

Sandwell Metropolitan Borough Council

18 October 2016

**Appointment to Committees, Panels and Boards/
Appointment of Representatives to Other Bodies**

1. Summary Statement

Committee Membership

- 1.1 At its meeting on 19 July 2016, Council gave consideration to the committees, boards and other fora for the 2016/17 Municipal Year and the appointment of members to those bodies and the positions to be held. Due to unresolvable diary commitments, it has become necessary to make changes to the membership of some committees/boards.

Health and Wellbeing Board

- 1.2 At its meeting on 1 September 2016, the Health and Wellbeing Board gave consideration to Fire Service representation on the Board. The Health and Wellbeing Board need strategic engagement with the Fire Service. The Fire Service support the Health and Wellbeing agenda and have recently produced a book entitled Keeping you Safe and Well. Approval is now sought to the revised membership of the Health and Wellbeing Board for Sandwell, to include representation from West Midlands Fire Service.

Other Bodies

- 1.3 The Council is approached, from time to time, to nominate a representative to serve as the Council's representative on various other bodies, not directly associated with the Council. Following receipt of resignations from members, the Council is asked to give consideration to the appointment of a representative to the Harborne Parish Lands Charity and to the Barlow Homes Committee of Management.
- 1.4 At the meeting of Council on 19 July 2016, the Leader was authorised to nominate an additional member to Corporate Parenting Board and the Council is asked to note the nomination.

Further details are attached for your information.

2. Recommendations

- 2.1 That consideration be given to the revisions to the appointments to the committees, boards and other fora established by the Council be approved.
- 2.2 That Council be recommended to approve the revised establishment of the Sandwell Health and Wellbeing Board, with immediate effect, in accordance with Section 194 of the Health and Social Care Act, 2012.
- 2.3 That consideration be given to the nomination of a representative to the Harborne Parish Lands Charity for the four year period ending 2020.
- 2.4 That consideration be given to the nomination of a representative to the Barlow Homes Committee of Management for the period ending 2017.
- 2.5 That the nomination of Councillor P M Hughes to the Corporate Parenting Board for the period ending 2017 be noted.

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3. Strategic Resource Implications

- 3.1 There are no direct resource implications arising from the approval of the decision-making structures for 2016/2017 or the appointment of members to positions within the structure. Any costs associated with the Members' Allowances Scheme will be met from within allocated resources.
- 3.2 Attendance at meetings of other bodies qualifies as an approved duty for the payment of travelling and subsistence allowances.

4. Legal and Statutory Implications

- 4.1 The Constitution prescribes the issues that the Council should address at its Annual Meeting in terms of the identification of the person(s) or bodies it wishes to carry out its functions as a local authority and the portfolios and terms of reference for those persons and bodies. At the Annual Meeting the Council appointed members to the positions, committees, boards and other fora established by the Council, subject to a review at the next ordinary meeting of the Council. Pending the review, the political balance of the committees, boards and other fora as agreed for 2015/16 was rolled forward to the 2016/2017 Municipal Year. The review took place at the Council meeting on 19 July 2016.
- 4.2 Proportionality in relation to the appointment of members to fora is governed by the Local Government and Housing Act 1989. The appointment of members to executive positions is pursuant to the Local Government Act 2000 (as amended) and unless otherwise specified, the appointment of members to committees and other fora falls within the Local Government Act 1972 (as amended).
- 4.3 The Health and Social Care Act (“the Act”) received Royal Assent in March 2012 and includes the duty for Local Authorities to establish Health and Wellbeing Boards. Health and Wellbeing Boards are under a duty to encourage integrated working in the provision of health and social care services in their areas. This includes the preparation of a strategic needs assessment and a strategic plan for the provision of such services under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007. A local authority may also arrange for a Health and Wellbeing Board established by it to exercise any functions that are exercisable by the authority.
- 4.4 The current policy adopted by the Council is that members should not take up a post on another body without sufficient personal liability insurance being taken out by that body and, if necessary, an indemnity being granted by the Authority to cover potential claims against them.
- 4.5 If insurance is not available then the take up of the appointment to the organisation is at the Councillor’s own risk.

5. Implications for the Council's Scorecard Priorities

Health and Wellbeing Board functions contribute to the Council’s Scorecard Priority of Great People as it will help to focus on key health, wellbeing and independence priorities in the future.

In addition, the breadth of Public Health is demonstrated by its potential to contribute to the Council’s objectives around sustainability (through the

Sandwell Healthy Urban Development Unit, and contributions to policies on the environment, food and transport) and crime and disorder (through contributions around drugs & alcohol and community cohesion).

The involvement of Council appointed representatives in the decision making process of other bodies, at local, regional and national levels, might encourage better understanding of local and wider needs and viewpoints and will help support the priorities as set out in the Council's Scorecard.

6. Background Details

Harborne Parish Lands Charity

- 6.1 The Harborne Parish Lands Charity was founded in 1699 as an Almshouse and Grant Making charity. The Charity provides sheltered housing for the elderly and makes grants to organisations and individuals within the Charity's boundary, which includes Harborne and Quinton in Birmingham and Smethwick in Sandwell.
- 6.2 The Council is entitled to appoint two Trustees to the Charity. Councillor R Horton and L Horton have been appointed to the charity, however, Councillor L Horton has now resigned.
- 6.3 Appointments are for a period of four years and may be, but need not be, a Councillor. There is no restriction on re-appointing retiring representatives to the Charity. Appointees should have a knowledge of the area of benefit. The Council is now asked to appoint one Trustee.

Barlow Homes Committee of Management

- 6.4 The Barlow Homes Charity is regulated by the Charity Commission and the trust manages 36 bungalows and a community hall. The Council delegates power to the Management Committee. The Trust is self-financing and the homes are available for inhabitants of the former Borough of Oldbury who have reached retirement age. There are five members appointed to the Management Committee. Dr Crumpton has now resigned, the remaining members are Councillors Frear, S Davies, Y Davies and Gavan.

Corporate Parenting Board

- 6.5 The purpose of the Corporate Parenting Board is to ensure that the Council effectively discharges its role as Corporate Parent for all the children and young people in its care.

- 6.6 The Board is made up of five elected members of Sandwell Metropolitan Borough Council (SMBC), including the Lead member for Children's Services, and may be supported by other partner agencies from time to time. The Council's other representatives on the Board are: the Cabinet Member for Children's Services (Chair), Councillors Hartwell, Shackleton and Webb.
- 6.7 At the Council meeting on 19 July 2016, the Leader was authorised to appoint one representative. Councillor P M Hughes has been nominated.