate Governance to make any necessary and consequential amendments to the council constitution
 - 2.1.3 Note that a report proposing ward budgets will be prepared for a Cabinet Member signing in June 2015.
3. Other options considered
 - 3.1 A review of Area Committees and Forums started before the 2014 local elections responding to concerns that they are no longer the most



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effective tool for Councillors to engage with local communities. Attendance has been variable and it is felt that the process has become rather transactional and outdated.

- 3.2 The vision underpinning the Council's latest Corporate Plan is 'to work with communities to make Haringey an even better place to live.' Key to that goal is changing the way we engage with residents, 'developing new approaches to resident engagement, focused on building community capacity.' Effective engagement with residents is also essential to ensure the services we deliver are focused on their needs.
- 3.3 It is also important to note that establishing ward budgets is not proposed in isolation. We are developing a new community strategy, voluntary sector strategy and community buildings strategy, all of which will require a renewed focus on how we engage with residents and the local leadership role Councillors play. The Community Strategy will propose a framework of principles and specific policies aimed at promoting active citizenship. It will also highlight and strengthen the important leadership role that Councillors play as catalysts of community activity.
- 3.2 A proposal will be brought forward in June for a Cabinet Member signing that will propose the establishment of ward budgets.
- 3.3 Other options considered included maintaining the status quo in terms of continuing with the area committees and forums. However, given the approach and issues set out above it is not felt to be an appropriate option.

4. Background information

- 4.1 There are currently seven area committees across the borough, which replaced the previous system of ward based area assemblies following the 2010/11 Governance Review.
- 4.2 The area committees are:
- Crouch End, Hornsey and Stroud Green
 - Muswell Hill (covers Muswell Hill, Highgate, Alexandra and Fortis Green)
 - Northumberland Park and White Hart Lane
 - St Ann's and Haringay
 - Tottenham (covers Seven Sisters, Tottenham Green and Tottenham Hale)
 - West Green and Bruce Grove
 - Wood Green (covers Bounds Green, Noel Park and Woodside)



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- 4.3 Generally the area committees meet four times a year. Attendance currently varies across the committees, with a range of 5-15 in Wood Green to 75-80 in Muswell Hill.
 - 4.4 The protocol on area committees adopted in 2012/13 states that they will be provided with 'guidance on local expenditure which it may be possible for the Committee to have responsibility for', but there is no dedicated budget for local priorities.
 - 4.5 The system as it currently operates does not align with the priorities within the Corporate Plan and it is questionable whether the committees reach out to the wider community. There are also no resources available to the area committees to provide funding for projects that could develop community capacity and resilience.
 - 4.6 In recent years, a number of London Boroughs have reviewed their systems of neighbourhood/ward committees/forums and mechanisms for engaging their community. There have been a variety of approaches adopted; some have continued with forums but on a more informal basis and without dedicated officer support. Others now focus on providing small amounts of grant funding distributed on a ward basis with priorities set by residents and ward councillors.
 - 4.7 As a result, it is proposed to abolish the area committees and replace them with a system of ward budgets. A further paper dealing with the establishment of ward budgets will be presented to the June Cabinet meeting.
 - 4.8 The Council Constitution will need to be amended to remove Section 5 of Section B of Part Three 'Responsibility for Functions – Full Council & Non Executive Bodies' and any consequential amendments (for example to the Part One of the Constitution and the Articles of the Constitution at Part Two) will also be made.
5. Comments of the Chief Financial Officer and financial Implications
- 5.1 The Chief Financial Officer confirms that the Council currently has a budget of £66k to support the current system of Area Committees & forums. The majority of this budget (£55k) covers the special allowance payment for the 7 area committee chairs with the remaining budget covering clerking, venue hire and other incidental costs supporting the committee.



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6. Assistant Director of Corporate Governance comments and Legal Implications

6.1 Section 101 of the Local Government Act 1972 and sections 15-19 of the Local Government and Housing Act 1989 allow the Council to delegate functions to council committees, comprising of councillors on a proportionate basis.

6.2 S9E of the Local Government Act 2000 provides that the Leader of a local authority executive may arrange for the discharge of any of its functions by an area committee. An area committee in this case must be established in order to discharge functions in respect of part of the area of the authority, and the members of that committee must be the members elected for the electoral divisions or wards which fall wholly or partly within that part of the area.

6.3 Full Council established area committees in principle on 4th April 2011 and approved the necessary changes to the constitution on 23rd May 2011.

6.4 Once agreed for dissolution by Council, the relevant elements of the Council Constitution dealing with area committees will need to be amended.

7. Equalities and Community Cohesion Comments

7.1 Arguably, devolving functions to local areas can assist in engaging with hard to reach groups, many of whom comprise protected groups under the Equality Act. However it does not appear that the area committees in their current form did in fact increase engagement with such groups, particularly in the east of the borough.

8. Head of Procurement Comments

Not applicable

9. Policy Implications

Not applicable

10. Reason for Decision

10.1 The current system of area committees has not been an unqualified success across the borough. There are no financial resources available to the committees, limited officer time available to facilitate these formal committees and attendance at them varies considerably. It is suggested



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that an alternative system of ward budgets would enable ward councillors to focus on and engage with their localities in a more productive way, and proposals for the new scheme are to go before Cabinet at the June meeting.

11. Use of Appendices

12. Local Government (Access to Information) Act 1985

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Haringey Council

Report for:	STANDARDS COMMITTEE 12 May 2015	Item number	
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Title:	Amendment to the Members' Allowances Scheme for 2015/16
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Report authorised by :	Assistant Director of Corporate Governance and Monitoring Officer Bernie Ryan <i>Bernie Ryan</i>
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Lead Officer:	Michelle Williams, Senior Corporate Lawyer
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Ward(s) affected: N/A	Report for Key/Non Key Decision: N/A
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1. **Describe the issue under consideration**
 - 1.1 Every year the Council is required, in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, to adopt a Members' Allowances Scheme to run from 1 April to 31 March the following year.
 - 1.2 This report requests that the Standards Committee recommend to Full Council two amendments to the Members' Allowances Scheme for the period 1 April 2015 to 31 March 2016, which was agreed by Full Council on 23 March 2015. The revised Members' Allowances Scheme is set out at Appendix 1 attached.
 - 1.3 At its meeting on 23 March 2015 Full Council were informed by the Assistant Director of Corporate Governance and Monitoring Officer of the intention to amend the 2015/16 Scheme during the municipal year to distribute the approximately £48K savings that the Council is making in

employer contributions to the Local Government Pension Scheme (LGPS) for Members since the implementation of Regulations removing them from the LGPS. In addition, the proposed abolition of Area Committees will result in the need to amend the 2015/16 Members' Allowances Scheme.

- 1.4 This report and the amended Members' Allowances Scheme at Appendix 1 detail the recommended amendments to the Basic Allowance, Mayoral Allowances and Special Responsibility Allowances as a result of the changes set out in paragraph in 1.3 above.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 That the Standards Committee recommend to Full Council that it resolves to amend the current Members' Allowance Scheme for 2015/16 to take effect from 15 May 2015 to increase the Basic Allowance, Mayoral Allowances and Special Responsibility Allowances as set out in the Members Allowances Scheme at Appendix 1 to this report.

4. Comments of the Chief Finance Officer and Financial Implications

- 4.1 The Chief Finance Officer has reviewed the proposed changes to the Members' Allowances scheme and confirms that there is sufficient budget provision within 2015/16 cash limits to cover the costs of the proposed scheme.

5. Assistant Director of Corporate Governance comments and Legal Implications

- 5.1 The legal implications have been considered within the body of this report and in the drafting of Appendix 1.

6. Report

- 6.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the Regulations") require local authorities to make a scheme of allowances for their Members at the start of each municipal year. There is nothing to prevent Full Council from amending the scheme later in the year should it wish to do so.

- 6.2 The Regulations stipulate that before a Council can agree or amend its Members' Allowances Scheme, it must consider recommendations made

to it by an Independent Remuneration Panel (IRP), whose members cannot be members of the same authority.

6.3 The Regulations contain provisions for London Boroughs to use an Independent Remuneration Panel (IRP) set up by London Councils for this purpose rather than a local panel. The IRP for London Councils last reviewed Members' allowances in 2014 and attached at Appendix 2 is its report and recommendations. The IRP only make recommendations and it remains the responsibility of each local authority to decide the level of remuneration and which Members should be remunerated.

6.4 The recommendations in the 2014 IRP report at Appendix 2 have been considered in the preparation of the amended scheme which is subject of this report.

6.5 Appendix 1 to this report shows the recommended changes to the Members' Allowances Scheme. In order to redistribute the £48K savings in employer pensions contributions to the LGPS amongst members the recommendation is to increase the Basic Allowance from £10,500 to £10,703, which is the maximum recommended by the IRP. It is recommended that the remainder of the £48K is then redistributed amongst members in accordance with the percentage of the special responsibility budget (including the mayoral allowances) that applies to each role. This is seen as a fair redistribution as it reflects the fact that the Council would have been making higher employer contributions to the LGPS for members according to the seniority of their role and level of their allowance. Changes to the Members' Allowances Scheme are shown in italics and underlined.

7. Local Government (Access to Information) Act 1985

N/A

8. Equalities and Community Cohesion Comments

8.1 The Council has a public sector equality duty under S149 of the Equality Act 2010 to have due regard to need to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who those characteristics and people who do not.

8.2 The proposals outlined in the report carry no apparent implications for any aspect of the duty outlined above.

9. Appendices

9.1 Appendix 1: Amended Members' Allowances Scheme 2015/16

9.2 Appendix 2: The Remuneration of Councillors in London 2014 - Report of the Independent Panel

APPENDIX 1

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Part 6

Members’ Allowances Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS’ ALLOWANCES

- 1.01 Made in accordance with the Local Authorities (Members’ Allowances) (England) Regulations 2003 and in force for the municipal year 2015/16 (i.e. 1 April 2015 to 31 March 2016).

2. BASIC ALLOWANCE

- 2.01 Each Councillor will be entitled to receive the sum of ~~£10,500~~ £10,703 by way of Basic Allowance.
- 2.02 If a Councillor does not serve as such for the whole 12-month period or becomes disqualified, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor. This principle applies to education representatives on scrutiny bodies.

3. INCLUDED EXPENSES

- 3.01 Travel Expenses.
The Basic Allowance includes all travel within the M25. Councillors are not entitled to any form of concession or special permit as Councillors for parking in the Borough.
- 3.02 Telephones and I.T.
The Basic Allowance includes Councillors' telephone call charges, both mobile and landline, for which Councillors are billed individually. The Council meets the rental for apparatus, including broadband, and all datacharges.

4. MAYORAL ALLOWANCES

- 4.01 The additional allowances for the Mayor and Deputy Mayor are:
- (a) The Mayor is entitled to an additional allowance of ~~£15,750~~ £16,797.
- (b) The Deputy Mayor is entitled to an additional allowance of ~~£3,936~~ £4,196.

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 For the period 1 April 2015 to 31 March 2016, Haringey Council will allocate Special Responsibility Allowances in six bands, to Councillors who take on certain additional roles, in accordance with Table A below. If a Councillor does not serve as such for the whole period or becomes disqualified, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor.

Table A

Band	Position	Special Allowance	Total Allowance
Band 4	<ul style="list-style-type: none"> • Leader 	<u>£31,497</u> <u>£33,590</u>	<u>£41,997</u> <u>£44,293</u>
Band 3B	<ul style="list-style-type: none"> • 8 or fewer x Cabinet Members • Opposition Leader 	<u>£23,622</u> <u>£25,191</u>	<u>£34,122</u> <u>£35,894</u>
Band 3A	<ul style="list-style-type: none"> • Chair of Overview and Scrutiny Committee 	<u>£21,479</u> <u>£22,905</u>	<u>£31,979</u> <u>£33,608</u>
Band 2B	<ul style="list-style-type: none"> • Chair of Corporate Committee • Chief Whip • Chair of Regulatory Committee • Chair of Alexandra Palace and Park Board • Opposition Deputy Leader • Opposition Chief Whip 	<u>£15,750</u> <u>£16,797</u>	<u>£26,250</u> <u>£27,500</u>
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	<u>£14,317</u> <u>£15,268</u>	<u>£24,817</u> <u>£25,971</u>
Band 1	<ul style="list-style-type: none"> • 7 x Area Committee Chairs • Chair of Pensions Committee • Chair of Staffing and Remuneration Committee • Chair of Standards Committee 	<u>£7,875</u> <u>£8,398</u>	<u>£18,375</u> <u>£19,101</u>

6. MULTIPLE RESPONSIBILITIES

6.01 Where a Councillor holds more than one post of special responsibility, he/she may only receive one Special Responsibility Allowance. Where a Councillor holds more than one post of special responsibility and the posts have Special Responsibility Allowances of different monetary values, the Councillor would receive the higher one. For the purposes of this paragraph, the Mayor and Deputy Mayor count as posts of special responsibility.

7. CO-OPTEES' ALLOWANCES

- 7.01 Each education representative on scrutiny bodies is entitled to an allowance of £616.50. No allowances are payable to others who are not elected Councillors.

8. BABYSITTING AND DEPENDANTS ALLOWANCE

- 8.01 Councillors and non-elected members can claim this allowance based on the following:

- (a) That reimbursement be made at a maximum rate of £8.60 per hour. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.
- (b) Children over the age of 16 must not be claimed for, unless suffering from an illness or disability making constant care essential.

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

- 9.01 Councillors can claim this allowance for attending approved meetings, training and conferences etc. only to the extent that it involves travel outside the M25. Claims must be based on the following :

- (a) The mileage rate for travel by private car is 34.6 pence per mile. An extra 3 pence per mile is payable for each passenger for whom a travelling allowance would otherwise be payable. The cost of tolls, ferries and parking charges can be claimed.

- (b) The mileage rate for travel by solo motor cycle is :

Not exceeding	150 cc	8.5 pence per mile
Over	150 cc but not over 500 cc	12.3 pence per mile
Over	500 cc	16.5 pence per mile

- (c) On public transport only the ordinary or cheaper fare can be claimed where more than one class is available.

- (d) The cost of a taxi, including a reasonable tip, can be claimed only in case of urgency or where public transport is not practicable or reasonably available.

- (e) The maximum rates for subsistence allowance on approved duties are as follows:

For an absence of more than 4 hours before 11.00 £4.92

For an absence of more than 4 hours including lunchtime
between 12.00 and 14.00 £6.77

For an absence of more than 4 hours including the
period 15.00 to 18.00 £2.67

PART 6 – MEMBERS’ ALLOWANCES SCHEME

For an absence of more than 4 hours ending after 19.00 £8.38

10. CLAIMS AND PAYMENTS

- 10.01 Where a Councillor is also a Councillor of another authority, that Councillor may not receive allowances from more than one authority in respect of the same duties.
- 10.02 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.
- 10.03 The Co-optees’ Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.05 below.
- 10.04 All claims for Travelling and Subsistence Allowance and Babysitting and Dependants Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.05 below.
- 10.05 If any Allowance under paragraphs 10.03 or 10.04 is not claimed within the prescribed time limit, the Democratic Services Manager shall have a discretion to make the payment nonetheless.
- 10.06 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Democratic Services Manager.

APPENDIX 2

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The Remuneration of Councillors in London 2014

Report of the Independent Panel



Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006 and 2010. It has been re-constituted and now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We also invited comments from the Leaders' Committee of London Councils. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we included in our 2010 report. In that report, we quoted the Government-appointed Councillors' Commission. The Commission took the view (which we continue to share) that: 'Allowances should be set at a level that enables people to undertake the role of councillor while not acting as an incentive to do so. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive.'

It is clearly desirable that service as a councillor is not confined to those with independent means. We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it. Each London Borough is responsible for services crucial to its residents. Each is responsible for a revenue budget of between £1.3bn and £3.3bn.

The responsibilities placed on local authorities continue to increase. The Localism Act 2011 devolved services to the boroughs, though, it was complained, without the resources to discharge them. From April 2013 London boroughs assumed the major new responsibility for health and wellbeing. Financial austerity brings substantial and further challenges to councillors: local authorities are required to make substantial cuts in their spending. Changes to the welfare system (particularly acute in London) give residual discretionary powers to local authorities. Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is exponential growth in the number of old people and a corresponding increase in demand for social care. The strain on and competition for resources increase the demands made on elected members.

Pensions

In the Panel's first report we recommended that councillors should be eligible for pensions. Councillors are often retired and currently have an average age of 60. It is increasingly desirable to attract a younger cohort of people to serve on councils. Access to a pension scheme is one way of achieving this. Councillors – especially those with lead responsibilities – must surrender earning potential elsewhere, earning potential which would normally be pensionable. It seems perfectly reasonable that allowances attracted by service as a councillor should be pensionable.

The Government agreed with this view and the Regulations introduced the potential for councillors' allowances to be pensionable upon the recommendation of the relevant Independent Panel. Accordingly the Panel recommended that all London borough councillors under the age of 75 be eligible to join the local government pension scheme. Twenty two of the 32 London boroughs have accepted that recommendation.

In March 2014 the Government laid before Parliament Regulations which would end the right of councillors to enter the local government pension scheme. These Regulations would extend not only to councillors but also to elected mayors (including the Mayor of London) and members of the Greater London Assembly, though Police and Crime Commissioners would retain their right of access to the pension scheme.

Councillor Sir Merrick Cockell, Chairman of the Local Government Association and Chair of London Councils from 2006 until 2010, responded: 'The government's decision isn't about saving money, it is fundamentally about undermining the role of a councillor and undermining the role of local democracy'. He added: 'Fair remuneration is important so that people from all walks of life can afford to stand for office. Otherwise we risk local government becoming the exclusive preserve of a privileged few who have the luxury of time and money to spare.' His remarks were endorsed by Cllr Gary Porter, Leader of the Local Government Association's Conservative Group, who pointed out that 'councillors are spending more time supporting their constituents and working with external organisations such as GPs, schools, police, local businesses and voluntary organisations. Secondly, recruitment and retention is becoming increasingly difficult... the commitment involved can be a deterrent when set against a possible loss of earnings and a potentially negative effect on their careers.'

We believe that access to a pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly important for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. We would very much like the Government to reconsider this decision.

The current financial and political climate

Our 2010 report made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel had led to substantial convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs. However, most London boroughs have not adopted our recommendations in their entirety.

Our recommended allowances are tied to the annual local government pay settlement. Because of the current financial climate, the local government pay settlement has been frozen in three of the last four years. In 2013/14 there was a 1% pay award. Acutely sensitive to the current financial austerity, only two boroughs increased members' allowances by that percentage. Indeed nine boroughs have reduced members' allowances since the date of our last report.

We are acutely aware that now is not the time to increase allowances made to councillors, though we continue to recommend that members' allowances be pegged to the annual local government pay settlement. Such pegging will ensure that councillors can receive annual increases which are in line with those received by staff. We fully accept that, in the current financial climate, it would be entirely inappropriate to increase members' allowances (beyond the annual updating). Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the different political management arrangements of different London boroughs. Our view is confirmed by the general response from the London boroughs.

Consultation with the boroughs

Level of allowances

In our consultation with the London boroughs we asked a number of questions. We enquired whether it was believed that the salary of an MP remains a sound comparator to fix the remuneration of a borough leader. [Our recommendations for other special responsibility allowances are related to that recommended for Leaders.] Members of Parliament currently receive a salary of £66,396, now rather more than our updated recommendation for the allowance for Leaders.

Though there was dissent from one Borough, another asserted that the Leader's allowance should reflect the total remuneration package paid to Members of Parliament. A different borough pointed out that whereas a Member of Parliament represented an electorate of 70,000 people, a leader was responsible for the delivery of a wide range of services to a population of 300,000 – an electorate of 220,000 across an area three times as large as a parliamentary constituency. Indeed, 'it is arguable that the responsibilities of some cabinet portfolio holders are greater than the local responsibilities of an MP' but 'on balance the salary of an MP is about as sound a comparator as is likely to be found'.

In considering the responses, we also took into account the remuneration payable to chairs and members of other public bodies. We continue to believe that the allowances we have recommended are suitable. In particular, we think it appropriate that Leaders should receive an allowance approximating to the salary of a Member of Parliament.

External paid appointments

There has been some controversy over councillors accepting paid appointments in other public bodies, given their cumulative remuneration. We asked the boroughs whether allowances should be adjusted to take into account external payments from other public bodies. One authority thought it reasonable to 'consider the balance of benefit to the local area before determining whether 'home' remuneration should be reduced accordingly'. Other boroughs disagreed.

We believe that if members take on extra work and responsibilities through undertaking external appointments, then they should be entitled to retain the remuneration attracted by those responsibilities. Of course the borough might reflect on the extent to which the external duties are compatible with the time required to discharge duties within the borough and adjust responsibilities accordingly.

Chair of the Health and Wellbeing Board

These new bodies govern commissioning decisions across health, public health and social care. They must develop with commissioning groups a shared understanding of the health and wellbeing needs of the community. They must undertake a Joint Strategic Needs Assessment and develop a joint strategy for how these needs can be best addressed. This will include recommendations for joint commissioning and integrating services across health and social care. The Boards must drive local commissioning of health care, social care and public health and create a more effective and responsive local health and care system. They must also address other services that impact on health and wellbeing such as housing and education.

It was recommended to us that the Chair of the Health and Wellbeing Board should receive a special responsibility allowance in Band Three, that designed for Cabinet members. We entirely agree: this is a statutory post conferring personal statutory responsibility. The role is of major importance to local government and should be remunerated accordingly where they are councillors. In practice we imagine that Chairs of Health and Wellbeing Boards will be members of the Cabinet and have been remunerated within Band Three since their creation.

Lead Member for Children's and Adult Services

It was suggested to us that the Lead Member for Children's Services should receive a special responsibility allowance higher than other Cabinet Members: 'The enhanced duty of safeguarding for the role of lead member for Children's Services and the time required to fulfil it makes the post a special case for an enhanced banding between the current bands three and four.'

We well understand the heavy responsibility on the lead member for Children's services and the consequences of any failure in the system. We are entirely sympathetic to the view that the responsibility might warrant a higher special responsibility allowance than other Cabinet members. In our 2010 report we specifically contemplated the different weight of responsibilities of different portfolios and suggested that they might justify different allowances. Our recommended Band Three for Cabinet Members has a range of over £6,000 and we believe that this is sufficient to enable boroughs to differentiate between the different weights of portfolios should they so decide.

It has also been suggested to us that the lead member responsible for adult safeguarding has a degree of responsibility equal to that of the lead member for children's services. We are not convinced of the comparison.

Given the different allocation of responsibilities in different boroughs, we do not make specific recommendations on differentiating special responsibility allowances for Cabinet members within Band Three.

Dependants' Carers' Allowance

The Regulations authorise the payment to councillors of an allowance ('the Dependants' Carers 'Allowance') in respect of the expenses of arranging for the care of children or dependants when the councillor attends meetings or is engaged in other official duties. We received representations that the Allowance should be not less than the living wage.

We strongly believe that the boroughs should make a dependants' carers' allowance available to their members. Access to a dependants' carers' allowances can make it possible for a wider range of people to serve on their councils. Specifically by payment of dependants' carers' allowance, boroughs can attract some who would not normally expect to become councillors. 26 of the 32 boroughs provide in their allowances scheme for payment of dependants' carers' allowances. In those boroughs which do make a payment, allowances vary from £5.27 to £9.26 per hour (in one case £15 per hour for specialised care).

We recognise the need for payments to pay regard to local circumstances and the nature of specialist care. We believe that ordinary care should be remunerated at not less than the London living wage of £8.60 per hour; and (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.

Sickness, maternity and paternity leave

This issue has again been raised with us. We adhere to our recommendations in the 2006 report, repeated in 2010, namely that councils should make arrangements in their members' allowances schemes to allow the continuance of special responsibility allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Members of social care and health scrutiny panels and corporate parenting panel

One borough suggested that service on the Social Care and Health Scrutiny Panels and the Corporate Parenting Panel should be placed within Band One because of the risk profile of those roles.

We continue to recommend that the responsibility allowance payable under Band One should include membership of committees, sub-committees and adoption panels where membership requires attendance with exceptional frequency or for exceptionally long periods. If a Council believes that such memberships are substantially more onerous than service on other committees, then we agree that they would be appropriately remunerated on Band One.

Travel and subsistence allowances

We have been asked to give advice on travel and subsistence allowances. We continue to believe that the Basic Allowance should cover all reasonable out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses, though councils may consider that there are circumstances where it may be appropriate for a scheme to provide payment for the cost of transport, e.g. journeys home after late meetings, and for people with disabilities. We also continue to believe that, where travel and subsistence allowances are payable, they should be in accordance with the current scheme for travel and subsistence applicable to the Borough's staff; and that travel allowances should extend to travel by bicycle.

Update for inflation

We continue to recommend that the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London
1 June 2014

Appendix A

Basic allowance £10,703

Special responsibilities – beyond the basic allowance

The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £10,703

Band one allowance: £2,392 to £8,941

Total: £13,095 to £19,644

BAND TWO

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

Remuneration

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £10,703

Band two allowances: £15,486 to £28,581

Total: £26,189 to £39,284

BAND THREE

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £10,703

Band three allowance: £35,128 to £41,675

Total: £45,831 to £52,378

BAND FOUR

Leader of cabinet, including a strong leader.

This is a full-time job, involving a high level of responsibility and now includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £64,824.

This is made up as follows:

Basic allowance: £10,703

Band four allowance: £54,769

Total: £65,472

BAND FIVE

Directly elected mayor

A directly elected mayor is a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

Remuneration:

We propose that a band five directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£81,839**.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (forexample, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Sir Rodney Brooke has a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service and is currently chairman of the Quality Assurance Agency for Higher Education.

Steve Bundred was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

Anne Watts CBE has an extensive career in equality and diversity that spans the private, voluntary and public sectors with organisations including the Open University, the Commission for Equality and Human Rights and Business in the Community. She chaired the NHS Appointments Commission.



Haringey Council

Report for:	Standards Committee 12 May 2015	Item Number:	
Title:	Removal of the Designated Independent Person requirement for the dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer		
Report Authorised by:	Bernie Ryan, Assistant Director of Corporate Governance <i>Bernie Ryan</i>		
Lead Officer:	Victoria Wyatt, Senior Corporate Lawyer		
Ward(s) affected:	Report for Key/Non Key Decisions:		
N/A	N/A		

1. Describe the issue under consideration
 - 1.1 The Government has recently issued regulations to amend Constitutional standing orders in relation to the disciplinary process for the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer. These new regulations remove the requirement that a Designated Independent Person be appointed to investigate and make a binding recommendation on disciplinary action against these senior staff.
 - 1.2 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 come into force on 11 May 2015. Regulation 2 requires the Council to incorporate these changes into its standing orders no later than the first ordinary meeting after this date. Standards Committee is asked to note these changes and refer these on to full Council for noting and decision.
- 2 Cabinet Member introduction
 - 2.1 Not applicable
- 3 Recommendations



Haringey Council

- 3.1 That the Standards Committee note that in accordance with Article 15.03(a) of the Constitution ('legislative change'), the Monitoring Officer will make the necessary changes to the Constitution at
 - (i) Part 3 Section B Responsibility for Functions: Sections 1 and 3 (The Full Council and The Staffing and Remuneration Committee), and
 - (ii) Part 4 Section K Officer Employment Procedure Rulesas set out at Appendix 1.

- 3.2 That the Standards Committee refers the proposed changes set out in 3.1 above to Full Council for noting at its meeting on 14 May 2015.

- 3.3 That the Standards Committee recommends to Full Council that it delegates to the Monitoring Officer authority to establish the Independent Panel subject to any statutory requirements and to agree its terms of reference in consultation with the Head of Human Resources and Organisation Development.

4. Alternative options considered
 - 4.1 None – this is a legal requirement and there are no alternative courses of action.

5. Background information
 - 5.1 The most senior officers of the Council, that is, the Head of Paid Service, the Monitoring Officer, and the Chief Finance Officer, have statutory responsibilities to discharge to the Council. Since they work with and report to the elected Members, they discharge these responsibilities in a political environment. As a result, statutory protection requiring the appointment of a Designated Independent Person (DIP) to investigate any allegation of misconduct against these senior officers was introduced in the Local Authorities (Standing Orders) (England) Regulations 2001. The DIP was appointed early in the procedure, when it appeared to a council that an allegation of misconduct by the relevant officer required to be investigated. No disciplinary action nor dismissal in respect of these most senior officers could be taken other than in accordance with a recommendation in a report made by a DIP, responsibility for which sat with the Full Council in the case of the Head of Paid Service, and with the Staffing and Remuneration Committee in respect of the Monitoring Officer and the Chief Finance Officer . The intention of this provision was to ensure that these officers could discharge their duties without any fear of being influenced by elected Members and being dismissed without good reason.

 - 5.2 The Department for Communities and Local Government (DCLG) has expressed concerns that the DIP process in its application to councils is, in practice, complex and expensive. The DCLG is of the view that it has placed councils as the employer at a great disadvantage in comparison to the position of the employee, given that the recommendation of the DIP must be followed. The DCLG feels that the DIP process can



Haringey Council

also be time consuming, in cases where the council and the senior officer concerned could not agree on a DIP.

- 5.3 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 have been introduced, removing the requirement that a DIP should be appointed. In place of the DIP process, any decision to dismiss the Head of Paid Service, Monitoring Officer or Chief Finance Officer will now be taken by full Council, who must consider any advice, views or recommendations from an Independent Panel, the conclusions of any investigation into the proposed dismissal, and any representations from the officer concerned.
- 5.4 In the case of a proposed disciplinary action against one of these senior officers, the local authority is now required to invite independent persons who have been appointed for the purposes of the Members' conduct regime under section 28(7) of the Localism Act 2011, to form an Independent Panel. An Independent Panel will be formed if two or more independent persons accept the invitations, and the Council will be required to issue invitations in accordance with the following priority order:
- (i) an independent person who has been appointed by the Council and who is a local government elector,
 - (ii) any other independent person who has been appointed by the Council, and
 - (iii) an independent person who has been appointed by another council or councils.
- 5.5 The Regulations also make a provision limiting the remuneration that should be paid to independent persons on the Independent Panel to the level of the remuneration which they would normally receive as an independent person under the Members' conduct regime.
- 5.6 Regulation 2 requires the Council to incorporate these changes into its standing orders no later than the first ordinary meeting after the date on which the Regulations come into force, 11 May 2015. The Council's Constitution at Article 15.03 (a) authorises the Monitoring Office to make any changes to the Constitution that are required as a matter of law. In accordance with Article 15.03 (a), it is the responsibility of the Monitoring Officer to make these changes, which are set out for information at Appendix 1. Standards Committee is asked to note these changes and refer the same on to Full Council for noting and decision.
- 5.7 If the Terms and Conditions of the Head of Paid Service, Chief Finance Officer or Monitoring Officer contain contractual terms that are affected by the Regulations those Terms and Conditions will need to be changed.
6. Comments of the Chief Finance Officer and financial implications
- 6.1 The Chief Finance Officer confirms that no specific budget existed to fund any remuneration to a DIP and it would have been treated as a one-off expenditure and managed as part of the council's budget monitoring process.



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- 6.2 The required changes outlined in this report still suggest that the Council would incur some expense if an Independent Panel needed to be convened however the level of remuneration should not be excessive (see paragraph 5.5) and again would be managed as a one-off expenditure.

- 7 Comments of the Assistant Director of Corporate Governance and legal implications
 - 7.1 These are considered within the body of the report.

- 8 Equalities and Community Cohesion Comments
 - 8.1 The constitutional changes outlined in this report carry no implications for any aspect of the Council's Equality duties under the Equality Act 2010.

- 9 Head of Procurement Comments
 - 9.1 N/A

- 10 Policy Implication
 - 10.1 N/A

- 11 Reasons for Decision
 - 11.1 These changes to the Constitution are a legal requirement consequent on the introduction of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

- 12 Use of Appendices
 - 12.1 Appendix 1 – Changes to the Constitution:
 - Part 3 Section B Responsibility for Functions: Sections 1 and 3 (The Full Council and The Staffing and Remuneration Committee), and
 - Part 4 Section K Officer Employment Procedure Rules

- 13 Local Government (Access to Information) Act 1985
 - 13.1 N/A

APPENDIX 1

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Part Three, Section B

Responsibility for functions: Full Council & Non-Executive Bodies

SECTION 1 - THE COUNCIL

THE COUNCIL

1. Only the Council will exercise the following functions:
 - (a) Adopting and changing the Constitution;
 - (b) Approving or adopting the policy framework as set out in Article 4, above;
 - (c) Approving the budget and levying Council Tax (NB. the setting of rents and service charges for Council properties to be determined by the Cabinet);
 - (d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;
 - (e) Making or revising a Council Tax Reduction Scheme;
 - (f) Approval of the Community Infrastructure Levy Charging Schedule;
 - (g) Approval of the Statement of Community Involvement;
 - (h) Approval of Development Plan Documents (DPDs) prior to submission to the Secretary of State;
 - (i) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in Article 4;
 - (j) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
 - (k) Appointing the Leader;
-

PART THREE – RESPONSIBILITY FOR FUNCTIONS
Section B – Full Council & Non-Executive Bodies

- (l) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and delegating functions to them from time to time as may be appropriate;
- (m) Agreeing recommendations arising from Scrutiny Reviews of non-executive functions;
- (n) Deciding on recommendations arising from Scrutiny Reviews not accepted by the Cabinet and referred by the Chair of Overview and Scrutiny Committee;
- (o) Agreeing and/or amending the Scheme of Delegations to Officers with respect to non-executive functions;
- (p) Appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;
- (q) Adopting and amending the Members' Allowances Scheme;
- (r) Changing the name of the area, conferring the title of honorary alderman or freedom of the Borough and establishing any new Civic Link;
- (s) Confirming the appointment or dismissal of the Head of Paid Service, and the dismissal of the Chief Finance Officer and Monitoring Officer;
- (t) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;
- (u) All local choice functions set out in Part 3 to this Constitution which the Council decides should be undertaken by itself rather than the Executive, or any of its Committees, Sub-Committees or an officer;
- (v) Entering into, or confirming existing, joint arrangements with other local authorities unless this only concerns "executive" functions when the decision is for the Executive;
- (w) Adopting the Members' Code of Conduct;
- (x) Approving Pilot Schemes for Local Elections;
- (y) To discharge all licensing functions and such other matters which must be reserved to the Council as specified in the Licensing Act 2003 (the "Act"), or any Regulations published in relation to the Act or any other legislation or any statute or regulations amending, consolidating or

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replacing them including approving, reviewing and revising any Statement of Licensing Policy in relation to the Licensing Act 2003;

- (z) To discharge all functions which must be reserved to full Council as specified in the Gambling Act 2005, or any other ancillary regulations or legislative provisions amending, consolidating or replacing the same, including:
 - (i) approving and revising any Statement of Licensing Policy;
 - (ii) resolving not to issue any casino premises licences in the next three years;
 - (za) Adopting Standing Orders for the Council and Standing Orders as to Contracts;
 - (zb) All matters that must be reserved to Council under the Financial Regulations including the adoption and amendment of the Treasury Management Strategy Statement and the consideration of annual, mid-year monitoring reports and an out-turn report after the close of the year on treasury management policies and practices; and
 - (zc) All other matters that, by law, must be reserved to Council.
2. The full Council is responsible for approving certain plans and strategies in accordance with the Policy Framework. These are plans and strategies that the full Council must approve either (i) in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) or (ii) those that the Council itself has determined shall be reserved to the full Council for approval.

A complete list of all the plans and strategies comprising the Council's Policy Framework is set out below.

- (a) Overarching Strategies:
 - (i) Sustainable Community Strategy
 - (ii) Core Strategy, Local Development Framework
 - (iii) Such other strategies that the full Council is required to adopt as a matter of law.
- (b) Key Documents:
 - (i) Housing Strategy;
 - (ii) Local Implementation Plan
 - (iii) Statement of Gambling Policy
 - (iv) Youth Justice Plan
 - (v) Such other service plans that the full Council is required to adopt as a matter of law.

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- (c) a small number of plans required from partnerships of which the authority is a member:
 - (i) Community Safety Strategy;
- (d) Such other plans and strategies that Haringey Council decides should be reserved for the full Council for approval and adopted by it.

SECTION 2 – COMMITTEES

The following shall be committees of the Council and they shall have the membership as described in the Appointments of Committees, Sub-Committees, Panels, etc (as approved by the Annual Meeting):

- 1. The Corporate Committee**
- 2. Pensions Committee**
- 3. Staffing and Remuneration Committee**
- 4. Overview and Scrutiny Committee**
- 5. Standards Committee**
- 6. Alexandra Palace and Park Board**
- 7. The Regulatory Committee**
- 8. The Health and Wellbeing Board**

The Terms of Reference of each Committee shall be as set out on the following pages:

1. The Corporate Committee

The Corporate Committee has: -

- (a) all the functions listed below in (b) and stated not to be the responsibility of the Council's Executive/Cabinet in Reg. 2 and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S.I. 2853 (as amended or further amended in any statute or subordinate legislation). References to paragraphs below are to those in the appropriate Schedule of the Regulations.
- (b) the following Schedule 1 functions:
 - (i) Paragraph C - Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as

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employer.

- (ii) Paragraph D – Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved to full Council.
- (iii) Paragraph I – Miscellaneous; all functions except those retained by full Council in Article 4 or reserved to the Staffing and Remuneration Committee. The Committee’s functions include:
 - (A) all functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions which are delegated to the Planning Sub-Committee;
 - (B) making arrangements for proper administration of financial affairs under section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance Officer is to be in accordance with the Officer Employment Procedure Rules in Part 4;
 - (C) formulating the Treasury Management Strategy Statement and amendments to it for recommendation to full Council through Overview and Scrutiny Committee and in consultation with the Cabinet Member for Finance. Receiving quarterly monitoring reports and an out-turn report after the close of the year on treasury management policies and practices;
 - (D) approving statements under The Accounts and Audit (England) Regulations 2011 and any amendment or re-enactment of the Regulations and considering the external auditor’s report on issues arising from the audit of the accounts or any other concerns relating to accounting policies;
 - (E) authorising the making of payments or the provision of other benefits in cases of maladministration;
 - (F) making orders designating public places in order to confer power on the police to prevent nuisance by the consumption of alcohol.
- (c) the following “Local Choice” functions set out in Schedule 2 of the above Regulations: -
 - (i) any function under a local Act other than a function specified or referred to in Reg. 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;
 - (ii) the determination of an appeal against any decision made by or

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on behalf of the authority;

- (iii) passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council’s area (consent to the operation of loudspeakers).
- (d) the Committee has the following Audit functions:
- (i) providing assurance about the adequacy of the Council’s Risk Management Framework and Policy and monitoring the effectiveness of systems for the management of risk across the Council and compliance with them;
 - (ii) Maintaining an overview of the Council’s Local Code of Corporate Governance;
 - (iii) Monitoring the effectiveness of Council policies on “Whistleblowing” and Anti-Fraud and Corruption;
 - iv) Considering and recommending for adoption the Council’s Annual Governance Statement;
 - (v) Approving the Annual Internal Audit Plan and the Strategic Audit Plan and arrangements for the provision of internal audit services to the Council and considering reports on internal audit activity;
 - (vi) Receiving the Annual Audit Plan and the Annual Audit Letter from the external auditor and making recommendations on the latter. Considering arrangements for the appointment of the external auditor;
 - (vii) Commissioning work from the internal and external auditors and receiving reports from the Head of Audit & Risk Management on any matter; and
 - (viii) Questioning officers and Cabinet Members on matters relevant to audit and to financial and non-financial performance and making recommendations on these matters to Cabinet and full Council.
 - (ix) The Head of Audit’s Annual Report
- (e) the power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish Sub-Committees to consider and report on any such functions but this does not include recommendations to amend the Council’s Constitution nor does it prevent the Council from making decisions on any matter when

PART THREE – RESPONSIBILITY FOR FUNCTIONS
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necessary without a prior recommendation from the Committee.

- (f) there is a Protocol outside this Constitution setting out how the Corporate Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

2. Pensions Committee

The Pensions Committee has the following functions and responsibilities: -

- (a) all the functions which are stated not to be the responsibility of The Executive in Regulation 2 and Schedule 1 paragraph H of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations relating to those matters concerning the Local Government Pension Scheme. The Committee's functions are those of the "Administering Authority" under the Pensions legislation, being responsible for the management and monitoring of the Council's Pension Fund and the approval of all relevant policies and statements.
- (b) This includes:
 - (i) Selection, appointment and performance monitoring of investment managers, AVC scheme providers, custodians and other specialist external advisers;
 - (ii) Formulation of investment, socially responsible investment and governance policies and maintaining a statement of investment principles and funding strategy statement;
 - (iii) Determining the allocation of investments between each asset class;
 - (iv) Reviewing specialist external advisers performance;
 - (v) Publicising statements and policy documents as required by legislation, government directives and best practice.
- (c) Monitoring and as appropriate to decide upon Pensions Administration issues.
- (d) Monitoring the Pension Fund Budget including Fund expenditure and actuarial valuations; and to receive the Pension Fund Budget annually.
- (e) Agreeing the admission of bodies into the Council's Pension scheme.

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- (f) Receiving actuarial valuations.
- (g) Ensuring that members of the Committee receive appropriate training to undertake their responsibilities.
- (h) Approving the Annual Accounts of the Local Government Pension Scheme and consider recommendations from the Auditor.

3. Staffing & Remuneration Committee

The Staffing & Remuneration Committee has the following functions and responsibilities: -

- (a) To exercise the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 paragraphs H and I of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations as follows:
 - (i) Paragraph H – Pensions; Determining the Council’s policy statement of discretions as “Employing Authority” under the Local Government Pension Scheme Regulations 2013 and the Teachers Pension Regulations 2010
 - (ii) Paragraph I – Miscellaneous; Determining the terms and conditions of service for all staff, including procedures for dismissal. The Committee agrees the terms and conditions of employment, and the pay structure for all posts with the exception of school based employees
- (b) To make recommendations to Council on the appointment and dismissal of the Head of the Paid Service; and the dismissal of the Chief Finance Officer and Monitoring Officer, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001
- (c) To consider matters relating to the conduct and capability of the Head of the Paid Service, in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001
- (d) To determine whether or not the Head of the Paid Service, Chief Finance Officer and Monitoring Officer should be suspended pending investigation into allegations of misconduct or incapability, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001
- (e) To exercise functions in respect of the appointment and dismissal (including the terms of release) of Chief and Deputy Chief Officers in

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accordance with the Local Authorities (Standing Orders) (England) Regulations 2001

- (f) To approve the remuneration levels (other than those associated with National Pay Awards) for the Head of Paid Service and Chief and Deputy Chief Officers
- (g) To approve procedures for appointment and dismissal of staff
- (h) To consider and approve any remuneration or severance payments to Chief and Deputy Chief Officers of £100,000 or more, in accordance with guidance issued under section 40 of the Localism Act 2011 and with the Local Authorities (Standing Orders) (England) Regulations 2001
- (i) To consider policies, procedures and schemes relating to employment matters including pay and grading structure and changes to employee terms and conditions of employment.
- (j) To approve all human resources policies including pay and grading structures, and changes to employees terms and conditions of employment and to approve policies on how the Council exercises its functions under the Local Government Pension Scheme and the Teachers' Pension Scheme.

Membership

The Committee will be made up of 5 members of the authority. In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 the Committee must include at least one member of the Cabinet. When carrying out the function of appointment or dismissal of Chief and Deputy Chief Officers, the relevant Cabinet Member is invited and entitled to sit and vote as a substitute Member for one of the substantive Members of their Group on the Committee. The quorum of the Committee shall be a minimum of three members.

4. Overview and Scrutiny Committee

The Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;
- (b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
- (c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;

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- (d) make reports or recommendations on matters affecting the area or its inhabitants;
- (e) exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Cabinet;
- (f) receive the reports and recommendations of its Scrutiny Review Panels;
- (g) in accordance with statutory regulations to review and scrutinise matters relating to the health service and all NHS funded services within the Authority's area and to make reports and recommendations thereon to local NHS and NHS funded bodies;
- (h) enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013;
- (i) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;
- (j) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities;
- (k) make arrangements which enable any Councillor who is not a Committee Member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and
- (l) make arrangements which enable any Councillor who is not a Committee Member to refer to the Committee any local government matter which is relevant to the functions of the Committee under the Councillor Call for Action procedure.
- (m) there is a Protocol outside this Constitution setting out how the Overview and Scrutiny Committee is to operate. The Protocol shall be applied in a manner consistent with the Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

5. Standards Committee

The Standards Committee will have the following roles and functions:

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- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and representatives of religious organisations and parent governor representatives;
- (b) Assisting the Leader, Councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) Monitoring the operation of the Members' Code of Conduct;
- (e) Advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;
- (f) Granting dispensations to the Elected Mayor, Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;
- (h) Assessing, hearing and determining allegations of failure to comply with the Members' Code of Conduct by Councillors and co-opted Members.
- (i) Responding to national reviews and consultations on standards related issues;
- (j) Granting exemptions for politically restricted posts and giving directions to include a post on the list of restricted posts;
- (k) Advising the Council on the appointment of independent persons and taking steps to select them;
- (l) Considering amendments to the Constitution and recommending proposals to full Council for approval.

6. Alexandra Palace and Park Board

To fulfil the functions, powers and duties of the Council as Trustee of Alexandra Palace and Park under the Alexandra Park and Palace Acts and Order 1900 to 1985 and, without prejudice to the generality of this, these functions include:

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- (a) The duty to uphold, maintain and repair the Palace and to maintain the Park and Palace as a place of public resort and recreation and for other public purposes.
- (b) Acting as the employing body for employees engaged in the working of the Trust at Alexandra Palace, and to be responsible for the setting of staffing policies, conditions of service and terms of employment of those employees.
- (c) In relation to the Trust, being responsible for developing and monitoring the implementation of effective policies and practices to achieve equality of opportunity both for employment and service delivery.

7. The Regulatory Committee

The Regulatory Committee has functions either (1) as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as a non-statutory Committee exercising other non-executive functions relating to Licensing, Town Planning and other regulatory matters generally. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Committee is operating in its capacity as “statutory Licensing Committee” or as a “non-statutory Committee”.

Membership

The Regulatory Committee must have between 10 and 15 Members in order to comply with the legislation as statutory Licensing Committee.

Protocol

There is a Protocol outside this Constitution setting out how the Regulatory Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and the relevant Licensing Procedure Rules when the Committee is conducting a formal hearing. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

- (1) In its capacity as the statutory Licensing Committee the Committee has all the functions referred to it by law under the Licensing Act 2003 and the Gambling Act 2005. These include:
 - (a) To be responsible for monitoring the operation of the Acts licensable activities and gambling in the Borough;
 - (b) To establish the Licensing Sub-Committees and to agree the delegation of functions to the Sub-Committees and to officers;

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- (c) To receive reports on the matters in (a) above and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case;
 - (d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;
 - (e) Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;
 - (f) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those Members of the Committee who are re-elected as Councillors shall meet as the Committee (subject to there being a quorum of 3 Members) in order to exercise any of the functions of the Licensing Sub-Committees, or of the Committee under (f) above, and shall elect a Chair for the meeting.
- (2) In its capacity as the non-statutory Committee exercising other non-executive functions the Committee has the following functions:
- (a) Exercising the functions which are stated not to be the responsibility of The Executive/Cabinet In Regulation 2 and Schedule 1, Paragraph B (Licensing and Registration) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are to determine all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but exclude decisions in individual cases which are delegated to the Licensing Sub-Committees. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments;
 - (b) Formulating, reviewing and approving for consultation the Statement of Licensing Policy under the Licensing Act 2003 and recommending it, and any revisions to it, to full Council for adoption;
 - (c) Being consulted informally on the review and determination of the Statement of Gambling Policy, including procedures for Council consultation with external stakeholders, and making recommendations on these matters to the Cabinet;
 - (d) Making informal recommendations to the Cabinet and full

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Council on local development documents, development plan documents, the local development framework, the statement of community involvement and any other planning policy matter;

- (e) Reviewing all Council plans and policies on any licensing, planning or regulatory matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;
- (f) Making informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to licensing, planning, conservation or regulatory issues.

8. The Health and Wellbeing Board

8.1 Health and Wellbeing Board functions

The Health and Wellbeing Board will have the following functions:

- (a) To carry out the Board's statutory duties as set out in the Health and Social Care Act 2012, in particular:
 - (i) for the purpose of advancing the health and wellbeing of the people in its area, to encourage persons who arrange for the provision of any health or social care services in its area to work in an integrated manner;
 - (ii) to provide advice, assistance or other support as it thinks appropriate for the purpose of encouraging arrangements under section 75 of the NHS Act. These are arrangements under which, for example, NHS Bodies and local authorities agree to exercise specified functions of each other or pool funds;
 - (iii) to encourage persons who arrange for the provision of any health-related services in its area to work to closely with the Health and Wellbeing Board;
 - (iv) to encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together;
 - (v) to discharge the functions of CCGs and local authorities in preparing joint strategic needs assessments (JSNA) and joint Health Wellbeing Strategy (HWB strategy);

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- (vi) to inform the local authority of its views on whether the authority is discharging its duty to have regard to the JSNA and joint HWS in discharging its functions;
- (vii) to discharge any other function as the Council may from time to time choose to delegate to the Board.

8.2 Health and Wellbeing Board operating principles

The Health and Wellbeing Board will have the following operating principles:

- (a) To provide collective leadership and enable shared decision-making, ownership and accountability;
- (b) To achieve democratic legitimacy and accountability, and empower local people to take part in decision-making in an open and transparent way;
- (c) To ensure the delivery of the Health and Wellbeing Strategy;
- (d) To reduce health inequalities;
- (e) To promote prevention and early help.

8.3 Health and Wellbeing Board roles and responsibilities

The Health and Wellbeing Board will have the following roles and responsibilities:

- (a) The Board will set a strategic framework for the authority's statutory duties and have a key role in promoting and coordinating joint commissioning and integrated provision between the NHS, social care and related children's and public health services in Haringey;
- (b) The Board has a duty to develop, update and publish the JSNA and related needs assessments, and the HWB Strategy;
- (c) The Board has a duty to develop, update and publish the local pharmaceutical needs assessment as set out in section 128A of the NHS Act 2006;
- (d) The Board will advise on effective evidence based strategic commissioning and decommissioning intentions for children and adults based on the JSNA's robust analysis of their needs. It will ensure that commissioning plans are in place to address local need and priorities, in line with the HWB Strategy, and will deliver an integrated approach to the planning and delivery of services;
- (e) The Board expects, and seeks assurance from, partners that the views

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of children, adults and their carers about the services they receive are taken into account in the commissioning, decommissioning and delivery of those services;

- (f) The Board expects, and seeks assurance from, partners that the views of patients and the public have a voice through Healthwatch in the commissioning, decommissioning and delivery of those services;
- (g) The Board will collaborate with and involve local stakeholders to secure better health outcomes, quality of services, a more focussed use of resources and value for money for the local population;
- (h) The Board will promote the strengthening of working relationships between professionals and organisations which support people in Haringey, ensuring effective sharing and use of information and best practice; including collaborating with the CCG in the development of its plan;
- (i) The Board will lead commissioning for particular services with pooled budgets and joint commissioning arrangements where commissioning plans are delegated to them;
- (j) The Board will oversee the delivery of the authority's strategic outcomes for local health and wellbeing targets, holding those responsible to account;
- (k) The Board will work with the local health scrutiny process and the local Healthwatch to improve outcomes for communities and people who use services.

8.4 Membership of the Board

Meetings of the Board will be chaired by a member of the local authority:

- Local authority councillor(s), who will be (or be nominated by) the Leader of the Council
 - (i) The Leader of the Council
 - (ii) The Cabinet Member for Children and Families
 - (iii) The Cabinet Member for Health & Well Being
- Chair, Clinical Commissioning Group (Vice Chair of HWB)
- Chair of Healthwatch
- Director of Adult and Housing Services
- Director of Children and Young People's Services
- Director of Public Health
- Chief Officer, Clinical Commissioning Group
- Lay Board Member, Clinical Commissioning Group
- GP Board Member, Clinical Commissioning Group

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- HAVCO representative
- Representative for the NHSCB (when required)
- Chair - Haringey Local Safeguarding Children Board

The local authority may appoint others to the Board as it deems appropriate, following consultation with the Board. The Board may itself also appoint such additional members to the Board as it deems appropriate.

The Board may invite additional officers to attend on an ex-officio basis, who will not be voting members of the Board, to advise and guide on specific issues when appropriate. Attendance by non- members is at the invitation of the Chair.

8.5 Public Meetings

- (a) A minimum of four formal public decision-making business meetings a year will be held. The Board will have the ability to call special meetings as and when required.
- (b) A meeting of the Board will be considered quorate when at least three voting members are in attendance, including one local authority elected representative and one of either the Chair, Clinical Commissioning Group or the Chair, Healthwatch (or their substitutes).
- (c) The Chair of the meeting will have a casting vote.
- (d) All voting members of the Board, (to include any substitutes), will be required to comply both with the Members' Code of Conduct and the provisions of the Localism Act 2011 relating to Standards. In particular, voting members will be required to complete a register of interests which must be kept up to date. Voting members must also declare any disclosable pecuniary interest or prejudicial interest in any matter being considered and must not take part in any discussion or decision with respect to these items.
- (e) Board members will agree protocols for the conduct of members and meetings.
- (f) The Board will determine its sub groups/committees.
- (g) Only the following members of the Board will have voting rights:
 - Local authority councillor(s), who will be (or be nominated by) the Leader of the Council
 - (i) The Leader of the Council
 - (ii) The Cabinet Member for Children and Families
 - (iii) The Cabinet Member for Health & Well Being
 - Chair, Clinical Commissioning Group (Vice Chair of HWB)

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- Chair, Healthwatch
 - Lay Member Haringey Clinical Commissioning Group
- (h) Any additional persons appointed to the Board either by the local authority or the Board will be appointed on a non-voting basis.
- (i) The Full Council may at any time make a direction to alter the voting right of Board members, following consultation with the Board.

8.6 Committee procedures

- (a) The Board will be accountable to Full Council in its capacity as a committee of the local authority. The Board will be subject to health scrutiny as set out in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- (b) The Access to Information Procedure Rules in Part 4 of this Constitution apply to the Board. The Committee Procedure Rules in Part 4 apply to the Board except where this would be inconsistent with either these Terms of Reference or the legislation governing this board.

8.7 Facilitating the work of the Health and Wellbeing Board

- (a) Workshop meetings will be held to cement links with partners including the Community Safety Partnership, the Children's Trust, and regeneration partners, to facilitate co-ordination and focus on priority issues relevant to all parties.
- (b) In addition to formal board meetings, the Board will hold informal, non-decision making seminars as and when required with attendees specifically invited by the Board. These seminars will be held in private in order to ensure the ongoing organisational development of the Board and to provide a forum in which complex and sensitive issues can be fully aired and discussed to manage potential blockages to effective delivery of the strategy.

8.8 Representatives and substitutes

- (a) Representatives will provide a link with their own organisation, reporting back and instigating partner action, being responsible for disseminating decisions and actions within their own organisation, ensuring compliance with any actions required and reporting back progress.
- (b) Partner bodies are responsible for ensuring that they are represented at an appropriate level (either equivalent to the core member they are representing and no more than one tier below).
- (c) If a representative is absent for three consecutive meetings the

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organisation/sector will be asked to re-appoint/confirm its commitment to the Board.

- (d) Substitutes for voting members will not be permitted with the exception the Chair of the CCG and the Chair of Healthwatch. In their absence, the Deputy Chair of the CCG and the Deputy Chair of Healthwatch may attend in their place. All substitutes must be declared in name at the beginning of each municipal year.

SECTION 3 - SUB-COMMITTEES AND PANELS

The following bodies shall be created as Sub-Committees of the relevant Committee of the Council under which they are listed. Bodies described as "Panels" are Sub-Committees unless otherwise stated. Sub-Committees shall report to their parent bodies and they shall have the membership as described in the Appointments of Non-Executive Committees, Sub-Committees, Panels, etc as approved by the Annual Meeting

1. Under the Staffing and Remuneration Committee

1.1 Haringey Council and Employees Joint Consultative Sub Committee

- (a) To negotiate on matters relating to the service between the Council and the officers or between officers with a view to the prevention of differences and to their better adjustment when they appear, and to make appropriate recommendations to the Staffing & Remuneration Committee
- (b) To secure the largest possible measure of joint action between the Council and the officers for the development and improvement of local government administration, and for the consideration of the conditions of all engaged therein
- (c) To make provision for members of the Cabinet to meet with Employee Side Representatives for the purpose of facilitating the resolution of differences between the officers and the Employee side that have been escalated through the Collective Disputes Procedure.

1.2 Dismissal Appeals Sub Committee

To hear and determine appeals against dismissal from employment in respect of all staff employed by the Council, save where the continued employment of the employee would contravene the law and subject to the limitation that the Sub-Committee will hear and determine appeals resulting from posts becoming redundant only where these affect Chief and Deputy Chief Officers. Members who sit on this Committee must not have had any prior involvement in any decision upon which the appeal is made.

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2. Under Overview and Scrutiny Committee

2.1 Scrutiny Review Panels

- (a) To carry out scrutiny processes relevant to particular services as determined by Overview and Scrutiny Committee and within the parameters, protocols and procedures agreed by Overview and Scrutiny Committee for all Scrutiny Review Panels.
- (b) Within these scrutiny processes to request and receive submissions, information and answers to questions from Cabinet Members, officers and other senior employees of the Council, service users, external experts and relevant members of the public.
- (c) To refer the findings/recommendations in the form of a written report, with the approval of the Overview and Scrutiny Committee, to The Cabinet and/or the Council as appropriate.

3. Under Standards Committee

3.1 Assessment Sub-Committee

To consider all allegations referred to the Sub-Committee by the Monitoring Officer that a member or co-opted member has failed to comply with the Member's Code of Conduct and to determine whether the allegation:

- (a) Merits no further action and is dismissed; or
- (b) Merits further investigation.

The quorum of the Assessment Sub-Committee is three.

3.2 Hearing Sub-Committees

- (a) To conduct hearings into allegations referred for investigation by the Assessment Sub-Committee that a member or co-opted member has failed to comply with the Members' Code of Conduct.
- (b) To determine whether or not the member or co-opted member did / did not fail to comply with the Members' Code of Conduct.
- (c) Where the Sub-Committee has determined that a member has failed to comply with the Members' Code of Conduct to take such action as it may lawfully take.
- (d) In consequence of the hearing and determination of any allegation to make recommendations to the Council with a view to promoting high

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standards of conduct amongst members.

The quorum of the Hearing Sub-Committee is three.

4. Under The Regulatory Committee

4.1 Licensing Sub-Committees

Introduction

The Licensing Sub-Committees have functions either (1) as Sub-Committees of the Regulatory Committee in its capacity as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as Sub-Committees of the Regulatory Committee in its capacity as a non-statutory Committee exercising non-executive licensing and regulatory functions. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Sub-Committee is operating in its capacity as “statutory Licensing Sub-Committee” or as a “non-statutory Sub-Committee”.

Membership

The membership of each Sub-Committee shall be drawn from the Regulatory Committee. In the event that an appointed Member or Members of a Sub-Committee is unable or unwilling to take part in a hearing for any reason a Special Licensing Sub-Committee may be appointed from among the remaining Members of The Regulatory Committee. When operating in its capacity as “statutory Licensing Sub-Committee” there must be a membership and quorum of 3 present at all times.

- (1) General Provisions Relating to the Statutory Licensing Sub-Committees
 - (a) Licensing Sub-Committees have the power to make final decisions on behalf of the Council on matters within their terms of reference and there is no right of appeal to the Regulatory Committee;

Functions under both the Licensing Act 2003 and the Gambling Act 2005

- (b) To determine applications for premises licences where relevant representations have been made;
- (c) To determine applications for provisional statements where relevant representations have been made;
- (d) To determine valid applications for review of premises licences where relevant representations have been made;
- (e) To decide on any other matter where it is necessary or desirable for

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Members to make that decision;

Functions under the Licensing Act 2003 alone

- (f) To determine applications for variations of premises licences where relevant representations have been made except in the case of minor variations;
- (g) To determine applications to vary designated premises supervisors following police objections;
- (h) To determine applications for transfer of premises licences following police objections;
- (i) To consider police objections made to interim authority notices;
- (j) To determine applications for club premises certificates where relevant representations have been made;
- (k) To determine applications to vary club premises certificates where relevant representations have been made except in the case of minor variations;
- (l) To determine valid applications for review of club premises certificates where relevant representations have been made;
- (m) To decide whether to give counter notices following police objections to temporary event notices;
- (n) To determine applications for grants of personal licences following police objections;
- (o) To determine applications for renewals of personal licences following police objections;
- (p) To decide on revocation of personal licences where convictions come to light after grant;
- (pa) To determine the review of a premises license following a closure order where relevant representations have been made

Functions under the Gambling Act 2005 alone

- (q) To determine applications for variations of premises licences where relevant representations have been made;
- (r) To determine applications for transfers of premises licences following representations by the Gambling Commission or others;

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- (s) To determine applications for the re-instatement of premises licences where relevant representations have been made;
- (t) To decide whether to give counter notices following objections to temporary use notices;
- (u) To determine applications for the grant or renewal of club gaming permits and club machine permits where valid objections have been received;
- (v) To determine proposals to cancel club gaming permits and club machine permits where the licence holder requests a hearing;
- (w) When the licence holder requests a hearing, to determine officer proposals: (i) to make an order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines, or (ii) to cancel or vary a licensed premises gaming machine permit;
- (x) To determine applications for the grant or variation of licensed premises gaming machine permits for 5 or more machines or in any case where the Chair of the Regulatory Committee considers that there is cause for concern about the proper management of the premises;
- (2) General Provisions Relating to the Non-Statutory Licensing Sub-Committees
 - a) The Sub-Committees have all the functions which are stated not to be the responsibility of the Council's Executive/Cabinet in Regulation 2 and paragraph B (Licensing and Registration) of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S. I. 2853, as amended, or further amended, in any statute or subordinate legislation. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments.
 - (b) The Sub-Committees make decisions in all individual licensing or registration cases where a hearing is required because of an objection to an application or to a proposed revocation or because of an officer recommendation for refusal.
 - (c) The Sub-Committees have the power to make final decisions on behalf of the Council in relation to its functions in (b).
 - (d) Excluded from the Sub-Committees' terms of reference are decisions on all policy issues, procedures and standard terms and conditions which are within the remit of The Regulatory Committee.

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4.2 Planning Sub-Committee

There is a Protocol outside this Constitution setting out how Members of the Planning Sub-Committee will exercise those functions, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Sub-Committee has all the functions which are set out below and which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations (references to paragraphs are to those in Schedule 1):

- (a) paragraph A - Town Planning Functions
- (A) planning applications for the erection of 10 or more dwellings and where the officer recommendation is for approval;
- (B) planning applications for changes of use 1000 sq. metres of gross internal floor space and where the officer recommendation is for approval;
- (C) planning applications for the erection, or extension of non-residential buildings where the new build is more than 1000 sq metres gross internal floor space and where the officer recommendation is for approval;
- (D) unless otherwise agreed with the chair of the Planning Sub-Committee, planning applications either:
 - (i) for major development as categorised by the Department for Communities in Local Government (DCLG) and where the officer recommendation is for approval; or
 - (ii) where a S106 is required; or
 - (iii) where the decision would be contrary to a policy in the development plan;
- (E) planning applications submitted by or on behalf of the Council except for applications for development within the curtilage of a dwelling house;
- (F) planning applications on Council owned land, where the Council is not the applicant, where significant material planning objections are received during the consultation process and which the Director, in consultation with the Chair of the Planning Sub-Committee, determines should be subject to Members' consideration;

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- (G) planning applications submitted by or on behalf of Members; or employees within the Planning Service or senior employees elsewhere in the Council; or their spouses, parents or children;
 - (H) any planning application to amend an application or vary conditions or a section 106 agreement previously decided/imposed by Planning Sub-Committee and which the Director, in consultation with the Chair of the Planning Sub-Committee, considers to constitute a major or significant change;
 - (I) any planning application where there have been objections from a single Ward Councillor and/or a local community body and/or a local residents' association, and a written request setting out the planning reasons for the matter to be referred to the Planning Sub-Committee has been made before the expiry of the consultation period, and which the Director in consultation with the Chair of the Planning Sub-Committee considers should be referred to the Planning Sub-Committee for determination;
- (b) paragraph I - Miscellaneous Functions;
 - (A) the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions, and
 - (B) the preservation of trees;
 - (c) The Sub-Committee may enter into highway works agreements under section 278 of the Highways Act 1980 in connection with the determination of a planning application.

SECTION 4 - UNDER ALEXANDRA PALACE AND PARK

Arising from the Council's role as trustee of Alexandra Palace and Park the following additional bodies shall be established. Membership of the additional bodies is as described in the Appointments of Non Executive Committees, Sub-Committees, as approved by the Annual Meeting. The Terms of Reference of the additional bodies shall be as follows:

1. Alexandra Palace and Park Panel

To consider and take decisions upon urgent matters arising between ordinary meetings of the Alexandra Palace and Park Board. The Panel is composed of four Members, selected with reference to political balance.

2. Alexandra Palace and Park Consultative Committee

Alexandra Palace and Park Consultative Committee 7 Members and up to 30

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community representatives.

- (a) To give representatives of appropriate local and national organisations the opportunity of full discussion with Members of the Alexandra Palace and Park Board on general matters affecting Alexandra Palace and Park.
- (b) To give Members of the Alexandra Palace and Park Board the opportunity of discussing and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.
- (c) To promote better understanding between Members of the Alexandra Palace and Park Board, the Palace Management and local organisations.
- (d) To enable appropriate local (and national) organisations to be fully consulted on decisions of direct concern to them.
- (e) To promote the best interests of the Alexandra Palace and Park as a conservation area.

3. Alexandra Palace and Park Consultative Forum

Alexandra Palace and Park Consultative Forum 4 Members plus 4 Trade Union representatives

- (a) To be a forum for consultation and negotiation between the Alexandra Palace and Park Board and its employees, on issues in relation to Conditions of Employment.
- (b) To consider issues referred directly by Management or by the Trade Unions in consultation with the Employer's Side Secretary.
- (c) To provide a means whereby the Alexandra Palace and Park Board can consult Union representatives on policies and strategies and provide an arena for discussion of matters of mutual interest.
- (d) To provide a means of effective communication, in order to prevent or eliminate friction and misunderstanding.

The Consultative Forum may not consider any matter concerning an individual employee, nor any issues that fall within the scope of other existing procedures, e.g. dismissal appeals, individual grievances and individual salary issues; such matters may only be raised as a matter of principle/policy.

Note:

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The Alexandra Palace and Park Board also receives advice from the Alexandra Park and Palace Statutory Advisory Committee, an external body established under the terms of the Alexandra Park and Palace Act 1985. Its functions, as laid down by the Act are as follows: -

The powers and duties of the Advisory Committee shall be to promote the objects of the charity and assist the Trustees in fulfilling the trusts by considering and advising the Trustees on the following matters:-

- (a) the general policy relating to the activities and events arranged or permitted in the Park and Palace;
- (b) the effects of such activities and events upon the local inhabitants and local environment;
- (c) the frequency of activities and events attracting more than 10,000 people at any one time and maximum number to be permitted on such occasions;
- (d) the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets;
- (e) any proposals which require planning permission;
- (f) the establishment and maintenance of the Park as a Metropolitan Park;
- (g) the furtherance of recreation and leisure in the Alexandra Park and Palace.

SECTION 5 - AREA COMMITTEES

There is a Protocol outside this Constitution setting out how Area Committees are to operate. This Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

The Borough has 7 Area Committees comprising all Ward Councillors from the Wards represented.

The Chair of each Area Committee shall be a Councillor from among the Ward Councillors serving each Area, excluding the Mayor or any Cabinet Member, and these appointments shall be ratified each year at the Annual Council meeting.

The Access to Information Procedure Rules in Part 4 of this Constitution apply to Area Committees. The Committee Procedure Rules in Part 4 apply to Area Committees except where this would be inconsistent with the Protocol mentioned above.

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Area Committees are intended to have formal decision-making and advisory roles. Area Committees shall have the following functions:

- (a) Developing and making an Area Committee Plan at the commencement of each municipal year setting out the priorities for the Area over the coming year;
- (b) Developing and encouraging partnerships with local residents' associations, voluntary and community bodies and other stakeholder groups in the Area to consider matters of mutual interest;
- (c) Proposing variations to standard service delivery and to specifications for procurement within the remit of the Directorate of Place and Sustainability in order to reflect local needs and aspirations subject to these variations being consistent with agreed budgets and legally possible;
- (d) To monitor and make proposals for improvements to the physical environment and street scene of neighbourhoods and to consider the impact at a neighbourhood level of strategic policies to develop services;
- (e) Being consulted, and making recommendations to the Cabinet, about potential items for inclusion in the Local Implementation Plan, indicating priorities as between schemes which meet the Borough-wide criteria and making recommendations on the detailed design of such schemes;
- (f) Being consulted, and making recommendations to the Borough Commander, about local police priorities for promoting Community Safety;
- (g) Making recommendations to the full Council on the introduction of by-laws to have effect in the Wards covered by the Area Committee. Wherever possible proposed by-laws should be consistent with the model by-laws on that matter issued by central government;
- (h) Being consulted informally about applications under the Licensing Act 2003 and the Gambling Act 2005. Only Ward Councillors (and local residents and businesses) will be "interested parties" with a right to make relevant representations under these Acts but the Area Committee can make its views known informally to Ward Councillors;
- (i) Being consulted and making representations about (i) applications under other non-executive licensing and regulatory legislation, (ii) planning applications, and (iii) proposed changes to parking controls and traffic calming measures;
- (j) Exercising the powers of the Local Planning Authority to adopt, revise and revoke Local Development Orders under section 61A of the Town

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and Country Planning Act 1990 and overseeing all procedural steps including local consultation;

- (k) Making arrangements to hold a pre-planning application presentation at a normal Area Committee meeting, on schemes that have formally entered the Council's Pre-Planning Application Advice Service;
- (l) Monitoring and making recommendations to develop the system of Area Based Working for service delivery;
- (m) Undertaking Area Studies about issues of concern to local residents;
- (n) Considering recommendations and concerns raised during the public forum element of the meeting;
- (o) Considering and taking action in any way relating to, or connected with, the above matters and recommending amendments to the Protocol on Area Committees.

Area Committee meetings shall commence with an open public forum, intended to act as a consultative discussion for local people and their Ward Councillors on all issues affecting, or relevant to, the Council and service delivery.

Area Committees and Urgency

Where there is a need for urgent decisions, or representations in response to consultation, to be made between scheduled meetings of an Area Committee the Chair shall be responsible for taking those actions. Action taken by the Area Committee Chair shall be reported for noting to the next meeting of the Area Committee.

SECTION 6 – LOCAL PENSION BOARD

1) Introduction

1.1 The Local Pension Board of the London Borough of Haringey Pension Fund ("the Board) is established as required by the Public Service Pensions Act 2013 ("the Act") and the Local Government Pension Scheme Regulations 2013 ("the Regulations").

1.2 The Scheme Manager for the purposes of the Public Sector Pensions Act 2013 is London Borough of Haringey ("LB Haringey"). Its functions are discharged in accordance with the Council's Constitution by the Pensions Committee.

2) Responsibilities of the Pension Board

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2.1 The role of the Board as laid down by section 106(1) of the Regulations is to assist LB Haringey:

- a) To secure compliance with:
 - i) the Regulations,
 - ii) and any other legislation relating to the governance and administration of the Scheme and any connected scheme,
 - iii) any requirements imposed by the Pensions Regulator in relation to the Scheme and any connected scheme, and
- b) To ensure the effective and efficient governance and administration of the Scheme and any connected scheme.

2.2 The Council retains ultimate responsibility for the administration and governance of the Pension Fund and has delegated its functions as scheme manager & administering authority of the Fund to the Pensions Committee. The role of the Board is to support the Pensions Committee to fulfil that responsibility and secure compliance with any requirements imposed by the Pensions Regulator.

2.3 The principle functions of the Board shall include:

- (i) Seeking assurance that due process is followed with regard to Pensions Committee decisions.
- (ii) Considering the integrity and soundness of Pensions Committee decision making processes.

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

3) Membership

3.1 The Board shall consist of 5 members and be constituted as follows:

- i) 2 employer representatives, being 1 from LB Haringey and 1 from other scheduled and admitted employers;
- ii) 2 scheme member representatives, being 1 active and 1 pensioner & deferred members; and
- iii) 1 independent member.

3.2 The Chair of the Board will be the Independent Member. In the absence of the Independent Member, the meeting will appoint a chair.

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3.3 The Chair will ensure that meetings are properly conducted, decision making is clear and professional advice is followed. The decision of the Chair on all points of procedure and order shall be final. The Chair will monitor the performance and attendance of Board members and if appropriate make recommendation to terminate Board appointments in accordance with section 4 below.

3.4 All employer and employee members of the Board will have equal voting rights. The Independent Member will not be entitled to vote.

3.5 The Board may, with the approval of the Pensions Committee, co-opt no more than two persons to advise and support them. Co-optees are not Board members and do not have voting rights.

4) Appointment of Board Members

4.1 The Council's employer representative will be appointed by Full Council and may be either a Councillor, who is not a member of the Pensions Committee, or an officer of the Council.

4.2 The Admitted and Scheduled bodies' representatives will be nominated by employers other than the Council. If there is more than one nomination a panel consisting of the Chair of the Pensions Committee, Chair of the Board and CFO to the Council will select a candidate.

4.3 The active scheme member representatives will be the appointed jointly by trade unions who represent working scheme members.

4.4 The pensioner and deferred member representative will be selected through an open invitation to apply. If there is more than one nomination a panel consisting of the Chair of the Pensions Committee, Chair of the Board and CFO to the Council will select a candidate.

4.5 The Independent Member will be appointed by a panel consisting of the Chair of the Pensions Committee and CFO to the Council. The Independent member will be required to be a person with good proven knowledge, experience and understanding of the LGPS and a clear understanding of the scrutiny function.

4.6 Prospective members of the Board will be required to demonstrate to the Chair of the Pensions Committee that they have the capacity to represent employees and employers (as appropriate) and that they do not have a conflict of interest. The decision of the Chair of the Pensions Committee will be final.

4.7 Each member of the Board will serve for a period of four years and will be eligible to be re-appointed in accordance with the above processes, subject to compliance with the conditions of appointment.

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4.8 Each Board member should endeavour to attend all Board meetings during the year. No substitutes shall be permitted. Should a Board member miss two consecutive meetings then the tenure of that membership will be reviewed by the other Board members and may be terminated, in which case a new appointment process will commence for the remainder of the term.

4.9 Other than by ceasing to be eligible as set out above, a Board member may only be removed from office during a term of appointment by the unanimous agreement of all of the other members following a recommendation by the Chair. The removal of the independent member or Council representative requires the consent of the Chair of the Pensions Committee.

4.10 Should a member of the Board resign, a replacement will be appointed using the appropriate process outlined above.

5) Quorum & Voting

5.1 The Board shall have a formal quorum of three comprising at least one employer and one employee representative. No substitutes shall be permitted. Advisers and co-opted persons do not count towards the quorum. All decisions will be by majority of votes unless stated otherwise in these terms, although it is expected that the Board will, as far as possible, reach a consensus.

6) Meetings

6.1 The Board shall meet sufficiently regularly to discharge its duties and responsibilities. There will be a least two meetings a year, with additional meetings if the Board so agrees.

6.2 Notice of all meetings will be provided to Board Members at least 30 days in advance, unless agreed otherwise by Board Members.

6.3 The agenda for each meeting will be agreed by the Chair and all papers will be circulated to Members at least one week prior to the date of the meeting.

6.4 A formal record of Board proceedings will be maintained. Following the approval of the minutes by the Chair of the Board, they shall be circulated to all members.

6.5 The Board has the power to set up working groups on whatever terms that the Board determines and will prepare terms of reference for these entities.

7) Standards of Conduct and Conflicts of Interest

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7.1 All members of the Board are expected to act at all times within these terms of reference and in accordance with the Pension Board Code of Conduct. In accordance with section 108 of the Regulations Board members must not have a financial or other interest that could prejudice them in carrying out their Board duties. This does not include a financial or other interest arising merely by virtue of membership of the LGPS.

7.2 Each Board member must provide the Council with such information as is reasonably required for the purpose of demonstrating that there is no conflict of interest.

8) Budget and Business Plan

8.1 The Board will prepare a Business Plan and Budget each year to be approved by the Pensions Committee.

9) Board Review Process

9.1 The Board will undertake each year a formal review process to assess how well it and the members are performing with a view to seeking continuous improvement in the Board's performance.

10) Advisers to the Board

10.1 The Board may be supported in its role and responsibilities through the appointment of advisers, in addition to the Independent member and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers on such terms as it shall see fit to help better perform its duties including:

Officers from the Council's Finance, HR, Legal and other teams as needed;

The Fund's Actuary;

The Fund's Investment Managers and Custodian;

The Fund's Investment Consultant; and

Other advisers, so approved by the Pensions Committee (via Board budget).

10.2 Remuneration to advisors appointed by the Board must be in accordance with the expenses budget agreed by the Pensions Committee.

10.3 The Board shall ensure that the performances of the advisers to the Board are reviewed on a regular basis.

11) Knowledge and Skills

11.1 Every member of the Pension Board must be conversant with –

1 The rules of the LGPS.

2 Any document recording policy about the administration of the LGPS

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which is for the time being adopted by the LB Haringey Pension Fund.

11.2 It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.

11.3 Pension Board members are required to be able to demonstrate their knowledge and understanding and to keep these up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.

11.4 The Council will provide a training programme, which all Board members must attend.

12) Accountability

12.1 The Pension Board will report all relevant recommendations and decisions to the Pensions Committee.

13) Expense Reimbursement, remuneration and allowances

13.1 Remuneration for Employee and Employer Representatives will be limited to a refund of actual expenses incurred in attending Board meetings and training. Remuneration for the Independent member will be agreed on appointment and approved by the Pensions Committee.

13.2 The expenses of the Pension Board are a part of the costs of administering the Pension Fund.

14) Publication of Pension Board information

14.1 The Council will publish up to date information on the Council's website including:

- The names and information of the Pension Board members.
- The Board's terms of reference.
- Papers, agendas and minutes of meetings.

SECTION 7 - EMERGENCY PROCEDURES IN ELECTION YEAR

In the year of the ordinary election of Borough Councillors, between the day after the election and the day of the Annual Meeting, the Chief Executive may, so far as is lawful, exercise any of the functions of the Council or its non-executive bodies in cases of urgency in consultation with the Mayor. Decisions made by the Chief Executive in accordance with this paragraph shall be reported to the next meeting of the appropriate body.

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SECTION 8 – DEFAULT PROVISIONS

If at any time no Members are appointed to, or able to act on, any non-executive body of the Council, and a decision has to be taken in a case of urgency, then the decision may be taken by the Chief Executive acting so far as is practicable in consultation with the Mayor, or Deputy Mayor if the Mayor is unable to act.

SECTION 9 - GROUP MEETINGS

In recognition of the role of Group Meetings in the consideration of Council business and of the fact that the supply of advice, reports, information and other material to Group Meetings is generally conducive to the due process of Council business, the following facilities shall be made available for the conduct of Group Meetings and for any Group Committees which may be established for the consideration of Council business:

- (a) suitable accommodation for meetings;
- (b) assistance with the production and distribution of agenda and minutes;
- (c) where the Majority Group makes arrangements for the discussion of items prior to their submission to a committee or sub-committee or Panel, arrangements shall be made through the Leader of the Council or the appropriate Cabinet Member to ensure that official information, advice and reports are available to the Group Meetings;
- (d) where a Minority Group makes similar arrangements for the consideration of Council business, arrangements shall be made through the Leader of the Minority Group, or the appropriate spokesperson, to make available information from published sources and advice on Council procedures but not official advice as to the policies which that Minority Group should pursue. The Majority Group Leader or the appropriate Cabinet Member shall be made aware of information provided to a Minority Group unless it is of routine or trivial nature.

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Part Four, Section K

Officer Employment Procedure Rules

1. Recruitment and Appointment

(a) Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor, the Mayor or officer of the Council; or of the partner of such persons.
- (ii) Any candidate who fails to disclose such a relationship will be disqualified from appointment. The content of this paragraph will be included in any recruitment information.
- (iii) No candidate so related to a councillor, the Mayor or an officer will be appointed without the authority of the Assistant Director for Human Resources or an officer nominated by him/her.
- (iv) Every Member and senior officer of the authority who knows of a relationship to a candidate for appointment must report the details to the Assistant Director for Human Resources.

(b) Seeking support for appointment.

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor or the Mayor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No councillor or the Mayor will seek support for any person for any appointment with the Council. This rule does not prevent a Member from offering or providing a written reference about a candidate but the Member shall not take part in the appointment process involving that candidate.

PART FOUR – RULES OF PROCEDURE
Section K– Officer Employment Procedure Rules

2. Recruitment of Head of Paid Service, Chief Officers and Deputy Chief Officers.

Where the Council proposes to appoint a Head of Paid Service, Chief Officer or Deputy Chief Officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.
- (d) all applicants for the post shall be interviewed, or a short list of the more suitable applicants shall be drawn up and those applicants shall be interviewed.

3. Appointment and dismissal of Head of Paid Service, dismissal of Chief Finance Officer and Monitoring Officer

- (a) The Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Staffing and Remuneration Committee.
- (b) The Council may only make or approve the appointment of the Head of Paid Service where:
 - (i) no objection has been made by any member of the Cabinet, or
 - (ii) if any objection is made, the Staffing and Remuneration Committee has declared itself satisfied that the objection is not material or well-founded
- (c) The procedures in (a) and (b) above will apply to the dismissal of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

PART FOUR – RULES OF PROCEDURE
Section K– Officer Employment Procedure Rules

4. Appointment of Chief Officers and Deputy Chief Officers

- (a) The Staffing and Remuneration Committee will appoint Chief Officers and Deputy Chief Officers.
- (b) The procedures in (a) above will not apply to the appointment, dismissal or discipline of the Chief Officer of the Alexandra Palace and Park charity. Instead, the Chief Executive acting in his/her charity capacity will take the decisions to appoint, dismiss or discipline that Chief Officer in consultation with the Alexandra Palace and Park Board or its appointed Panel.
- (c) An offer of employment as a Chief Officer or a Deputy Chief Officer shall only be made where:
 - (i) no objection has been made by any Cabinet Member, or
 - (ii) if any objection is made, the Staffing and Remuneration Committee or the Chief Executive is satisfied that the objection is not material or well founded.
- (d) The procedures in (a) and (c) above will apply to the dismissal of Chief Officers and Deputy Chief Officers except that (b) and (c) will apply to the dismissal of the Chief Officer of the Alexandra Palace and Park charity.

5. Member Training

All Members taking part in appointments or disciplinary proceedings shall undertake appropriate training provided by the Assistant Director for Human Resources in consultation with the Assistant Director of Corporate Governance.

6. Other appointments

- (a) Appointment of all other officers (other than assistants to political groups and an assistant to the mayor) will be made by the Head of Paid Service or his/her nominee.
- (b) Assistants to political groups. Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.
- (c) Assistant to the Mayor. An assistant to the Mayor may only be appointed by the Mayor.

7. Disciplinary action

- (a) Suspension. The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two

PART FOUR – RULES OF PROCEDURE
Section K– Officer Employment Procedure Rules
months.

- (b) Independent Panel ~~person~~. No other disciplinary action may be taken in respect of any of those officers until the Authority has invited relevant independent persons to form an Independent Panel to advise on such matters as set out in the Local Authorities (Standing Orders)(England) Regulations 2001. ~~except in accordance with a recommendation in a report made by a designated independent person~~
- (c) Councillors will not be involved in the disciplinary action against any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

8. Dismissal

(a) Independent Panel. In accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001, before the taking of a vote at the relevant meeting on whether to approve or not a dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer, the Council must take into account, in particular:

- (i) any advice, views or recommendations of the Independent Panel;
(ii) the conclusions of any investigation into the proposed dismissal; and
(iii) any representations from the relevant officer.

(b) Councillors will not be involved in the dismissal of any officer below Deputy Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

9. Definitions

In these Rules:

- "Chief Officer" means a statutory chief officer or a non-statutory chief officer who, as respects all or most of the duties of his/her post, reports directly to the Head of Paid Service
- "Deputy Chief Officer" means an officer who, as respects all or most of the duties of his/her post, reports directly to a chief officer.
- an officer whose duties are solely secretarial, clerical or administrative in nature shall not be regarded as Chief Officer or Deputy Chief Officer.