


## REPORT TO EMERGENCY COMMITTEE

22 July 2020

<b>Subject:</b>	<b>Membership of the Emergency Committee/Chief Officer Terms and Conditions Committee</b>
<b>Director:</b>	<b>Surjit Tour – Director of Law &amp; Governance and Monitoring Officer</b>
<b>Contribution towards Vision 2030:</b>	
<b>Contact Officer(s):</b>	Elaine Newsome Service Manager, Democracy <a href="mailto:elaine_newsome@sandwell.gov.uk">elaine_newsome@sandwell.gov.uk</a>

### **DECISION RECOMMENDATIONS**

1. That approval is given to the appointment of a Scrutiny Board Chair to the Emergency Committee.
2. That approval is given to appointments to the Chief Officer Terms and Conditions Committee.

### **1 PURPOSE OF THE REPORT**

To determine the appointment of a Scrutiny Board Chair to the Emergency Committee membership along with appointments to vacancies on the Chief Officer Terms and Conditions Committee.

## **2 BACKGROUND AND MAIN CONSIDERATIONS**

There is a qualified appointment requirement for one of the Chairs of the Council's Scrutiny Boards to sit on the Emergency Committee.

Councillor Rajbir Singh was appointed in this capacity in May 2020, however, he was appointed to the Cabinet on 15<sup>th</sup> July 2020 and is therefore unable to retain the seat on the Emergency Committee.

There are currently 3 vacant seats on the Chief Officer Terms and Conditions Committee. Membership of the Committee is 7 qualified appointments as follows:

Chair: Leader of the Council

Vice Chair: Deputy Leader of the Council

Plus 5 other members to be drawn from Cabinet and Chairs and Vice Chairs of Committees, Boards or panels.

Until such time as Council considers and appoints a Leader, the Statutory Deputy Leader will undertake all associated roles and functions in line with legislative provisions. The Emergency Committee is therefore requested to consider nominations to fill the 3 vacancies to be drawn from Cabinet, Chairs and Vice Chairs.

The next scheduled meeting of the Council is in October. There is a current operational need to appoint to both Emergency and Chief Officer Terms and Conditions Committees that cannot reasonably be deferred until October. The Emergency Committee is authorised to act on behalf of Council. It falls therefore, to the Committee to address appropriate arrangements for membership of both bodies.

## **3 THE CURRENT POSITION**

Due to recent changes to the membership of Cabinet, there is a need for the membership of the Emergency Committee to be revisited in order that the constitutional requirements for Scrutiny representation are fulfilled.

Similarly, due to changes throughout the Municipal Year, vacancies on the Chief Officer Terms and Conditions Committee now pose a risk that the Committee may be inquorate should apologies be tendered or a conflict of interest arise from within the existing membership.

Whilst Committee appointments are normally a matter for Full Council, in situations where the Council enacts constitutional provisions, the Emergency Committee is able to undertake such activities as are normally reserved for Council.

#### **4. CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

The Chair of the relevant Scrutiny Board has been consulted in relation to the urgency provisions in the constitution and has agreed that the matter should be considered by the Committee.

#### **5 ALTERNATIVE OPTIONS**

The Committee could determine not to appoint to each of the Committees, however appropriate measures should be in place to ensure continued scrutiny representation on the Emergency Committee and to mitigate against risks associated with the quorum of the Chief Officer Terms and Conditions Committee.

#### **6 STRATEGIC RESOURCE IMPLICATIONS**

None associated with this report.

#### **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

Legislative requirements prohibit dual undertaking of Cabinet and Scrutiny functions. To maintain appropriate scrutiny involvement in the Emergency Committee, an alternative appointment is now required.

The proposed appointments to vacancies on the Chief Officer Terms and Conditions Committee seek to address risks associated with an inability of the committee to transact existing business in accordance with its remit.

#### **8 EQUALITY IMPACT ASSESSMENT**

There are no equality related issues associated with this report.

#### **9 DATA PROTECTION IMPACT ASSESSMENT**

There are no data protection implications arising from this report.

#### **10 CRIME AND DISORDER AND RISK ASSESSMENT**

There are no crime and disorder implications arising from this report.

## **11 SUSTAINABILITY OF PROPOSALS**

The Council is now in a position to agree a full calendar of meetings for the remainder of the year. However, in light of a current re-emergence of Covid-19 within some communities across the Borough, there is the potential need for the Emergency Committee to continue to meet in order to consider associated and time sensitive business responses. Appointments to Chief Officers Terms and Conditions Committee will ensure that the Committee remains able to meet and determine a current and ongoing programme of work.

## **12 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)**

None associated with this report.

## **13 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

There are no implications from this report on any council managed property or land.

## **14 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

Whilst the appointment to Committees is normally a matter for Full Council, there are pressing business needs to appoint to the Emergency and Chief Officer Terms and Conditions Committees. Emergency Committee is constitutionally enacted whilst Covid-19 remains prevalent in society and is able to determine both Council and Executive matters. In light of recent leadership changes, the resulting appointments are considered to be urgent and cannot wait until the next scheduled meeting of Full Council in early October 2020.

## **15 BACKGROUND PAPERS**

None

## **16 APPENDICES:**

None