



Borough of Telford and Wrekin

Full Council

Thursday 23 May 2024

Governance Update

Cabinet Member:	Cllr Shaun Davies - Leader of the Council
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
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Wards Affected:	All Wards
Key Decision:	Not Key Decision
Forward Plan:	Not Applicable

1.0 Recommendations for decision/noting:

It is recommended that Full Council:-

- 1.1 notes the calculation of political balance following some changes in political group membership;
- 1.2 appoints to the Committees and Boards, as shown at Appendix A of this report and tabled at the meeting (if any), for the 2024/25 Municipal Year, and approves the appointment of the Chair and Deputy Chair for each body;
- 1.3 delegates authority to the Monitoring Officer, to make any further calculations of political balance following any additional changes in membership;
- 1.4 confirms that review and approval of the Terms of Reference for each Committee and Board be delegated to the relevant Committee or Board;
- 1.5 authorises the Monitoring Officer to give effect to nominations to Committees and Boards notified to her in writing by Group Leaders;
- 1.6 delegates authority to the Monitoring Officer to make amendments to the Council's Constitution in accordance with this report; and
- 1.7 delegates authority to the Monitoring Officer to make any consequential amendments to the Constitution to give effect to any matters outlined in this report.

2.0 Purpose of Report

- 2.1 This report details the political balance calculations for Committees and Boards following some changes to political group membership. It also sets out the appointments of Members who will serve on those bodies. It further indicates the proposed nominees for Chair and Deputy Chair of each body.
- 2.2 It also sets out arrangements for a wholesale review of the Council's Constitution as well as seeking agreement to some interim amendments to the Constitution, pending that review to ensure that it provides business efficacy.

3.0 Background

- 3.1 In accordance with the Constitution, the Annual Meeting of the Council will appoint such committees and boards as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Cabinet functions; will agree the size of each Committee; and will appoint a Chair, Deputy Chair, Members and substitute Members (where appropriate) for each committee and board in accordance with political balance rules.
- 3.2 The Governance Committee is charged with ensuring that the Constitution is reflective of the organisation, how it conducts its business and ensures that business can be transacted expediently. However, Council retains overall responsibility for this function and has the authority to approve changes.
- 3.3 The Constitution has not been subject to a complete review for at least 13 years and there are aspects of it which do not reflect the changing nature of the local government environment or the way in which business needs to be conducted in order to comply with timescales imposed by external organisations and bodies.
- 3.4 As it is proposed that the Governance Committee will be engaged throughout the complete review scheduled for this municipal year, it was felt more expedient to take an opportunity at the Full Council meeting to seek some interim amendments pending completion of that review.

4.0 Summary of main proposals

- 4.1 Following the changes to political membership, the political balance of the authority has been updated and is as follows:-

Labour	70%
Conservative	13%
Liberal Democrats	11%

For the purpose of calculating political balance and appointments to Committees and Boards, only those who form part of a group should be included. Therefore, where Independent Members do not sit as a group, they are disregarded in this exercise. However, it is considered to be good practice for committees to reflect the democratic make up of the Council and so seats on Committees are offered to Independent members.

Political Balance & Appointment to Committees and Boards for 2023/24/25

The various Committees and Boards to be appointed for 2024/25 are shown at Appendix A, calculated in accordance with the political balance above.

- 4.2 Political balance rules have been applied where appropriate in terms of:
- (a) the allocation of seats to political groups on each individual Committee/Board; and
 - (b) the overall number of seats allocated to each political group reflecting the relative size of each group as a percentage of the total number of Council members.
- 4.3 Group Leaders have been notified of the allocation of seats to the Committees/Boards, based on the principles set out at paragraph 4.2. Each political group has been asked to submit nominations to its allotted seats, and the proposed membership for each Committee/Board (including substitutes where appropriate) is shown at Appendix A, where known. The Monitoring Officer has delegated authority to make appointments to each Committee or Board following notification from Group Leaders of nominees.
- 4.4 Appendix A also shows the nominees for Chair of each body and for Deputy/Vice Chair of each body, for approval.
- 4.5 Council is also asked to re-assert delegated authority to the Monitoring Officer to appoint Members to Committees and Boards in accordance with the wishes of the Group Leaders as notified in writing. This delegation avoids the necessity to refer each nomination to Council as it is effectively an administrative task. Similarly, Council is asked to delegate authority to the Monitoring Officer to undertake further political balance calculations to account for any subsequent changes in membership. If the delegation is approved, the Monitoring Officer must give effect to the calculation and nominations, provided it is lawful and not contrary to the Council's own procedure rules or when the appointment is exercisable only by the Cabinet.
- 4.6 The Constitution requires Council to agree the Terms of Reference of all Committees and Boards. It is recommended that each Committee be authorised to review its own Terms of Reference.
- 4.7 There are a number of changes proposed to the Constitution, primarily to correct errors identified on a day to day basis and some to ensure that business can be conducted efficiently, effectively and expeditiously. These are set out below:-
- To correct all references to the role of Associate Director and ensure it is changed to Director as the role of Associate Director no longer exists within the organisation;
 - To update the Employment Procedure Rules to reflect the current job titles utilised within the organisation – for example, Director to be changed to Executive Director and Assistant Director to be changed to Director;

- To update the Employment Procedure Rules to clarify the meaning of Chief Officers and Deputy Chief Officers to reflect the changes at point (b);
- To update the Terms of Reference for the Personnel Committee to ensure that the Head of Paid Service retains the authority to recruit to posts other than where the appointment is required, by legislation, to be approved by Personnel Committee or Full Council which such appointments being in consultation with the Chair of the Personnel Committee;
- To update the Chief Officer delegations to reflect the change at point (c) above;
- To update the flow chart summarising the Employment Procedure Rules to ensure it is consistent with points (b) to (d) above;
- To correct some inconsistencies with paragraph numbering and lettering.

4.8 As part of the wholesale review of the Constitution, the Governance Committee will be consulted upon any changes that they would welcome so that these can be considered and, put forward for consideration if in compliance with legislative requirements.

5.0 Alternative Options

5.1 The changes outlined in this report are aimed at ensuring good governance and proper decision making. Council could choose not to implement the changes, however for the reasons set out within the report it would appear sensible for Council to do so in order for it to carry out its business effectively. It is also a statutory requirement for Council to make appointments to Boards and Committees at its Annual Meeting.

6.0 Key Risks

6.1 There are no risk associated with the recommendations contained within this report.

7.0 Council Priorities

7.1 The recommendations in this report are aligned with the Council priority to be a community-focussed, innovative Council providing efficient, effective and quality services.

8.0 Financial Implications

8.1 There are no direct financial implications arising from this report.

9.0 Legal and HR Implications

9.1 Full Council at its Annual General Meeting should make appointments to its Committees and Boards for the forthcoming municipal year. Full Council has the power to approve the recommendations contained within this report.

10.0 Appendices

A Boards and Committees Membership 2024/25

11.0 Report Sign Off

Signed off by	Date sent	Date signed off	Initials
Legal	14/05/2024	21/05/2024	RP
Finance	14/05/2024	21/05/2024	MLB