

GENERAL PURPOSES COMMITTEE

CONSTITUTION

4 Members of the Council (3 Majority Party Members and 1 Minority Party Members).

TERMS OF REFERENCE

(1) **MEMBERS ALLOWANCES**

Making recommendations to the Council for the adoption or revision of a scheme of allowances for Members.

(2) **HEALTH AND SAFETY**

The City Council's functions under the Health and Safety at Work Act 1974 (except to the extent that these functions are discharged by the Council or an employer).

(3) **FUNCTIONS IN RELATION TO ELECTIONS**

Elections and Electoral Registration Matters.

(4) **PROMOTION/OPPOSITION OF LEGISLATION/BYELAWS**

- (a) To make recommendations to the Council as to the promotion or opposition to legislation where considered appropriate.
- (b) To recommend to Council the adoption, amendment or repeal of bylaws.

(5) **CONSTITUTION AND STANDING ORDERS**

To keep under review and make recommendations as to the Constitution and to recommend to the Council the adoption, repeal or amendment of Standing Orders. To make recommendations to the Council as to the appointment of Committees.

Note: This does not apply to changes to the following core documents which are the responsibility of the relevant Cabinet Member, Committee or Strategic Executive Board Member or Head of Service to approve. In addition, changes to the terms of reference of Sub-Committees shall, once approved by the relevant parent committee be included in the Constitution, without additional approval being necessary.

Code of Governance	(Chief Executive)
Procurement Code	(Relevant Cabinet Member)
Scheme of Delegations *	(Director of Law)
Employee Code	(Director of People Services)
Financial Regulations	(The City Treasurer)

* The Scheme of Delegations will only be updated by the Director of Law following the approval of the delegation by the Cabinet, Cabinet Member or relevant Committee.

(6) PAYMENTS OF COMPENSATION IN CASES OF MALADMINISTRATION

Approval of payments and benefits in cases of maladministration where these exceed Chief Officers delegated powers or the relevant Chief Officers refer the matter to the Committee.

(7) ETHICAL GOVERNANCE

Notwithstanding the terms of reference of the Audit and Performance Committee, the General Purposes Committee will retain the responsibility for monitoring and implementing the action plan arising from the Audit Commission's Ethical Governance Audit of Westminster

(8) OTHER MATTERS

- (a) All other non-executive functions not delegated to any other committee.
- (b) All other functions referred to in Schedule 2 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (i.e. "local choice" functions) not specifically allocated
- (c) Other matters more specifically included in the terms of reference of the Committee's Sub-Committees.

GENERAL PURPOSES URGENCY SUB-COMMITTEE

1. CONSTITUTION

3 Members of the Council

2. TERMS OF REFERENCE

- (1) All matters within the terms of reference of the General Purposes Committee and its Sub-Committees provided that the Urgency Sub-Committee is satisfied that the matter is urgent and cannot wait until the next relevant meeting.

APPOINTMENTS SUB-COMMITTEE

1. CONSTITUTION

4 Members of the Council (must contain at least one member of the Cabinet)

2. TERMS OF REFERENCE

(1) GENERAL

(a) To control the appointment, dismissal, retirement, pensions and other personnel matters of the Chief Executive, Chief Officers and Deputy Chief Officers.

(b) In the case of Deputy Chief Officers to undertake the functions listed in (a) above except where the relevant Cabinet Member has indicated that they don't wish the Appointments Sub-Committee to do so.

(c) To also be responsible for the appointment, on behalf of the City Council, of Chief Officers being appointed as part of the Tri-borough arrangements. Deputy Chief Officers shall also be appointed by this process except where the relevant Cabinet Member has indicated that they wish the appointment to be made by the Chief Executive or another Chief Officer in accordance with the Council's usual appointment procedures.

(2) APPOINTMENTS

(a) To interview for vacant posts and make appointments and subsequent arrangements in respect of the above posts.

STAFF APPEALS SUB-COMMITTEE

1. CONSTITUTION 3 members of the Council.
2. TERMS OF REFERENCE To hear and determine appeals against disciplinary action; in accordance with the City Council's codes and procedures.

RATING ADVISORY PANEL

1. CONSTITUTION 4 Members of the Council (3 Majority Party and 1 Minority Party).

2. TERMS OF REFERENCE

(a) To hear and make recommendations to the Cabinet Member for Finance, Property and Regeneration on appeals in respect of the decision of the Chief Finance Officer not to reduce or remit the whole of a ratepayer's liability for National Non-Domestic Rate on the grounds of hardship, in accordance with the City Council's guidelines.

(b) To consider and make recommendations to the Cabinet for Finance, Property and Regeneration on applications for Non-Domestic Rate relief which have been referred to the Panel by the Chief Finance Officer because, in his opinion, they are cases of a special nature.

EDUCATION (AWARDS) APPEALS SUB-COMMITTEE

1. CONSTITUTION 4 Members of the Council

2. TERMS OF REFERENCE

(a) The determination of Appeals against the refusal of Post-Compulsory (Schools) Education Awards under the Education Act 1996 as amended, or any legislation amending or replacing the same.

(b) The determination of appeals against the refusal of Pupil Benefit Awards under the Education Acts 1944 to 1994 (or any legislation amending or replacing the same), including the following:

- (i) the provision of home to school transport;
- (ii) the provision of school journey grants;
- (iii) the provision of school clothing awards;
- (iv) the payment of fees for dancing and choral music schools.

(c) Subject to the approval of the Cabinet Member for Children's Services of the revised policy to consider appeals against the refusal of the award of transport assistance for pupils with special and additional educational needs.

DISCRETIONARY HOUSING PAYMENTS REVIEW PANEL

1. CONSTITUTION 3 Members of the Council.

2. TERMS OF REFERENCE To hear appeals against decisions in respect of discretionary housing payments and to make recommendations to the Cabinet member for Finance, Property and Regeneration.

PENSION FUND COMMITTEE

CONSTITUTION 4 Members of the Council (3 Majority Party Members and 1 Minority Party Member)

TERMS OF REFERENCE To have responsibility for all aspects of the investment and other management activity of the Council's Superannuation Fund, including, but not limited to, the following matters:

1. To agree the investment strategy having regard to the advice of the Fund Managers and the independent adviser.
2. To monitor performance of the Fund and of the individual Fund Managers;
3. To determine the Fund management arrangements, including the appointment and termination of the appointment of the Fund Managers, Custodians and Fund Advisers.
4. To agree the Statement of Investment Principles, the Funding Strategy Statement, the Business Plan for the Fund, the Governance Policy Statement, the Communications Policy Statement and the Governance Compliance Statement and to ensure compliance with these.
5. To approve and publish the pension fund annual report.
6. To prepare and publish a pension administration strategy.
7. To make an admission agreement with any admission body.
8. To ensure compliance with all relevant statutes, regulations and best practice with both the public and private sectors.
9. To determine the compensation policy on termination of employment and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
10. To determine policy on the award of additional membership of the pension fund and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
11. To determine policy on the award of additional pension and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

12.To determine policy on retirement before the age of 60 and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

13.To determine a policy on flexible retirement and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

14.To determine questions and disputes pursuant to the Internal Disputes Resolution Procedures.

15.To determine any other investment or pension policies that may be required from time to time so as to comply with Government regulations and to make any decisions in accordance with those policies other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

STANDARDS COMMITTEE TERMS OF REFERENCE

CONSTITUTION 6 Members of the Council, 4 Majority Party Members and 2 Minority Party Member.

TERMS OF REFERENCE

- (1) To promote and maintain high standards of conduct by the Members and Coopted Members of the City Council.
- (2) To advise the City Council on the adoption or revision of a Code of Conduct for Members.
- (3) Advising, training or arranging to train Members and Co-opted Members on matters relating to the City Council's Code of Conduct for Members.
- (4) To assist Members and Co-opted Members observe the City Council's Code of Conduct for Members.
- (5) To monitor the operation of Code of Conduct for Members.
- (6) Consider reports referred to the Committee by ethical standards officers or the Monitoring Officer of investigations into alleged breaches of the City Council's Code of Conduct for Members.
- (7) Where necessary, to conduct hearings into allegations of breaches of the said code, and interview officers, Members and others as required.
- (8) Determining whether allegations of breaches of the said code are made out and determining what action, if any, to take in relation hereto including, where it is determined that a breach has occurred, deciding what sanctions, if any, should be applied in relation to the Member or Member concerned (and for the avoidance of doubt, the Committee shall only have power to impose any sanction authorised by law).
- (9) Consider any complaints in respect of Members referred to the Committee under the City Council's "Whistleblowing" procedure and determining the action to be taken, if any.
- (10) To the extent allowed by the Law, granting dispensations in relation to Member and co-opted Member interests as referred to in the Members Code of Conduct.
- (11) To consider, advise and, if appropriate, take action upon other Member conduct issues not otherwise dealt with under these terms of reference.

AUDIT AND PERFORMANCE COMMITTEE

CONSTITUTION: 4 Members of the Council, 3 Majority Party Members and 1 Minority Party Member, but shall not include a Cabinet Member.

TERMS OF REFERENCE

Audit Activity

1. To consider the head of internal audit's annual report including the auditor's opinion on the Council's control environment and a summary of internal audit and anti-fraud activity and key findings.
2. To consider reports, at regular intervals, which summarise: the performance of the Council's internal audit and anti fraud service provider/s audits and investigations undertaken and key findings progress with implementation of agreed recommendations
3. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
4. To consider specific reports as agreed with the external auditor.
5. To comment on the scope and depth of external audit work and to ensure it gives value for money.
6. To liaise with the Audit Commission over the appointment of the Council's external auditor.
7. To comment on the proposed work plans of internal and external audit.

Regulatory Framework

8. To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.
9. To review any issue referred to it by the Chief Executive or a Director, or any Council body.
10. To monitor the effective development and operation of risk management and corporate governance in the Council.
11. To monitor Council policies on 'Raising Concerns at Work', the Council's complaints process and the Antifraud and Corruption Strategy; specifically the effectiveness of arrangements in place to ensure the Council is compliant with the Bribery Act 2010.

12. To oversee the production of the authority's Statement on Internal Control and to recommend its adoption.

13. To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

14. To consider the Council's compliance with its own and other published standards and controls.

15. To maintain an overview of the arrangements in place for maintaining High Ethical Standards throughout the Authority and in this context to receive a report annually from the Director of Law and the Chief Finance Officer.

Accounts

16. To review the annual statement of accounts and approve these for publication. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.

17. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Performance Monitoring

18. To review and scrutinise the financial implications of external inspection reports relating to the City Council.

19. To receive the quarterly performance monitoring report and refer any issues which in the Committee's view require more detailed scrutiny to the relevant Policy and Scrutiny Committee.

20. To review and scrutinise personnel issues where they impact on the financial or operational performance of the Council including but not limited to agency costs, long-term sickness, ill health early retirements and vacancies; and

21. To review and scrutinise Stage 2 complaints made against the City Council and monitor progress.

22. To consider and advise upon, prior to tender, the most appropriate contractual arrangements where a proposed contract has been referred to the Committee by the Chief Executive.

23. To maintain an overview of overall contract performance on behalf of the Council.

24. To review and scrutinise contracts let by the Council for value for money and adherence to the Council's Procurement Code.

25. To review and scrutinise the Council's value for money to Council tax payers.

26. To scrutinise any item of expenditure that the Committee deems necessary in order to ensure probity and value for money.

Staffing

27. To advise the Cabinet Member for with responsibility for Finance on issues relating to the remuneration of all staff as necessary.

28. In the course of carrying out its duties in respect of 27 above, to have regard to the suitability and application of any grading or performance related pay schemes operated, or proposed, by the Council.

AUDIT & PERFORMANCE URGENCY SUB-COMMITTEE

1. CONSTITUTION 3 Members of the Council.

2. TERMS OF REFERENCE

- (1) All matters within the terms of reference of the Audit and Performance Committee and its Sub-Committees provided that the Urgency SubCommittee is satisfied that the matter is urgent and cannot wait until the next relevant meeting.

HEALTH & WELLBEING BOARD TERMS OF REFERENCE

1. VISION OF THE BOARD

1.1 The Westminster Health and Wellbeing Board will provide strong and effective leadership across the local authority and NHS partners by setting a clear direction, across traditional boundaries, to deliver change and fresh thinking. The Board will work in partnership to address health issues that cannot be tackled by one organisation alone and to undertake joint commissioning where this will deliver the best value for money for investment.

1.2 The Board will recognise that one size does not fit all and will ensure that services are designed to reflect the changing needs of the individuals and communities they serve and are easy to access. The Board will be accountable to those they serve through elected members, and will act as a champion for the voice of those who live, work and play in Westminster.

1.3 The broad vision for the Board is that it will Promote joint commissioning, pooled budget arrangements and other resources, where all parties agree this makes sense, in order to deliver more effective and efficient local services Agree strategic priorities for the borough and push progress against these priorities further and faster, ensuring 'silo working' and conflict are removed. Organisational boundaries should not be hindrance to developing effective solutions. demonstrate clear leadership, championing the work and aims of the Board, and act as the key link between their own organisation or department and the Board, ensuring consistency and effective communications. Work with other Health and Wellbeing Boards within the tri-borough arrangements, as well as regional and national partners, where this is identified as the most appropriate way of tackling issues and addressing need.

2. RESPONSIBILITIES

2.1 To provide strategic and organisational leadership in developing the vision for health and wellbeing in Westminster and mobilising, co-ordinating and ensure commissioning decisions are based on clear evidence for improving outcomes.

2.2 To mobilise, coordinate and share resources from its membership, and from others, to deliver agreed priorities.

2.3 To oversee the production and use of a programme of Joint Strategic Needs Assessments (JSNA) by the local authority and the Clinical Commissioning Groups, and ensure that the needs of the local population are properly assessed and captured. The JSNA should aim to map assets as well as needs for local areas and become embedded across the commissioning process of all systems. To also oversee the production and maintenance of the Pharmaceutical Needs Assessment (PNA)

2.4 To develop a concise and outcome-focussed Joint Health and Wellbeing Strategy (JHWS) derived from the JSNA which identifies areas where partnerships working across health, social care and the wider determinants could better address the need of the local population. The strategy will provide both: An overarching framework within which more detailed and specific commissioning plans by CCGs, LAs and others are developed; and Specific actions where the Health and Wellbeing Board can drive progress further and faster.

2.5 To ensure that all commissioners (the local authority, the CCGs and the National Commissioning Board) meet their legal obligations by having regard to the JSNA and JHWS when commissioning and developing their commissioning plan.

2.6 To have a formal role in authorising the local CCG(s), ensure that their plans take account of the JSNA and JHWS, and contribute to the NHS Commissioning Board (NHSCB) annual assessment of CCGs.

2.7 To put in place sub-groups to the Board, as and when required, to support the delivery of its functions.

2.8 To promote and encourage integrated working across the wider determinants of health including alignment between organisation and department plan and strategies and to actively consider the use of the Health Act flexibilities (integrated provision, pooled budgets and joint commissioning)

2.9 To ensure effective engagement and involvement – staff, provider, public, patient, service user and community – at all stages of the process. The HWB and CCGs have a statutory duty to involve those who live and work, in the preparation of the JSNA and JHWS.

2.10 To develop an annual workplan, as well as short, medium and long term goals that have measurable outcomes aligned to the NHS, Public Health and Social Care outcomes frameworks, so that the performance of the Board and others with responsibility to deliver aspects of the Joint Health and Wellbeing Strategy can be measured, and is accountable.

2.11 To produce an annual report on progress, and to consider other reports identifying health and social care needs such as the annual report produced by the Director of Health.

2.12 To ensure, through Board members, alignment between organisation and department plans and strategies. Also to have sight of and influence the strategies and key policies of the local NHS, the Council, the Community and Voluntary sector, and other partner agencies.

2.13 To respond to any relevant local, regional or national consultations on major service redesigns for health, care and wellbeing related service provided within the borough or that affect the borough.

2.14 To promote and support opportunities for tri-borough commissioning of health, care and wellbeing where this is the most appropriate way of addressing issues.

2.15 To meet the new efficiency and austerity agenda by ensuring value for money across all services.

3. MEMBERSHIP:

3.1 Meetings of the Board will be chaired by the relevant Cabinet Member.

3.2 The Health and Wellbeing Board has the power to appoint additional persons to the Board as it deems appropriate.

3.3 Members of the Board shall each name a deputy who will have the authority to make decisions in the event that they are unable to attend a meeting.

3.4 The vice-Chairman of the Health and Wellbeing Board will be a representative of a Westminster CCG.

3.5 Only the following members of the Board, are considered voting members (see 8.2):
The relevant cabinet members of the local authority (or their deputies)
The clinical representative of Central London Clinical Commissioning Group (or their deputy)
The clinical representative of West London Clinical Commissioning Group (or their deputy);
and The representative from Westminster Healthwatch (or their deputy)

3.6 In attendance at meetings in an advisory capacity if required will be: Chairman of the Operational Group
Chairmen of any designated Delivery Groups
Chairman of NHS Sub-cluster
Accountable officer for the CWHH CCG collaborative
Consultant in Public Health
Strategic Directors of WCC Health and Wellbeing Board Support Team

4. ACCOUNTABILITY

4.1 The Board will be accountable for delivery of improved health, wellbeing and social care outcomes as defined in DH guidance to: the community it serves its members which include elected members the NHS Commissioning Board (from April, 2013)

5. SCRUTINY

5.1 Independent scrutiny of the HWB performance, functions and outcomes will be provided by the relevant Policy and Scrutiny Committees of the Council.

6. RELATIONSHIP BETWEEN THE HEALTH AND WELLBEING BOARD AND THE HEALTH AND WELLBEING OPERATIONAL GROUP

6.1 The Health and Wellbeing Board will be responsible for setting the strategic vision and priorities for Health and Wellbeing in Westminster.

6.2 The Health and Wellbeing Operational Group will be responsible for developing and delivering the Health and Wellbeing Strategy, informed by the Joint Strategic Needs Assessment, on behalf of the Board.

6.3 The Board will receive quarterly exception reports from the Health and Wellbeing Operational Group setting out milestones, deliverables and risk. An annual progress report will also be provided to the Board.

7. MEETING FREQUENCY

7.1 The Board shall meet four times within a financial year.

7.2 An extraordinary meeting will be called when the Chairman considers this necessary and/or in the circumstances where the Chairman receives a request in writing by 50% of the membership of the Board.

8. CONDUCT OF MEETINGS

8.1 The quorum for meetings shall be 50% of the membership, including at least one representative from each of the 4 voting members:

8.2 Decisions shall be made on the basis of consensus wherever this is possible. Where a consensus is not possible then decisions will be made on the basis of a show of hands of those who are identified below as being sanctioned to vote on the Health and Wellbeing Board. Those sanctioned to vote are: The two cabinet members of the local authority (or their deputies) A clinical representative from Central London Clinical Commissioning Group (or their deputy) A clinical representative from West London Clinical Commissioning Group (or their deputy); and A representative of Westminster Healthwatch (or their deputy)

8.3 Health and Wellbeing Board meetings will be conducted in line with the standard Access to Information rules that apply to all Council committees and therefore, unless exemptions apply which allow for business to be conducted in private, will be held in public.

8.4 The Chairman shall sign off the minutes as a true and accurate record of the meeting and these will be available on the website of the council.

8.5 Agendas and supporting papers will be available on the websites of the council one week before the meeting.

8.6 The terms of reference will be reviewed annually.

CONSTITUTION, FUNCTIONS, PROCEDURE AND CONDUCT OF BUSINESS OF THE COUNCIL AND STAFF JOINT CONSULTATIVE COMMITTEE

1. CONSTITUTION

1.1 The recognised trade unions on the Committee shall be:-

Unison	(8 members)
T&GWU	(1 member)
GMB	(1 member)

The Committee shall comprise 10 members from the above recognised trade unions (the probable representation is indicated above in brackets). Representation shall be determined by agreement between the recognised trade unions except that each union shall have a minimum of one representative.

1.2 The Committee will also comprise 6 Elected Members appointed in accordance with the wishes of the Political Groups following notification to the Director of Legal and Administrative Services as stated in the provision of Standing Order 22(4).

1.3 The Committee shall appoint a Chairman and Vice-Chairman at their first meeting in each year. If the Chairman is an Elected Member the Vice Chairman shall be a trade union representative and vice versa. The Chairman shall not have a casting vote.

1.4 Reports and recommendations from the Committee shall be approved and signed by the Chairman and Vice-Chairman.

2. FUNCTIONS

2.1 To consider the following matters as they affect staff groups represented by the trade unions on the Committee:-

- (a) Organisational and administrative arrangements designed to promote efficiency.
- (b) Any employment conditions of staff which have not been resolved by the appropriate Chief Officer or in the case of corporate matters the Personnel Controller; and
- (c) Local interpretation of national and provincial agreements where these cannot be otherwise resolved.

2.2 The Committee shall not consider matters relating to individuals eg:

- (a) job evaluation;
- (b) staff discipline;
- (c) appointment of promotion decisions; and
- (d) efficiency.

The only exception is where corporate or departmental procedures relating to the above matters are concerned.

3. PROCEDURE

3.1 A meeting shall be called within 10 working days of receipt of a request unless there are circumstances which mean that a longer period is acceptable. A request from either side should contain the detail of the dispute (eg matters relating to the relevant staff groups) and the reasons why it had not been possible to agree a mutually acceptable solution).

3.2 The notice summoning the meeting shall be despatched not less than 5 working days beforehand. This shall include an agenda with written submissions provided by both the Staff Side and Management. Other business may be considered if agreed by both sides.

3.3 The quorum shall be 3 representatives of each side ie the Elected Members and Staff Side.

4. CONDUCT OF BUSINESS

4.1 Both the Elected Members and the Staff Side may arrange for up to 3 persons to be present at a meeting in an advisory capacity. This does not preclude the trade unions from having a full-time official present. Advisers shall not have a right to vote.

4.2 The Staff Side shall present the matter for discussion as provided in their written submission and both the Elected Members of the Committee and management may ask questions of them.

4.3 The Elected Members, Staff Side or management representatives may request an adjournment for a specified time.

- 4.4 Any matter for decision shall be determined by a majority vote of the members of each side ie the Elected Members and the Staff Side. The voting process will be conducted separately and the respective decisions will be reported by the Chairman and Vice Chairman.
- 4.5 In the event of there being a failure to agree at local level the difference may be referred to the appropriate provincial or national machinery as set out in the conditions of service relevant to the group of staff concerned.