

SELECTION AND MEMBER SERVICES COMMITTEE

Thursday, 14th March, 2013

10.00 am

Wantsum Room, Sessions House, County Hall,
Maidstone





SELECTION AND MEMBER SERVICES COMMITTEE

AGENDA

**Thursday, 14 March 2013, at 10.00 am
in the Wantsum Room, Sessions
House, County Hall, Maidstone**

Ask for: **Andrew Tait**
Telephone: **01622 694342**

Membership (9)

Conservative (7): Mr P J Homewood (Chairman), Mr P B Carter, Mr M C Dance,
Mr A J King, MBE, Mr B J Sweetland, Mr M J Whiting and
Mrs J Whittle

Liberal Democrat (1): Mrs T Dean

Labour (1) Mr G Cowan

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 24 January 2013 (Pages 1 - 2)
4. Member Induction and Development (Pages 3 - 14)
5. Establishment of the Health and Wellbeing Board (Pages 15 - 26)
6. Revision of Terms of Reference and Protocols for the Health Overview and Scrutiny Committee (Pages 27 - 36)
7. Education Appeals Panels (Pages 37 - 40)
8. Authority to Participate in legal proceedings and Rights of Audience (Pages 41 - 54)

9. Other items which the Chairman decides are Urgent

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services

Wednesday, 6 March 2013

Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.

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KENT COUNTY COUNCIL**SELECTION AND MEMBER SERVICES COMMITTEE**

MINUTES of a meeting of the Selection and Member Services Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Thursday, 24 January 2013.

PRESENT: Mr P J Homewood (Chairman), Mr A H T Bowles (Substitute for Mr A J King, MBE), Mr J A Davies (Substitute for Mr P B Carter), Mr R A Marsh (Substitute for Mr M J Whiting), Mr B J Sweetland, Mrs P A V Stockell (Substitute for Mrs J Whittle) and Mr M A Wickham (Substitute for Mr M C Dance)

IN ATTENDANCE: Mr P Sass (Head of Democratic Services), Mr P D Wickenden (Democratic Services Transition Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS**1. Minutes - 16 October 2012**

(Item 3)

RESOLVED that the Minutes of the meeting held on 16 October 2013 are correctly recorded and that they be signed by the Chairman.

2. Member Induction and Development

(Item 4)

(1) Mr A H T Bowles (who had chaired the Member Development Steering Group) reported on its recommendations for a series of events and tools to assist elected Members following on 2 May 2013. These included:-

- a) the Framework for the general induction day on 7 May 2013;
- b) E Directorate brochures on what each Directorate delivered;
- c) an e induction programme for Members;
- d) Member briefings (every two weeks on a Tuesday afternoon); and
- e) an electronic version of the Members Handbook and Constitution.

(2) The Member Development Steering Group had also recommended an amended Elected Member Policy Statement to the Committee, which would be considered by the Committee following the election, prior to being considered for approval by the County Council.

(3) The Committee agreed that an invitation should be extended to the Chairman of the County Council to play a leading role in the General Induction Day on Tuesday, 7 May 2013, with particular reference to working with new Members on the format and content of full County Council meetings.

(4) The Committee agreed that a limited number of bound Members Handbooks and Constitutions would be kept at strategic locations.

- (5) The Committee agreed that the e-induction package would be supplemented by a printed index, which would also give a list of locations where the bound Members' Handbooks and Constitutions were held.
- (6) The Committee noted that a list of dates of training and induction events would be sent to all candidates for the County Council elections. It was agreed that the County Council dates would be included in this list.
- (7) RESOLVED that subject to (1) to (4) above, the activities proposed by the Member Development Steering Group be agreed as set out in the report.

By: Andrew Bowles, Chairman of the Member Development Steering Group

To: Selection and Member Services Committee – 14 March 2013

Subject: Member Induction and Development

Summary: The Selection and Member Services Committee is invited to comment and make suggestions relating to the development of the Member Development and Induction programme.

Introduction

1. (1) Since the Committee's last meeting considerable progress has been made by the Member Development Steering Group in preparing the Induction and Member Development Programme following the election on 2 May 2013.

(2) The paragraphs below set out this ongoing activity to enhance the member development programme which has been shared with and endorsed by the Corporate Management Team.

Member Mentor and Officer Conduits

2. (1) Following the election in May each newly elected member will have a Member mentor who will be able to support the new member from a member perspective.

(2) Key posts which support all Members are the Community Engagement Officers and the respective Director for each of the twelve District localities. All the officers concerned have been asked and have agreed to be available for the General Induction Day on 7 May as well as the Area Member Induction Events on 4 June, 1, 5 and 10 July.

Democratic Services Showcase Event

3. (1) Following the General Induction Day on Tuesday 7 May 2013 (the day immediately following the count and the Bank holiday weekend) the main activity will be the opportunity for Members to familiarise themselves with the Governance Framework of the County Council and the procedural rules in preparation for the County Council meeting on 23 May 2013, and, the appointment of Committees the same day.

(2) This will be addressed by a Democratic Services Showcase Day being organised on Thursday 16 May 2013 (draft programme attached – **Appendix 1**), At this event Members will have the opportunity to practice observe and learn about the do's and don'ts of webcasting, chairmanship skills, questioning techniques, procedural rules for Committee and Council meetings, the impact of the Kent Member Code of Conduct etc

(3) Mr Alex King indicated at the last meeting of the Member Development Steering Group that he would like the webcast training to include clips of recent meetings webcast at the County council (as long as the members featured in the clip were happy for them to be shown)

Area Member Induction Events

4. The Steering Group expressed the view that there should be the opportunity as part of these events for Members from each individual District to consider the big issues within their District. This is being built into the programme for the Area Member Induction Events.

Programme of Member Briefings and Member Development Opportunities

5. Attached as **Appendix 2** is the programme of Member Briefings and Development opportunities. This is being populated on a daily basis. Briefing notes and outcomes will be archived and made available on the Member area being developed for KNet. Further work needs to be undertaken to see whether it will be feasible to capture all these events digitally,

E Induction Programme for Members

6. (1) The Committee approved the framework for the member e induction programme at its last meeting. The Steering Group will be asked to view and comment on two of the modules at its meeting on 12 March 2013. The Committee will be informed of the outcome verbally at its meeting.

(2) The Steering Group will approve the programme at their meeting on 2 April 2013.

Development of a Members Area on KNet

7. (1) Attached as **Appendix 3** is a 'mock up' of a front page of a Members' area for KNet. This will include links to all the essential information a member requires.

(2) Members have indicated that they would welcome some information based on the district they represent initially, and eventually, personalised to their electoral division. Working with the Head of consultation and Engagements pages of essential information relating to each District is being prepared. **Appendix 4** is a 'mock up' of one of these pages.

Personal Development Plans

8. (1) The Member Development Programme needs to reflect what Members have told Officers supporting the Member Development Programme. Each individual Member will have a development and training plan record and these records will help to inform the Member Development Programme so it reflects the Members requirements.

(2) Dates have been set aside in the calendars of Paul Wickenden and Adam Fox to conduct 1:1 interviews with all 84 elected members. The dates are:

Tuesday 28 May

Wednesday 12 June

Friday 14 June

Friday 21 June

Friday 28 June

Monday 15 July

Recommendation

9. The Selection and Member Services Committee is asked to note the ongoing work and initiatives for the development of the Member Induction and Development programme and make recommendations and suggestions for any additions/amendments.

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Democratic Services

Showcase Day

Thursday 16 May 2013

8.45 - 9.15am	Coffee	
9.15am	Welcome from our host Barbara Sturgeon	Council Chamber
9.30am	How the Council Works – A Presentation by tbc and Richard King, Chairman of the County Council	Council Chamber
10.45am	Coffee	
11.00am - Noon	Member Code of Conduct Training – Taster Session	Seminar Lecture Theatre (SLT)
11:00am - Noon	Webcasting – Watch out for the Pitfalls!	Council Chamber
Noon - 12.30pm	Procedural Rules for meetings of the County Council	Council Chamber
12.30 - 1.15pm	Lunch	
1.15pm - 2.15pm	Member Code of Conduct Training – Taster Session	Seminar Lecture Theatre (SLT)
1.15pm - 2.15pm	Scrutiny Committee – Questioning Techniques take part in a role play and practice your questioning techniques	Council Chamber
2.30pm - 3.30pm	A number of fun role plays will provide you with the opportunity to identify the key learning points on what are the key ingredients for a good Chairman	Council Chamber
3.30pm	Closing Remarks	

**SCHEDULE OF MEMBER DEVELOPMENT OPPORTUNITIES
(as at 6 March 2013)**

Sessions: am 9.00 – 12.00 pm – 2.00 – 5.00 all day – 9.00 – 5.00

May

Tuesday 7 May General Induction Day
Sessions House, County Hall, Maidstone

Wednesday 16 May Democratic Services Showcase Day
Sessions House, County Hall, Maidstone

June

Tuesday 4 Area Member Induction
Council Chamber, Tonbridge and Malling Borough Council Offices,
Kings Hill, West Malling for Members who represent a Maidstone,
Tonbridge and Malling and Tunbridge Wells electoral division

Wednesday 5 Training for Members of the Planning Applications Committee

Tuesday 11 pm Member briefing by Enterprise and Environment Departmental
Management Team, Seminar Lecture Theatre

Tuesday 18 pm Member Code of Conduct Training

Tuesday 25 pm Member Briefing by Information and Resilience Team on what
you need to be aware of as an elected Member

July

Monday 1 Area Member Induction
Council Offices, Dover District Council, Whitfield, Dover for
Members who represent an Ashford, Dover and Shepway electoral
division

Tuesday 2 Member Code of Conduct Training

Wednesday 3 pm reserved for Member training

Thursday 4 am Chairmanship skills
pm Webcasting

Friday 5 Area Member induction Event
The Guildhall Canterbury, for Members who represent a
Canterbury, Swale and Thanet electoral division

Tuesday 9 pm Member Briefing – Corporate Parenting

Wednesday 10 Area member induction Event
Council Chamber, Civic Centre, Dartford for members who
represent a Dartford, Gravesham and Sevenoaks electoral division

Friday 12 Member Code of Conduct Training

Tuesday 23 pm Member Finance training

Thursday 25 am Chairmanship skills pm webcasting

September

Tuesday 3 pm Member Finance training

Wednesday 4 pm reserved for Member training

Thursday 5 all day reserved for Member training

Tuesday 17 pm Member Briefing – Corporate Parenting

Tuesday 24 pm Member Finance training

Thursday 26 pm Member training

October

Tuesday 1	pm reserved for Member Briefing
Wednesday 2	all day Member training
Tuesday 8	all day Member training
Tuesday 15	pm Member Finance training
Tuesday 22	pm Member training
Tuesday 29	pm Member Finance training
November	
Tuesday 5	pm reserved for Member Briefing
Tuesday 19	pm Member Finance training
Tuesday 26	pm reserved for Member training
December	
Tuesday 3	pm reserved for Member Briefing
Tuesday 10	pm Member training
Tuesday 17	pm reserved for Member Briefing

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Site Actions
Kent County Council **KNet** Welcome to Kent County Council's Intranet
Rixon, Paula - CC CE
Search the phonebook and the site
Search this site... Advanced Search

KNet Working at KCC Our Council Managing at KCC Find the latest I need a service **Members area**

You are here: → KNet → **Members area**

In this section

- ▶ Governance arrangements
- ▶ Code of conduct
- ▶ Policies
- ▶ District information
- ▶ Service information
- ▶ Useful contacts
- ▶ E-induction

 **A warm welcome to all our newly elected and returning members**

KCC officers would like to welcome all newly elected and returning members to the County Council.

This area of KNet has been designed to make it easy for you to find the information you need and the people to speak to about specific issues.

As a new member, there are some things you need to do before xxxxxxxx

- Acceptance of office
- Disclosable interests
- CRB check
- E-induction

You may also want to familiarise yourself with the following:

- Constitution
- Financial regulations
- Management Structure
- District information

Member alert
There are still places available on the next member briefing session **Highways Strategy**
Book a place

Member training
View the training that is available

Day to day
Weekly briefings - book a place
Disclose interests
Submit expenses
Change personal details
Ask a question

Latest news (infopoint?)

News Item 1
Nullam nec ante a sapien posuere sceleris que in fermentum lacus. Fusce viverra imperdiet turpis nec venenatis. Pellentesque fermentum enim ut.

News Item 2
Nullam nec ante a sapien posuere sceleris

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Site Actions

Rixon, Paula - CC CE

Search the phonebook and the site

Search this site... Advanced Search

Kent County Council **KNet** Welcome to Kent County Council's Intranet

KNet Working at KCC Our Council Managing at KCC Find the latest I need a service **Members area**

You are here: → KNet → Members area → District - Canterbury

In this section

- ▶ Governance arrangements
- ▶ Code of conduct
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Latest news (infopoint)

News Item 1
Nullam nec ante a sapien posuere sceleris que in fermentum lacus. Fusce viverra imperdiet turpis nec venenatis. Pellentesque fermentum enim ut.

News Item 2
Nullam nec ante a sapien posuere sceleris que in fermentum lacus. Fusce viverra imperdiet turpis nec venenatis. Pellentesque fermentum enim ut.

News Item 3

 **District - Canterbury**

From this page you can access lots of information about this district by using the links below. If there is any additional information you need, please contact your Community Engagement Officer.

[Politics](#)
[Parishes](#)
[Health](#)
[Education](#)
[Voluntary Sector](#)
[Key multi-agency partnerships / businesses](#)
[Emergency Services](#)
[Media Contacts](#)
[Community Leaders](#)

Community Engagement Officer

The Community Engagement Officer for this district is:

In this district

Meetings
Events
Consultations

Useful contacts

Corporate Management Team
Service Contacts

Got a question about this site? Contact us

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By: Roger Gough, Cabinet Member for Business Strategy, Performance & Health Reform
David Cockburn, Corporate Director of Business Strategy & Support

To: Selection and Member Services Committee

Date: 14 March 2013

Subject: Establishing the Kent Health and Wellbeing Board

Classification: Unrestricted

Summary:

This paper seeks the Committee's endorsement of the establishment of the Kent Health and Wellbeing Board (HWB), including Terms of Reference, Procedure Rules and membership, and onward recommendation to full Council for formal approval.

1. Background.

- 1.1. Section 194 of the Health and Social Care Act 2012 specifies that an upper tier local authority must establish a Health and Wellbeing Board for its area.
- 1.2. Following on from papers to Selection and Member Services Committee and Full Council in the summer of 2011, a shadow Kent Health and Wellbeing Board was established and has been meeting on a bi-monthly basis since then. The legislation requires HWBs to be operational (non shadow) from 1 April 2013.
- 1.3. The legislation and regulations have been drafted with deliberate intention of allowing considerable flexibility for local authorities and their partners to set up and run HWBs that suit local circumstances. It is the intention behind the legislation that all members of the HWB should be seen as equals and as shared decision makers. HWBs are boards of commissioners, they are not commissioning boards.

2. Health and Social Care Act 2012

- 2.1. The 2012 Act outlines the duties and functions of the HWB, including:
 - Encouraging integrated working, including the making of arrangements under section 75 of the National Health Service Act 2006.
 - Performing functions in relation to the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy.
 - Exercising any functions that are otherwise exercisable by the local authority.

There are a number of other responsibilities that the HWB may take on, which are currently identified in a number of pieces of draft legislation. Once these have become law, the HWB will be briefed on its new areas of responsibility.

- 2.2. Section 194 of the 2012 Act provides that a HWB is a committee of the local authority which established it, and is to be treated as if it were a committee appointed by that authority under section 102 of the Local Government Act 1972.
- 2.3. The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, disapplies and modifies sections of the Local Government Act 1972 and the Local Government and Housing Act 1989 to enable the HWB (any sub-committee of the HWB) to be established as required under the 2012 Act.
- 2.4. The regulations disapply the political balance requirements; in addition they enable all members of the HWB to vote, unless otherwise directed by the local authority. They also remove the restriction on local government officers being able to be members of a local government committee.
- 2.5. The underlying principle of parity amongst members is strengthened by the modification of the 1972 Act, so that matters coming to the HWB are agreed by consensus or by a majority of members of the HWB, rather than by a majority of councillors present.
- 2.6. The 2012 Act and the regulations do not modify or disapply any previous legislation relating to codes of conduct and conflicts of interest. All non councillor members of HWBs are co-opted members for the purposes of complying with the legislation. This means that all members of the HWB will be governed by the Council's Code of Conduct for Members (including the declaration of Disclosable Pecuniary Interests).
- 2.7. The functions of HWBs do not fully conform to the usual model of executive or non-executive functions of local authorities, outlined in the regulations of the Local Government Act 2000.

3. Activity to date

- 3.1. The approach that the HWB has taken to both operating in shadow form and proactively developing a sub-committee structure, has been described by the Department of Health as a "shining example of what Health and Wellbeing Boards should be doing" and praised our desire to get on with the work of the board without waiting for detailed guidance from the centre. This paper formalises arrangements that have proven to work across both tiers.
- 3.2. This highly innovative approach has meant that Kent is the only two tier authority area to develop an approach based on localism; enabling Clinical Commissioning Groups (CCGs) and the District Councils in their areas to actively engage and deliver a bottom up approach to health and wellbeing.

4. Establishment of Sub Committees

- 4.1. Kent was one of only three county council areas where both the County Council and a District Council (Dover), established shadow HWBs. Based on the successful arrangements developed in Dover and subsequently across the

whole CCG area of South Kent Coast, a decision was taken by the shadow Kent HWB last autumn to support the development of CCG level HWBs as sub-committees of the Kent HWB. These sub-committees will undertake the following work in support of the strategically focussed Kent HWB:

- Develop CCG level Integrated Commissioning Strategy and Plan
 - Ensure effective local engagement
 - Local monitoring of outcomes
 - Focus on locally determined health, care and public health needs.
- 4.2. By the end of March 2013, each CCG area will have a HWB set up for its area. The terms of reference and procedure rules will be based on those of the Kent HWB; Kent County Council's Code of Conduct for Members will apply to the sub-committees. As the approach that Kent has taken is so innovative, the Kent HWB will review these working arrangements after a year to share best practice and areas of development.

5. Relationship with Other Partnerships and Providers

5.1. The HWB has a clear and strategic role working across the health system in Kent as described above.

5.2. The key relationships are with the following partnerships:

- Children's Trust and Children's Commissioning arrangements
- Safeguarding Boards (Children and Adults)
- Provider engagement will be through Whole Systems Delivery Boards alongside a number of events throughout the year between the HWB and providers. Providers will also be involved in discrete pieces of HWB business which the HWB may wish to commission.
- Kent Council Leaders and Ambition Board. The work of the HWB will form part of the Ambition Board for "Tackling Disadvantage" and will report into the Kent Forum via this route.
- Locality Boards. These are in development across the county. Relationships between the HWB and the Locality Boards will be developed as the Locality Board model is developed. Links to Locality Boards remain important, reflecting the complexities of health and social care needs across Kent.
- District level public health groups. Kent has already established a network of district-level Health and Wellbeing Partnerships/Groups (HWBPs). These have focussed on delivering the Public Health/ Choosing Health agenda (including allocation of limited resources in some areas of the county). They have to date had limited GP involvement in district-level HWBPs. The role of these groups needs reviewing in the light of the development of both the HWB and the Locality Boards. However, they remain a useful mechanism for delivering the public health agenda at a local level.
- Community Safety Partnerships

6. Relationship to Health Overview and Scrutiny

6.1. There are fundamental differences in the roles of the HWB and the HOSC. The HOSC is scrutiny committee independent of the Executive, whereas the HWB is

a quasi-executive body and a committee of the council, which brings together commissioners from different agencies to co-ordinate health, social care and public health strategic approaches.

6.2. A separate paper on the revised governance arrangements for the HOSC has been developed. It outlines the relationship with the HWB as follows:

- The strategic reciprocity of the HOSC and HWB is recognised in relation to the unique role each fulfils. Membership of one will exclude membership of the other.
- The HOSC seeks to add value to the work of the HWB, while maintaining a distinct identity as a 'critical friend'. The HOSC has a role in contributing to the development of the JSNA and JHWS. It provides, where appropriate and upon request, a third party perspective on perceived conflicts between the JHWS and health commissioning plans,
- The HWB has the right to request that the HOSC undertakes specific reviews and make recommendations, subject to the approval of the HOSC.

7. **Proposed Membership and Terms of Reference** (see **Appendix A**)

7.1. The Health and Social Care Act identifies the statutory membership of the HWB as:

- At least one councillor of the upper tier local authority – Leader of the Council and/or their nominee
- Representative of each relevant Clinical Commissioning Group (one person may represent more than one CCG with the agreement of the HWB)
- Director of Adult Social Services
- Director of Children's Services
- Director of Public Health
- Representative of the local HealthWatch organisation.
- Such other persons or representatives as the local authority thinks appropriate.
- NHS Commissioning Board (for the JSNA, HWB Strategy and matters relating to the commissioning functions of the NHS Commissioning Board).

7.2. In relation to Kent County Council representation, the following is recommended:

- The Leader of Kent County Council or his nominee*
- Corporate Director for Families and Social Services*
- Director of Public Health*
- Cabinet Member for Adult Social Care & Public Health
- Cabinet Member for Business Strategy, Performance and Health Reform
- Cabinet Member for Specialist Children's Services

* denotes statutory member of the HWB.

7.3. In addition the following membership for non-KCC bodies is recommended:

- Clinical Commissioning Group representation: up to a maximum of two representatives from each consortium (e.g. Chair of CCG Board and Accountable Officer)*
- A representative of the Local HealthWatch*
- A representative of the NHS Commissioning Board Local Area Team*
- Three elected Members representing the District/Borough/City Councils (nominated through the Kent Council Leaders)

* denotes statutory member.

7.4. Both the CCG and Local Healthwatch representatives must be appointed by the CCG and Local Healthwatch respectively.

8. Risks.

8.1. Whilst the initial working relationship with the NHS Commissioning Board Local Area Team (NHS LAT) has been productive, it is unclear how proactive the NHS LAT will be in its engagement with both the Kent HWB and the CCG level HWBs. We hope that the CCGs and the HWBs will each be allowed to focus on developing a local approach to delivering health and care services.

9. Financial Implications.

9.1. A District Council in each of the CCG HWB areas has agreed to undertake the administration of the CCG HWBs. The administration of the Kent HWB has been undertaken for the last 18 months by Democratic Services, who will continue to support the HWB as a committee of the County Council. Because of the breadth of activity covered by the HWB, policy support to the HWB will be provided by BSS Policy and Strategic Relationships, Public Health and Families and Social Care Strategic Commissioning.

10. Recommendations

10.1. The Committee is asked to:

- Recommend to County Council the establishment of the Kent Health and Wellbeing Board as a committee of Kent County Council.
- Recommend to County Council the KCC membership of the HWB and the governance arrangements as set out in Appendix 1.

Appendices:

Appendix A – Governance arrangements

Background Documents:

Health and Social Care Act 2012

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

Report to Selection and Member Services Committee, 7th June 2011.
Report to County Council, 21st July 2011.

Contact Officer:

David Whittle

David.whittle@kent.gov.uk.

Kent Health and Wellbeing Board

Governance Arrangements

Role

The Kent Health and Wellbeing Board (HWB) leads and advises on work to improve the health and wellbeing of the people of Kent through joined up commissioning across the NHS, social care, public health and other services (that the HWB agrees are directly related to health and wellbeing) in order to:

- secure better health and wellbeing outcomes in Kent
- reduce health inequalities and
- ensure better quality of care for all patients and care users.

The HWB has a primary responsibility to make sure that health care services paid for by public monies are provided in a cost-effective manner.

The HWB also aims to increase the role of elected representatives in health and provide a key forum for public accountability for NHS, public health, social care and other commissioned services that relate to people's health and wellbeing.

Terms of Reference:

The HWB:

1. Commissions and endorses the Kent Joint Strategic Needs Assessment (JSNA), subject to final approval by relevant partners, if required.
2. Commissions and endorses the Kent Joint Health and Wellbeing Strategy (JHWS) to meet the needs identified in the JSNA, subject to final approval by relevant partners, if required.
3. Commissions and endorses the Kent Pharmaceutical Needs Assessment, subject to final approval by relevant partners, if required.
4. Reviews the commissioning plans for healthcare, social care (adults and children's services) and public health to ensure that they have due regard to the JSNA and JHWS, and to take appropriate action if it considers that they do not.
5. Has oversight of the activity of its sub committees (referred to as Clinical Commissioning Group level Health and Wellbeing Boards), focussing on their role in developing integrated local commissioning strategies and plans.
6. Works alongside the Health Overview and Scrutiny Committee (HOSC) to ensure that substantial variations in service provision by health care providers are appropriately scrutinised. The HWB itself will be subject to scrutiny by the HOSC.

7. Considers the totality of the resources in Kent for health and wellbeing and considers how and where investment in health improvement and prevention services could improve the overall health and wellbeing of Kent's residents.
8. Discharges its duty to encourage integrated working with relevant partners within Kent, which includes:
 - endorsing and securing joint arrangements, including integrated commissioning where agreed and appropriate;
 - use of pooled budgets for joint commissioning (s75);
 - the development of appropriate partnership agreements for service integration, including the associated financial protocols and monitoring arrangements;
 - making full use of the powers identified in all relevant NHS and local government legislation.
9. Works with existing partnership arrangements, e.g. children's commissioning, safeguarding and community safety, to ensure that the most appropriate mechanism is used to deliver service improvement in health, care and health inequalities.
10. Considers and advises Care Quality Commission (CQC) and NHS Commissioning Board; monitors providers in health and social care with regard to service reconfiguration.
11. Works with the HOSC and/or provides advice (as and when requested) to the County Council on service reconfigurations that may be subject to referral to the Secretary of State on resolution by the full County Council.
12. Is the focal point for joint working in Kent on the wider determinants of health and wellbeing, such as housing, leisure facilities and accessibility, in order to enhance service integration.
13. Reports to the full County Council on an annual basis on its activity and progress against the milestones set out in the Key Deliverables Plan.
14. Develops and implements a communication and engagement strategy for the work of the HWB; outlining how the work of the HWB will:
 - reflect stakeholders' views
 - discharge its specific consultation and engagement duties
 - work closely with Local HealthWatch.
15. Represent Kent in relation to health and wellbeing issues in local areas as well as nationally and internationally.
16. May delegate those of its functions it considers appropriate to another committee established by one or more of the principal councils in Kent to carry out specified functions on its behalf for a specified period of time (subject to prior agreement and meeting the HWB's agreed criteria).

Membership

The Chairman is elected by the HWB.

1. Kent County Council:
 - The Leader of Kent County Council and/or their nominee*
 - Executive Director for Families and Social Care*
 - Director of Public Health*
 - Cabinet Member for Adult Social Care & Public Health
 - Cabinet Member for Business Strategy, Performance and Health Reform
 - Cabinet Member for Specialist Children's Services
2. Clinical Commissioning Group: up to a maximum of two representatives from each consortium (e.g. Chair of the CCG Board and Accountable Officer)*
3. A representative of the Local HealthWatch* organisation for the area of the local authority.
4. A representative of the NHS Commissioning Board Local Area Team*
5. Three elected Members representing the Kent District/Borough/City councils (nominated through the Kent Council Leaders)

*denotes statutory member.

Procedure Rules

1. **Conduct.** Members of the HWB are expected to subscribe to and comply with the Kent County Council Code of Conduct. Non-elected representatives on the HWB (e.g. GPs and officers) will be co-opted members and, as such, covered by the Kent Code of Conduct for Members for any business they conduct as a member of the HWB.
2. **Declaration of Disclosable Pecuniary Interests.** Section 31(4) of the Localism Act 2011 (disclosable pecuniary interests in matters considered at meetings or by a single member) applies to the HWB and any sub committee of it. A register of disclosable pecuniary interests is held by the Clerk to the HWB, but HWB members do not have to leave the meeting once a disclosable pecuniary interest is declared.
3. **Frequency of Meetings.** The HWB meets at least quarterly. The date, time and venue of meetings is fixed in advance by the HWB in order to coincide with the key decision-points and the Forthcoming Decision List.
4. **Meeting Administration.**
 - HWB meetings are advertised and held in public and administered by the County Council.
 - The HWB may consider matters submitted to it by local partners.
 - The County Council gives at least five clear working days' notice in writing to each member of every ordinary meeting of the HWB, to include any agenda of the business to be transacted at the meeting.

- Papers for each HWB meeting are sent out at least five clear working days in advance.
- Late papers may be sent out or tabled only in exceptional circumstances.
- The HWB holds meetings in private session when deemed appropriate in view of the nature of business to be discussed.
- The Chairman's decision on all procedural matters is final.

5. **Meeting Administration of Sub Committees.** HWB sub-committees are administered by a principal local authority, in the case of the Clinical Commissioning Group level HWBs, by a District Council in that area. They will be subject to the provisions stated in these Procedure Rules.

6. **Special Meetings.** The Chairman may convene special meetings of the HWB at short notice to consider matters of urgency. The notice convening such meetings shall state the particular business to be transacted and no other business will be transacted at such meeting.

The Chairman is required to convene a special meeting of the HWB if they are in receipt of a written requisition to do so signed by no less than three members of the HWB. Such requisition shall specify the business to be transacted and no other business shall be transacted at such a meeting. The meeting must be held within five clear working days of the Chairman's receipt of the requisition.

7. **Minutes.** Minutes of all of HWB meetings are prepared recording:

- the names of all members present at a meeting and of those in attendance
- apologies
- details of all proceedings, decisions and resolutions of the meeting

Minutes are printed and circulated to each member before the next meeting of the HWB, when they are submitted for approval by the HWB and are signed by the Chairman.

8. **Agenda.** The agenda for each meeting normally includes:

- Minutes of the previous meeting for approval and signing
- Reports seeking a decision from the HWB
- Any item which a member of the HWB wishes included on the agenda, provided it is relevant to the terms of reference of the HWB and notice has been given to the Clerk at least nine working days before the meeting.

The Chairman may decide that there are special circumstances that justify an item of business, not included in the agenda, being considered as a matter of urgency. He must state these reasons at the meeting and the Clerk shall record them in the minutes.

9. **Chairman and Vice Chairman's Term of Office.** The Chairman and Vice Chairman's term of office terminates on 1 April each year, when they are either reappointed or replaced by another member, according to the decision of the HWB, at the first meeting of the HWB succeeding that date.

10. **Absence of Members and of the Chairman.** If a member is unable to attend a meeting, then they may provide an appropriate alternate member to attend in their place. The Clerk of the meeting should be notified of any absence and/or substitution within five working days of the meeting. The Chairman presides at HWB meetings if they are present. In their absence the Vice-Chairman presides. If both are absent, the HWB appoints from amongst its members an Acting Chairman for the meeting in question.
11. **Voting.** The HWB operates on a consensus basis. Where consensus cannot be achieved the subject (or meeting) is adjourned and the matter is reconsidered at a later time. If, at that point, a consensus still cannot be reached, the matter is put to a vote. The HWB decides all such matters by a simple majority of the members present. In the case of an equality of votes, the Chairman shall have a second or casting vote. All votes shall be taken by a show of hands unless decided otherwise by the Chairman. For clarity, each Clinical Commissioning Group has one vote, irrespective of whether both the Clinical Lead and Accountable Officer for that Clinical Commissioning Group attend the HWB.
12. **Quorum.** A third of members form a quorum for HWB meetings. No business requiring a decision shall be transacted at any meeting of the HWB which is inquorate. If it arises during the course of a meeting that a quorum is no longer present, the Chairman either suspends business until a quorum is re-established or declares the meeting at an end.
13. **Adjournments.** By the decision of the Chairman, or by the decision of a majority of those members present, meetings of the HWB may be adjourned at any time to be reconvened at any other day, hour and place, as the HWB decides.
14. **Order at Meetings.** At all meetings of the HWB it is the duty of the Chairman to preserve order and to ensure that all members are treated fairly. They decide all questions of order that may arise.
15. **Suspension/disqualification of Members.** At the discretion of the Chairman, any body with a representative on the HWB will be asked to reconsider the position of their nominee if they fail to attend two or more consecutive meetings without good reason or without the prior consent of the Chairman, or if they breach the Kent Code of Conduct for Members.

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By: Alex King, Deputy Leader

Roger Gough, Cabinet Member for Business Strategy, Performance
& Health Reform

Geoff Wild, Director of Governance and Law

To: Selection and Member Services Committee – 14 March 2013

Subject: Revision of Terms of Reference and Protocols for the Health
Overview and Scrutiny Committee.

Summary: This report invites the Committee to recommend to the County Council changes to the Terms of Reference and Protocols for Health Overview and Scrutiny in Kent contained within the Constitution to reflect changes introduced by the Health and Social Care Act 2012.

1. Introduction

- (a) The current Protocol for Health Overview and Scrutiny assumes that the legislation underpinning health scrutiny established in the Health and Social Care Act 2001 and consolidated in the National Health Service Act 2006 would continue to operate.
- (b) The Health and Social Care Act 2012 established a new framework for local health scrutiny. The details are contained in The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (the Regulations) published on 8 February 2013. The regulations come into effect on 1 April 2013. These need to be reflected in revised Terms of Reference and Protocols.
- (c) The Health and Social Care Act 2012 has also led to the formal introduction of the Health and Wellbeing Board and the transfer of significant public health responsibilities to Kent County Council, along with broader changes to the structure of the health economy. These also need to be reflected in the Constitution.
- (d) The Health and Social Care Act 2012 preserved health scrutiny as a function of local authorities with social services responsibilities, but conveyed the powers to the whole County Council, rather than to a specific committee. It remains a non-executive function and can be delegated to a committee (under section 102 of the Local Government Act 1972), an overview and scrutiny committee, or joint overview and scrutiny committee. It cannot be delegated to an officer of the authority or to the Health and Wellbeing Board.
- (e) The core powers to require information and attendance at meetings remain part of health scrutiny. These powers extend over the NHS Commissioning Board, Clinical Commissioning Groups and providers of

NHS and public health services commissioned by the NHS Commissioning Board, Clinical Commissioning Groups and local authorities. These are analogous to currently existing powers and are there to enable health scrutiny to 'review and scrutinise any matter relating to the planning, provision and operation of the health service in its area'.

- (f) As currently, there is a requirement for the County Council to be consulted on service reconfigurations. Where a service reconfiguration affects the areas of more than one council with health scrutiny functions, a joint overview and scrutiny committee must be established, or the responsibility delegated to a committee in a different area. Additional requirements have been introduced to require the relevant health service body and local authority to try and reach agreement where there are differences of opinion.
- (g) The ability to make a report to the Secretary of State on a service reconfiguration ('referral') continues on the same existing three grounds:
 - a. The consultation with the Committee on the proposal is deemed to have been inadequate in relation to content or time allowed;
 - b. The reasons given for not consulting with the Committee on a proposal are inadequate;
 - c. The proposal is not considered to be in the interests of the health services of the area.
- (h) The decision to refer a service reconfiguration to the Secretary of State must be carried out by full Council unless the health scrutiny function has been delegated specifically to an Overview and Scrutiny Committee or Joint Overview and Scrutiny Committee and not a Committee or Sub-Committee set up under s.102 of the Local Government Act 1972.

2. Key Points

- (a) The revised protocols assume that the Health Overview and Scrutiny Committee (HOSC) will continue and will be the default means through which the statutory health scrutiny function of Kent County Council is to be exercised. The exception to this is the situation where a joint overview and scrutiny committee is required due to a service reconfiguration affecting more than one area.
- (b) The decisions of the Health and Wellbeing Board do not necessarily all come under the statutory remit of health scrutiny. The Health and Wellbeing Board covers children's services, social services and public health as well as health. The remit of statutory health scrutiny will cover the commissioning decisions of the Clinical Commissioning Groups who are statutory members of the Board, but not the other commissioners present. It will also cover any health services commissioned by public health or the Clinical Commissioning Groups. The commissioning

decisions taken by the local authority will be considered separately under the Cabinet Committee system.

- (c) Similarly, the wide-ranging nature of the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategies means that HOSC is likely to be interested in their contents and be able to add value to their development, but this does not mean it need necessarily carry out the role of a Cabinet Committee in relation to the Health and Wellbeing Board..
- (d) A few examples of the way the Health and Wellbeing Board and HOSC would interact strategically are set out in Section 5 of the revised Protocol.
- (e) Local Health Watch retains the power currently enjoyed by the LINK to formally refer matters relating to the planning, provision and operation of the health service in its area to the HOSC.
- (f) As under the previous legislation, health scrutiny remains a function of upper tier authorities. Borough/City/District Councils are still able to scrutinise health topics under their 'general well being' powers, although the ability to delegate some health scrutiny powers where appropriate remains. Sub-architecture for the Health and Wellbeing Board is being developed and involves Borough/City/District Councils. This may become more of a focus for Borough/City/District Councils involvement in health matters than health scrutiny.
- (g) Where health scrutiny is carried out at the Borough/City/District Council level, the Constitution already contains the previously agreed Protocol for Overview and Scrutiny Inter-Authority Co-Operation.
- (h) The revised Terms of Reference will replace those currently in the Constitution Appendix 2, Part 2.

3. Recommendation

That the Committee recommends to the County Council for approval the revised terms of Reference and Protocol for Health Overview and Scrutiny in Kent and recommends that Appendix 2, Part 2, of the Constitution be amended accordingly.

Background Documents

Department of Health, *Local Authority Health Scrutiny. A summary of consultation responses*, 14 December 2012, <http://www.dh.gov.uk/health/2012/12/health-scrutiny-response/>
Health and Social Care Act 2012, <http://www.legislation.gov.uk/ukpga/2012/7/contents/enacted>

*The Local Authority (Public Health, Health and Wellbeing Boards and Health
Scrutiny) Regulations* 2013,
<http://www.legislation.gov.uk/uksi/2013/218/contents/made>

Contact Details

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Annex B: Terms of Reference and Protocol for Health Overview and Scrutiny in Kent

Terms of Reference for Health Overview and Scrutiny Committee (HOSC)

“To review and scrutinise matters relating to the planning, provision and operation of health services in Kent through exercising the powers conferred on Kent County Council under Section 244 of the National Health Service Act 2006 as amended by the Health and Social Care Act 2012.”

Protocol for Health Overview and Scrutiny

1. Core Principles.

- (1) This protocol puts into effect the statutory obligations of Kent County Council under section 244 of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012).
- (2) The operation of the protocol is underpinned by Part 4 of The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (as amended from time to time).
- (3) The work of the HOSC is built around the following four principles:
 - (a) Democratic legitimacy – Membership is drawn from elected representatives.
 - (b) Institutional memory – a strand of continuity as well as a body of knowledge and experience is built up cumulatively over time.
 - (c) Strategic perspective – HOSC is a statutory body able to scrutinise health matters as they affect the whole county.
 - (d) Operational freedom – an independent perspective is brought to the scrutiny of health issues through the ability to treat commissioners and providers of health services equally.

2. Key Tasks and Work Programme

- (1) The work programme of the HOSC is underpinned by the four principles and reflects the key tasks outlined below:
 - (a) To examine the strategic direction for local health services, how the key objectives and priorities have been determined and whether there exists the means to achieve them, in terms of plans, resources, skills, and capabilities.
 - (b) To examine policy proposals affecting local health services, review areas of emerging policy, or where existing policy is deficient, make proposals.
 - (c) To examine the performance of the commissioners and providers of local health services, and the relationships between spending and delivery of outcomes.

- (d) To conduct scrutiny of plans for substantial variations of service.
 - (e) To review the implementation and impact of substantial variations of service and changes to the provision of health services.
 - (f) To produce timely reports to inform debate in County Council and the Health and Wellbeing Board, and to examine matters raised.
 - (g) To assist the County Council in better engaging with the public by ensuring that the work of the HOSC is accessible to the public.
- (2) The HOSC is responsible for setting its own work programme, giving due regard to the requests of commissioners and providers of health services to bring an item to the HOSC's attention, as well as taking into account the referral of issues by Health Watch and other third parties.
 - (3) The HOSC will not consider individual complaints relating to health services. All individual complaints about a service provided by the NHS should be directed to the NHS body concerned.

3. Operating Arrangements.

- (1) The exercise of formal health scrutiny powers shall be through meetings of the whole HOSC. Exceptions are set out in paragraph 3(2), below.
- (2) Informal Member Groups may be established with the approval of the HOSC, in order to consider issues in more depth and can include elected representatives from KCC or Borough/City/District Councils in Kent who are not members of HOSC. Informal Member Groups cannot exercise any formal health scrutiny powers.
- (3) Agenda items present at the request of health bodies shall be accompanied by a clear indication of the outcome sought from the HOSC and sufficient information provided for inclusion in the agenda to enable the HOSC to respond appropriately.
- (4) Commissioners and providers of local health services are required to provide the HOSC with such information about the planning, provision and operation of health services in the area of that authority as the authority may reasonably require in order to discharge its relevant functions.
- (5) Nothing in paragraph 3(4) requires the provision of:
 - (a) confidential information which relates to and identifies a living individual, unless at least one of the conditions specified in paragraph 3(6) applies; or
 - (b) any other information the disclosure of which is prohibited by or under any enactment, unless paragraph 3(7) applies.
- (6) The conditions referred to in paragraph 3(5)(a) are:
 - (a) the information is or can be disclosed in a form from which the identity of the individual cannot be ascertained; or
 - (b) the individual consents to the information being disclosed.
- (7) This paragraph applies where:

- (a) the prohibition on the disclosure of information arises because the information is capable of identifying an individual; and
 - (b) the information is or can be disclosed in a form from which the identity of the individual cannot be ascertained.
- (8) In a case where the disclosure of information is prohibited by paragraph 3(5), the HOSC may require the person holding the information to put the information in a form from which the identity of the individual concerned cannot be identified in order that the information may be disclosed.
- (9) Paragraph 3(4) does not apply in relation to:
- (a) information contained in, or relating to, a trust special administrator's report or draft report under sections 65F or 65I of the National Health Service Act 2006;
 - (b) information contained in, or relating to, recommendations by a health special administrator on the action which should be taken in relation to a company subject to a health special administration order under section 128 of the Health and Social Care Act 2012.
- (10) Subject to paragraph 3(14), the HOSC may require any member or employee of a local health service commissioner or provider to attend before the HOSC to answer such questions as appear to the HOSC to be necessary for discharging its relevant functions.
- (11) Subject to paragraphs 3(12) and 3(13), it is the duty of any such member or employee to comply with any such requirement.
- (12) The HOSC may not require a person to attend in accordance with paragraph 3(10) unless reasonable notice of the intended date of attendance has been given to that person.
- (13) Nothing in paragraph 3(11) requires any person to answer any question put to that person by the local authority:
- (a) to the extent that the answer requires the provision of information of a type specified in paragraph 3(5); or
 - (b) if that person would be entitled to refuse to answer in, or for the purposes of, proceedings in a court in England and Wales.
- (14) The HOSC may not require a member or employee of a responsible person to attend before it to answer questions in relation to:
- (a) a trust special administrator's report or draft report under sections 65F or 65I of the National Health Service Act 2006;
 - (b) a health special administration order under section 128 of the Health and Social Care Act 2012, or recommendations by a health special administrator on the action which should be taken in relation to a company subject to such an order.
- (15) Where appropriate, the HOSC may also request information for agenda items and attendance at formal meetings from organisations and individuals not

specified in statutory regulations. Whenever information is either required or requested, sufficient notice shall be given to enable the relevant information to be gathered and attendees confirmed along with a clear indication of the outcome sought.

4. Working with other organisations

- (1) It is recognised that Borough/City/District Councils in Kent may wish to engage with health matters in ways other than through overview and scrutiny. The exercise by KCC of the statutory health scrutiny function shall not prejudice this activity, and information shall be shared freely between the HOSC and Borough/City/District Councils.
- (2) Health scrutiny activity at the County and Borough/City/District Council level shall seek to be complementary and not unnecessarily duplicate work. The HOSC may determine to delegate the exercising of the health scrutiny function over a specific issue to an overview and scrutiny committee of a Borough/City/District Council. Due regard will be given to the Protocol for Overview and Scrutiny Inter-Authority Co-Operation (contained in Appendix 4 Part 4 Annex A of the Constitution) and the relevant regulations.
- (3) Borough/City/District Council representatives shall have rights of participation in a manner to be determined by the County Council.
- (4) The role that Health Watch fulfils in promoting effective health care is recognised as is the statutory role of Health Watch on the Health and Wellbeing Board. Information will be shared where appropriate and Health Watch shall have the right to refer issues to HOSC, but there is no automatic right for Health Watch members to formal HOSC membership.
- (5) Issues referred by Health Watch will receive an acknowledgment within 20 working days and Health Watch will be kept informed of any actions taken.
- (6) Monitor, the Care Quality Commission and other regulatory bodies, undertake valuable roles distinct from that of HOSC. Information may be shared with them, but the operational independence and work programme of HOSC shall not be determined by that of other bodies.
- (7) Regular liaison shall be maintained with health scrutiny in Medway and if a Joint HOSC is required by statute, or where it is deemed appropriate by the relevant Committee in each authority, one shall be established in line with the manner agreed between both authorities.
- (8) Regular liaison shall be maintained with health scrutiny bodies across the South East region and elsewhere, to consider and share information about broader strategic health matters affecting the entire region.
- (9) If a Joint HOSC is required by statute or where it is deemed appropriate by the relevant Committee in each authority concerned, one shall be established in line with the manner agreed between the authorities. Options shall include the establishment of a formal Joint HOSC, or the delegation of the scrutiny function for the specific issue under discussion to another HOSC or equivalent Committee.

5. Relationship with the Health and Wellbeing Board

- (1) The strategic reciprocity of the HOSC and the Health and Wellbeing Board (HWB) is recognised in relation to the unique role each fulfils. Membership of one will exclude membership of the other.
- (2) The HOSC shall seek to add value to the work of the HWB while maintaining a distinct identity as a 'critical friend'. The HOSC has a role in contributing to the development of the Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS). It may also provide, where appropriate and upon request, a third party perspective on perceived conflicts between the JHWS and health commissioning plans.
- (3) The HWB may request (but not require) that the HOSC undertakes specific reviews and makes recommendations.

6. Substantial Variations of Service

- (1) Proposed changes to local health services shall be communicated on a regular basis to the HOSC by health service commissioners and providers. The HOSC shall advise where it considers a change to be substantial and it wishes to consider a proposal in more detail.
- (2) The HOSC shall advise where, in cases when the relevant health service body has not requested the opportunity to bring a specific proposal to the HOSC, it considers a change to be substantial and it wishes to consider a proposal in more detail.
- (3) Where a decision has been taken without allowing time for consultation because of a risk to safety or welfare of patients and staff, the HOSC shall be informed as soon as is practicable.
- (4) Where the HOSC deems a given proposed service change as being not substantial, this shall not prevent the HOSC from reviewing the proposed change at its discretion and making reports and recommendations to the relevant health commissioner or provider.
- (5) Where a proposed service change is being considered by a Joint HOSC or where there has been delegation of the scrutiny function for the specific issue to another committee or body, it shall be only this Committee or body which shall consider the decision and not the HOSC.
- (6) Where the HOSC determines a proposed change of service to be substantial, a timetable for consideration of the change shall be agreed between the HOSC and relevant organisation(s). Changes to the timetable will be possible by mutual agreement. The timetable shall include the proposed date that the relevant organisation(s) intends to make a decision as to whether to proceed with the proposal and the date by which the HOSC will provide any comments on the proposal.
- (7) Where the HOSC makes a recommendation on a proposal for a substantial variation of service with which the relevant organisation(s) does not agree, the HOSC shall be notified and such steps as are reasonably practicable taken by all parties to try and reach agreement.
- (8) The HOSC's consideration of any substantial variation of service will include the whole context of the local health economy, e.g. whether it delivers lasting clinical change, is sustainable, and whether it meets the Secretary of State's four tests of service reconfiguration:

- (a) that they have support of general practitioner commissioners;
 - (b) arrangements for public and patient engagement, including local authorities, are strong;
 - (c) there is clarity about the clinical evidence base underpinning any proposals; and
 - (d) the proposals take into account the need to develop and support patient choice.
- (9) A substantial variation of service may only be referred to the Secretary of State for Health where one of the following applies:
- (a) The consultation with the HOSC on the proposal is deemed to have been inadequate in relation to content or time allowed;
 - (b) The reasons given for not consulting with the HOSC on a proposal are inadequate;
 - (c) The proposal is not considered to be in the interests of the health services of the area.
- (10) The proposer of the substantial variation of service shall be informed of the date on which the HOSC intends to make a decision as to whether to ask full County Council for a determination on referring an issue to the Secretary of State for Health. Full Council will be kept informed of the HOSC's intention to determine whether to refer an issue to the Secretary of State for Health. Where practicable, full Council will be given the opportunity to comment of the HOSC's intention to refer and the HOSC shall consider these comments before making a final determination.
- (11) Any report of a referral to the Secretary of State shall be accompanied by full evidence of the case for referral. It will also include evidence all other options for resolution have been explored.

By: Alex King – Deputy Leader
Geoff Wild – Director of Governance and Law

To: Selection and Member Services Committee – 14 March 2013

Subject: **Education Appeals Panels**

Classification: Unrestricted

Summary: This report asks Members to confirm (a) the operation of education appeal panels and (b) arrangements for the payment of travel and subsistence, child/dependant carers' allowances and financial loss.

Background

1. (1) In accordance with its terms of reference set out at Appendix 2 Part 2 of the Council's Constitution, the Selection and Member Services Committee is responsible for making and or arranging the appointment of independent appeals panels (school admissions and exclusions).
- (2) Under the School Standards and Framework Act 1998, school admission authorities must make arrangements to enable parents to appeal against school admission and exclusion decisions. This requirement includes making the arrangements for the panels to hear appeals and the appointment and training of panel members who must be volunteers.
- (3) The work of the Education Appeals Panels is regulated by the School Admission Appeals Code and Guidance on exclusion from schools and Pupil Referral Units. A new School Admissions Appeal Code was published by the Department for Education in February 2012 and new statutory guidance for those with legal responsibilities in relation to exclusion was published in September 2012.
- (4) The new code and statutory guidance require the council to make decisions about the administrative arrangements for the panels, including the number of volunteer panel members who sit on each panel.
- (5) There is also a need to clarify arrangements for the payment of the expenses incurred by panel members. It is important to do this now as a campaign to recruit new volunteer members is underway.

Administrative Arrangements

2. (1) The Council is required to maintain two types of Education Appeals Panels:

- An Admission Appeals Panel which determines appeals lodged by parents where their child is not offered a place at their preferred school; and
 - An Independent Review Panel to review decisions of school governing bodies not to reinstate a permanently excluded pupil.
- (2) The School Admissions Appeal Code says that independent appeal panels must comprise a chair and *at least* two other panel members. There must be at least one lay person (i.e. someone without personal experience in the management of any school except as a school governor) and one person who has experience in education.
 - (3) The statutory guidance on exclusions specifically states that “the local authority/academy trust must constitute the panel with either three or five members (as decided by the by the local authority/academy trust) made up of lay members, school governors and head teachers.
 - (4) In practice, at Kent, the panels have been made up of three members and this has worked well for at least 20 years. Using panels of three makes the most efficient use of the panel members’ time and is less daunting than panels of five for the appellants. There has, however, been no formal decision to sit with three members and in the interest of clarity and certainty, the Selection and Member Services Committee is asked to confirm that admission appeal panels and independent review panels on exclusion should comprise three members.

Payment of Expenses

3. (1) Education Appeals Panels Members are volunteers and cannot receive payment for their services. They are, however, “eligible to receive travel and subsistence allowances and can also be compensated for any loss of earnings or any individual expenses, including child-minding costs that are necessarily incurred because of attending an appeal hearing or associated training” (paragraph 1.13 of the Code). The allowances are set by the local authority, which must have regard to the recommendations of its Independent Remuneration Panel, as provided for in the Local Authorities (Members’ Allowances) Regulations 2003.
- (2) The current members of the Education Appeals Panels very rarely claim subsistence payments as lunch is normally provided for panel hearings. They do, however, claim travel expenses and have been reimbursed at the rate set out in the County Council’s Members’ Allowance Scheme. At present this is 45p per mile.
- (3) None of the current panel members has claimed for the costs of care for dependants and only one has regularly claimed for financial loss.
- (4) The absence of claims for costs associated with care for dependants is largely because most panel members are retired or work part time. However, work is underway to widen and refresh the pool of Education

Appeals Panel membership so that they better reflect the community as a whole.

- (5) It is not anticipated that claims for such costs will increase significantly, but as there is a requirement under the Codes to make such payments, it is important that there is absolute clarity and certainty about what should be paid and how claims should be made.
- (6) The Independent Remuneration Panel has not formally considered payment of Dependants' Carers' allowances to members of Education Appeal Panels but has made recommendations on such payments to elected members and to co-opted members of the former Standards Committee, to which the committee should have regard.
- (7) In order to comply with the School Admissions Appeals Code, the Selection and Member Services Committee is asked to agree that Education Appeal Panel members and Independent Review Panel members can be reimbursed for costs associated with care for dependants in accordance with the provisions the Members' Allowances Scheme, i.e. members of panels with care responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the panel member is attending a panel meeting or associated training up to a maximum of £10 per hour for each dependent child or adult. Money paid to a member of the claimant's household will not be reimbursed.

Loss of Earnings

5. (1) As set out in paragraph 3(1) above, Panel members can also be compensated for any loss of earnings. It is important, therefore, to have a scheme in place to deal with any claims for compensation that may arise.
- (2) Only one of the existing bank of panel members claims for loss of earnings and he receives £55.31 for a full day and £27.65 for a half day. This rate has remained the same for at least 10 years, although it is not clear how this amount was arrived at.
- (3) The ceiling on the amount other local authorities are prepared to pay varies. For example, Oxfordshire sets its ceiling at £100 per day and Bracknell will pay up to £59.10 for a full day and £30.14 for a half day.
- (4) It is suggested that compensation for loss of earnings for Education Appeal Panel members be considered by the Independent Remuneration Panel at the earliest opportunity. In the meantime, it is suggested that the Council continues to pay its existing rate. In order to ensure that claims for actual financial loss are valid and audit trails are sufficiently robust, panel members will need to support any claims for loss of earnings with a certificate provided by their employer or, if they are self employed, provide supporting evidence from their accountant.

(6) Recommendations

The Selection and Member Services Committee is asked to:

- (a) Agree that School Admission Appeal Panels and Independent Review Panels on Exclusions comprise three members.
- (b) Confirm the existing practice of paying for travel and subsistence claims to Education Appeal Panel members and Independent Review Panels for exclusions, in accordance with the Members' Allowance Scheme.
- (c) Agree that the Dependants' Carers' Allowance can be paid to members of Education Appeal Panels and Independent Review Panels for Exclusions in accordance with the Members' Allowances' Scheme.
- (d) Agree to the continuation of the payment of loss of earnings allowance of up to a maximum of £55.31 for a full day and up to a maximum of £27.65 for half a day subject to the receipt of a certificate from the appeal panel member's employer or supporting evidence from a self employed panel member's accountant or other appropriate evidence.
- (e) Refer the consideration of loss of earnings for Education Appeal Panel members to the Independent Remuneration Panel.

By: Alex King, Deputy Leader

Geoff Wild, Director of Governance and Law

To: Selection and Member Services Committee – 14 March 2013

Subject: Authority to participate in legal proceedings and Rights of Audience

Summary: This report recommends a change to Article 13.3 to the County Council's Constitution to clarify that the Monitoring Officer may authorise others to participate in legal proceedings on behalf of the Authority.

1. Legal Background

(1) The power for the Council to bring and defend legal proceedings has a statutory basis, which is reflected in the Council's Constitution. Without arrangements giving authority to various officers, the Council could not bring or defend legal proceedings or appear before a court. In order to do this, there needs to be two specific levels of authorisation:

- (a) Authority to institute, defend or participate in and settle any legal proceedings; and
- (b) Authority to appear in court

(2) Under the Council's Constitution, these authorisations are currently only given to the Monitoring Officer, without provision for other Council officers to be duly authorised. A number of directorates and divisions, for reasons related to the functions of their business, have been instituting, defending, participating, or settling legal proceedings and appearing in court without being clear as to whether the two specific levels of authorisation above are in place. The relevant divisions are:

- Waste management: to carry out statutory functions, directed surveillance under the Regulation of Investigatory Powers Act 2000 and to make applications before a Magistrates' Court;
- Insurance: to bring small claims related to their business operations and to appear in the County Court;
- Countryside Access Service: to carry out statutory functions and appear before Public Enquiries;
- Integrated Youth Services: to carry out statutory functions and appear before Magistrates' Courts to make applications on behalf of the Council; and
- Trading Standards: to carry out statutory functions and to appear before Magistrates' Courts to make applications on behalf of the Council.

The functions for these divisions and officer details can be found at **Appendices 1 and 2**.

(3) Section 222 of the Local Government Act 1972 ('LGA 1972') provides a power for the Council to prosecute or defend legal proceedings:

"Where a local authority consider it expedient for the promotion or protection of the interests of the inhabitants of their area

(a) they may prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, may institute them in their own name, and

(b) they may, in their own name, make representations in the interests of the inhabitants at any public inquiry held by or on behalf of any Minister or public body under any enactment."

(4) The Legal Services Act 2007 ('LSA 2007') sets out a regulatory framework for the provision of legal services and prescribes how 'rights of audience' to appear in court are granted. Sections 12, 18 and 19 make clear that a person shall only have a right of audience before a court in relation to any proceedings where that person is either an 'exempt person' or an 'authorised person'. The LSA 2007 at paragraph 1(3), Schedule 3, provides that an 'exempt person' includes a person who has a right of audience before a court granted under any enactment. An 'authorised person' is a solicitor, barrister or legal executive who is a member of their relevant professional regulatory body. As long as an authorised person remains a member of such a body and complies with their rules and restrictions, they may exercise rights of audience and conduct litigation in all proceedings in all courts.

(5) Section 223 of the LGA 1972 is an enactment relevant to 'exempt persons' and provides that:

"Any Member or officer of a local authority who is authorised by that authority to prosecute or defend on their behalf, or to appear on their behalf in, proceedings before a Magistrates' Court shall be entitled to prosecute or defend or to appear in any such proceedings, and, to conduct any such proceedings."

(6) Article 13.3 of the Council's Constitution gives effect to the legislative provisions above by:

(a) delegating the power to prosecute or defend legal proceedings in s.222 of the LGA 1972 to the Monitoring Officer, and

(b) authorising the Monitoring Officer to appear in any court proceedings:

"The Monitoring Officer is authorised to institute, defend or participate in and settle any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where he considers that such action necessary to protect or pursue the Council's interests or where he considers it expedient for the promotion or protection of the interests of the inhabitants of Kent."

It is important that the Monitoring Officer should remain an 'authorised person', as detailed above, in order to be able to, represent the Council in any court.

(7) The combination of the legislative provisions above and Article 13.3 gives the Monitoring Officer authority to conduct and appear in any legal proceedings on behalf of the Council, whether they are civil or criminal in nature. However, the Monitoring Officer does not have specific delegated authority to authorise other officers, whether within Legal Services or outside Legal Services, pursuant to the statutory provisions above. Recommendations to correct this are made below.

2. Authority to Appear in Court

(1) Any officer who represents the Council in a civil or criminal court for a hearing or trial must (a) have a right of audience and (b) be duly authorised, in accordance with the provisions above. A right of audience is the right to appear before and address a court, without which a party cannot appear before a court. There is no common law right of audience and a right of audience cannot be granted by consent of other parties to the case.

Magistrates' Courts

(2) As regards legal proceedings in the Magistrates' Court, s.223 LGA 1972 has the effect of giving local authority officers that right of audience after the officer is duly authorised by the Council. Otherwise, only an admitted solicitor or barrister may normally exercise a right of audience before a Magistrates' Court. Section 223 LGA 1972 only permits Council officers to appear in a Magistrates' Court and not any other court (e.g. Crown Court, County Court, High Court or any Appeal Court). Therefore, the Council (whether by delegated authority or otherwise) may only properly authorise officers who are not legally qualified with rights of audience to appear in the Magistrates' Court and not any other court.

(3) The proposed amendment to Article 13.3 below, allows the Monitoring Officer to delegate authority to other officers so that they may be duly authorised to appear in the Magistrates' Court as required by s.223 LGA 1972.

All other courts

(4) Only solicitors or barristers and certain regulated legal executives with rights of audience under the LSA 2007 are permitted to appear in criminal or civil proceedings in all courts. This is because they normally have rights of audience as 'authorised persons' under the LSA 2007 (as detailed above at paragraph 1(4)) without needing prior authorisation under s.223 of the LGA 1972. It is not possible for other Council officers to appear in any legal proceedings (apart from in a Magistrates' Court when duly authorised as an 'exempt person', described in paragraph 2(3) above).

3. Authority to institute, defend or participate in and settle any legal proceedings

Legal Officers

(1) As a part of their job and in furtherance of the Council's interests, Qualified Lawyers within Legal Services are regularly required to institute, defend or participate in and settle any legal proceedings. In order to give the Monitoring

Officer delegated authority to authorise Qualified Lawyers, it is necessary to amend Article 13.3 as recommended below. This recommendation ensures that the Monitoring Officer has delegated authority to authorise Qualified Lawyers to give effect to s.222 of the LGA 1972. The recommendation also permits the Monitoring Officer to authorise Non-Qualified Legal Services' officers to appear in the Magistrates' Court (but not any other court).

(2) It shall be the responsibility of the Monitoring Officer to hold a list of authorised officers pursuant to the proposed amendment to Article 13.3 and to review the list periodically or as appropriate.

Non-Legal Officers

(3) As mentioned above, Council officers who are not Qualified Lawyers may only appear in a Magistrates' Court after being duly authorised by the Council. In some cases, officers have been working under the impression that they have already been duly authorised to bring proceedings and appear before a Magistrates' Court (see **Appendix 2** and paragraph 1(2) above). However, on a closer review of the authorities presented by relevant divisions, this does not appear to be the case.

(4) As a result, it is unwise for the Council to rely on existing authorities that may not be sufficient and necessary for the purposes of s.222 and s.223 of the LGA 1972. The proposed amendments to Article 13.3 below, would permit the Monitoring Officer to oversee and regularise the position with the necessary ability to give the required levels of authorisation described above.

(5) The proposed amendment to Article 13.3 would make it more efficient and cost effective for the Monitoring Officer to delegate authority to officers pursuant to s.222 and s.223 of the LGA 1972, rather than bringing a report to the full Council for decision on each occasion.

(6) The recommendation will provide resilience to court action brought by or against the Council, will serve to increase efficiency and reduce both costs and the risk of acting ultra vires.

PROPOSED AMENDMENT

4. Proposed Amendment to Article 13.3

(1) In order to give effect to the recommendations above, a simple amendment to Article 13.3 is proposed, as underlined below:

“The Monitoring Officer is authorised to institute, defend or participate in and settle any legal proceedings, or authorise others to do so, in any case where such action is necessary to give effect to decisions of the Council or in any case where he considers that such action necessary to protect or pursue the Council’s interests or where he considers it expedient for the promotion or protection of the interests of the inhabitants of Kent.”

(2) In accordance with Article 14.2, changes to the Articles of the Constitution must be approved by the full Council after consideration of the proposal by the Selection and Member Services Committee.

(3) Accordingly, the Committee is asked to consider the proposed change and make a recommendation to the County Council.

5. Recommendations

1. That the Committee recommends to the County Council for approval the following amendment to Article 13.3, as underlined below:

“The Monitoring Officer is authorised to institute, defend or participate in and settle any legal proceedings, or authorise others to do so, in any case where such action is necessary to give effect to decisions of the Council or in any case where he considers that such action necessary to protect or pursue the Council’s interests or where he considers it expedient for the promotion or protection of the interests of the inhabitants of Kent.”

2. That the Monitoring Officer be authorised to hold a list of authorised officers pursuant to Article 13.3 and that the Monitoring Officer be authorised to make additions, removals or amendments to the list as appropriate in his opinion.

Contact:
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Head of Democratic Services
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Ext 4002

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Fee Earner Full Name	Legal Services Team	Qualified Lawyer: Solicitor / Barrister / Legal Executive with Rights of Audience
Ben Watts	Litigation & Social Welfare Group	Solicitor
Clark, Ian	Litigation & Social Welfare Group	Solicitor
Frankham, Frances	Litigation & Social Welfare Group	Solicitor
Bentley, Graeme	Litigation & Social Welfare Group	Solicitor
Boholst Madeira, Pamela	Litigation & Social Welfare Group	Solicitor
Brown, Michelle	Litigation & Social Welfare Group	Solicitor
Choi, Che Fung	Litigation & Social Welfare Group	Solicitor
Clark, Amelia	Litigation & Social Welfare Group	Solicitor
Dolan, Julia	Litigation & Social Welfare Group	Solicitor
Dholakia, Jyoti	Litigation & Social Welfare Group	Solicitor
Frost, Donna	Litigation & Social Welfare Group	Solicitor
Inglis, Fiona	Litigation & Social Welfare Group	Solicitor
Ismail, Nasim	Litigation & Social Welfare Group	Solicitor
Khatib, Sarah	Litigation & Social Welfare Group	Solicitor
McGowan, Noelle	Litigation & Social Welfare Group	Solicitor
Murphy, Michelle	Litigation & Social Welfare Group	Solicitor
Robinson, Penelope	Litigation & Social Welfare Group	Barrister
Sagaga, Vatau	Litigation & Social Welfare Group	Solicitor
Hannah Simpson	Litigation & Social Welfare Group	Solicitor
Siggins, Laura	Litigation & Social Welfare Group	Solicitor
Spicer, Laura	Litigation & Social Welfare Group	Solicitor
Usher, Jenny	Litigation & Social Welfare Group	Solicitor
Webb, Rebecca	Litigation & Social Welfare Group	Solicitor
Yip, Ling	Litigation & Social Welfare Group	Solicitor
Matthew Waterworth	Litigation & Social Welfare Group	Solicitor
Bakshi, Irvinder	Litigation & Social Welfare Group	Barrister
Bradley, Mark	Litigation & Social Welfare Group	Solicitor
Burrin, David	Litigation & Social Welfare Group	Solicitor
Clarke, Samantha	Litigation & Social Welfare Group	Solicitor
Clements, Lucy	Litigation & Social Welfare Group	Solicitor
Ffrench, Erica	Litigation & Social Welfare Group	Solicitor
Fulton, Ben	Litigation & Social Welfare Group	Solicitor
Holt, Katharine	Litigation & Social Welfare Group	Solicitor
Honeyman, Michael	Litigation & Social Welfare Group	Solicitor
Kremers, Katherine	Litigation & Social Welfare Group	Solicitor
Patel, Shejal	Litigation & Social Welfare Group	Solicitor
Rogers, Laura	Litigation & Social Welfare Group	Solicitor
Singh, Gurpreet	Litigation & Social Welfare Group	Barrister
Walsh, Peter	Litigation & Social Welfare Group	Solicitor
Warley, Simon	Litigation & Social Welfare Group	Solicitor
Gibbons, Myles	Litigation & Social Welfare Group	Legal Executive (With Rights of Audience)
Vickerman, Karina	Litigation & Social Welfare Group	Legal Executive (With Rights of Audience)
Trevor Chapman	Litigation & Social Welfare Group	Solicitor
Inoka Ho	Litigation & Social Welfare Group	Solicitor
Jennifer Nankivell	Litigation & Social Welfare Group	Solicitor
Loucia Kyprianou	Litigation & Social Welfare Group	Solicitor
Amen Randhawa	Litigation & Social Welfare Group	Solicitor
Beth Forrester	Litigation & Social Welfare Group	Solicitor
Catherine Bowcock	Litigation & Social Welfare Group	Solicitor
Carmel Maher	Litigation & Social Welfare Group	Solicitor
Carolyn Barber	Litigation & Social Welfare Group	Solicitor
Heidi Ali	Litigation & Social Welfare Group	Solicitor
Jacqui Sansom	Litigation & Social Welfare Group	Legal Executive (With Rights of Audience)
Karina Sagaga	Litigation & Social Welfare Group	Solicitor
Kerry Short	Litigation & Social Welfare Group	Solicitor
Lauren McCann	Litigation & Social Welfare Group	Solicitor

Mikal Anderson	Litigation & Social Welfare Group	Solicitor
Moya Stirrup	Litigation & Social Welfare Group	Solicitor
Pam McFarland	Litigation & Social Welfare Group	Solicitor
Roger Hall	Litigation & Social Welfare Group	Solicitor
Sally Barter	Litigation & Social Welfare Group	Solicitor
Sarah Galvin	Litigation & Social Welfare Group	Solicitor
Toli Sagaga	Litigation & Social Welfare Group	Solicitor
Trazer Lyles	Litigation & Social Welfare Group	Solicitor
Vivien Bowles	Litigation & Social Welfare Group	Legal Executive (With Rights of Audience)
Bussell, Oliver	Planning & Highways Team	Solicitor
Judge, Victoria	Planning & Highways Team	Solicitor
Bonser, Sarah	Planning & Highways Team	Solicitor
Emsley, Liezl	Planning & Highways Team	Solicitor
Everden, Nicola	Planning & Highways Team	Solicitor
Khroud, Amandeep	Planning & Highways Team	Solicitor
Rummins, Mark	Planning & Highways Team	Solicitor

Fee Earner Full Name	Legal Services Team
Briggs, Michael	Litigation & Social Welfare Group
Debono, Mandy	Litigation & Social Welfare Group
Sweeting, Julia	Litigation & Social Welfare Group
Tanton, Natasha	Litigation & Social Welfare Group
Watts, Vicki	Litigation & Social Welfare Group
Ashby, Ruth	Litigation & Social Welfare Group
Beasley, Sarah	Litigation & Social Welfare Group
Gore, Debra	Litigation & Social Welfare Group
Lawlor, Tricia	Litigation & Social Welfare Group
Skinner, Charlotte	Litigation & Social Welfare Group
Radford, Mark	Litigation & Social Welfare Group

Non-Qualified Lawyer / Trainee
Legal Assistant
Senior Legal Assistant
Principal Legal Assistant
Trainee Solicitor
Legal Assistant
Senior Legal Assistant
Trainee Legal Officer
Legal Assistant
Senior Legal Assistant
Legal Secretary / Legal Assistant
Legal Consultant

Full Name of Officer	Department / Team	Job Title	Circumstances in which Legal Proceedings Conducted
John Evans	Waste management	Enforcement Manager	Fulfilment of Statutory Functions: sections 33 (Prohibition of harmful deposit, treatment or disposal of waste), 34 (Duty of care as respects waste) and 71 (Obtaining information from persons and authorities) of the Environmental Protection Act 1990; section 108 (Powers of entry) of the Environment Act 1995; section 28 (Authorisation of directed surveillance), Regulation of Investigatory Powers Act 2000; and section 38 (Making an application before a Magistrates' Court) Protection of Freedoms Act 2012.
Geoff Cloke	Waste management	Senior Environmental Crime Enforcement Officer	Fulfilment of Statutory Functions: sections 33 (Prohibition of harmful deposit, treatment or disposal of waste), 34 (Duty of care as respects waste) and 71 (Obtaining information from persons and authorities) of the Environmental Protection Act 1990; section 108 (Powers of entry) of the Environment Act 1995; section 28 (Authorisation of directed surveillance), Regulation of Investigatory Powers Act 2000; and section 38 (Making an application before a Magistrates' Court) Protection of Freedoms Act 2012.
Darryl Mattingly	Finance & Procurement - Insurance	Insurance Manager	
Lee Manser	Finance & Procurement - Insurance	Claims Manager	
Chris Wade	Countryside Access Service	Principal Legal Orders Officer	Appearance before Public Inquiries pursuant to Statutory Duties contained in the Constitution Appendix 2, Part 3 :C, Countryside Access Service Scheme of Delegation, CC-CS Business Plan.
Rick Carter	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Pat Rouse	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Mark Ford	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Mary Steeples	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Rhian Taylor	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Rebecca Partridge	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Kathryn Wendt	Youth Offending Team, Integrated Youth Service	Practice Supervisor	Prosecution of Youth Offences, Pursuant to Statutory Duties
Elaine Simcock	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Teresa Potter	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Emma Gibbs	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Kathy Mark-Evans	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Claire Robinson	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Catherine Craddock	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Lisa Stace	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Alison Ketch	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Bridget Hoyte	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Carol Gibbs	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Declan Henry	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Derek Baffoe	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Lisa Coward	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Sara Fletcher	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Sarah Ervin	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Hayley Bodiam	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
John Pledger	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties

Tamara Pickett	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Louise Dewing	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Katie Knight	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Louise Gregory	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Tennille Barry	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Elmarie Page	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Liz Terry	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Peter Jeffries	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Fiona Roche	Youth Offending Team, Integrated Youth Service	Social Worker	Prosecution of Youth Offences, Pursuant to Statutory Duties
Lorraine Longley	Youth Offending Team, Integrated Youth Service	Probation Officer (seconded staff)	Prosecution of Youth Offences, Pursuant to Statutory Duties
Annette Varker	Youth Offending Team, Integrated Youth Service	Probation Officer (seconded staff)	Prosecution of Youth Offences, Pursuant to Statutory Duties
Sian Townsend	Youth Offending Team, Integrated Youth Service	Probation Officer (seconded staff)	Prosecution of Youth Offences, Pursuant to Statutory Duties
Christopher Dunn	Youth Offending Team, Integrated Youth Service	Probation Officer (seconded staff)	Prosecution of Youth Offences, Pursuant to Statutory Duties
Lesley Croucher	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Laura Mateer	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Caroline Dipple	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Joseline Madigan	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Derek Farnham	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Laura Fawcett	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Louise Tidbury	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Nicky Skinner	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Steve Thompson	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Yvette Stammers	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Diane Eageling	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Paul Manwaring	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Louise Wilson	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Christine Parsons	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Brad Foreman	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Paula Venn	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Colette Baumback	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Nikki Keen	Youth Offending Team, Integrated Youth Service	YOS Officers	Prosecution of Youth Offences, Pursuant to Statutory Duties
Mark Vincent Rolfe	Trading Standards (East)	Trading Standards Manager	Statutory Functions
Claire Louise Dartnell	Trading Standards (East)	Operations Manager	Statutory Functions
Tammy-Louise Rose Carroll	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Neil Victor Butcher	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Andrew Leslie Salmon	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Heather Hanaway	Trading Standards (East)	Principal Trading Standards Officer	Statutory Functions
Amy Kate Mealham	Trading Standards (East)	Principal Trading Standards Officer	Statutory Functions
Samatha Padfield	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Lee Simon Slaney	Trading Standards (East)	Operations Manager	Statutory Functions
Lynda Anne Reynard	Trading Standards (East)	Principal Trading Standards Officer	Statutory Functions
Stephen James Tugwell	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Steven Michael Kite	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Wendy Sarah May	Trading Standards (East)	Trading Standards Officer	Statutory Functions
James Whiddett	Trading Standards (East)	Operations Manager	Statutory Functions
Thomas Hew Williams	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Clive Benjamin Phillips	Trading Standards (East)	Principal Trading Standards Officer	Statutory Functions
Michael Christopher Walters	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Elaine Mount	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Jeremy Charles Kennett	Trading Standards (East)	Principal Trading Standards Officer	Statutory Functions

Sara Frances Whiteley	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Richard Neal Strawson	Trading Standards (West)	Trading Standards Manager	Statutory Functions
Regina Marie Douglas	Trading Standards (East)	Trading Standards Officer	Statutory Functions
Clare Michelle Hooper	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Alexander Marcus Ian Brander	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Rebecca Lindsay Simmons	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Oliver Lee Jewell	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Jeremy Lloyd Marsh	Trading Standards (West)	Principal Trading Standards Officer	Statutory Functions
Mark Elliott Norfolk	Trading Standards (West)	Operations Manager	Statutory Functions
Esther Katherine Flinders	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Claire Mary Robinson	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Karen Ann Springford	Trading Standards (West)	Principal Trading Standards Officer	Statutory Functions
Catherine Lucy Diblicek	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Wendy Loraine Smith	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Clare Louise Cunningham	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Samantha Jane Goacher	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Nathan Jay Martin	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Christopher Green	Trading Standards (West)	Principal Trading Standards Officer	Statutory Functions
Gillian Powell	Trading Standards (West)	Trading Standards Officer	Statutory Functions
Steven Mark Rock	Trading Standards (West)	Operations Manager	Statutory Functions
Susan Harvey	Trading Standards (West)	Operations Manager	Statutory Functions

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