

CONSTITUTION AND STANDARDS COMMITTEE

Thursday, 28 September 2023

Present:

Councillor T Cox (Chair)

Councillors G Bennett
P Gilchrist
J Grier
T Laing
Murphy

M Sullivan

8 **APOLOGIES FOR ABSENCE**

No apologies were received.

9 **DECLARATIONS OF INTERESTS**

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state what they are.

No declarations were made.

10 **MINUTES**

Resolved – That the minutes of the meeting held on 12 June 2023 be approved.

11 **PUBLIC AND MEMBER QUESTIONS**

The Chair indicated that one public question had been received.

Catherine Evans asked a question regarding the imposed 30-minute time limit for public questions at the most recent Environment, Climate Emergency and Transport Committee meeting.

The Chair responded by acknowledging the topics coming to the Environment, Climate Emergency and Transport Committee could be emotive subjects. The constitution allowed for the Chair to determine how much time each public question would take, this guideline specifically applied to meetings of the full Council and there is no stipulation as to time limits for public questions for committee meetings. The Chair advised the questioner of his intention that the Constitution and Standards Committee would make the

topic of the process for public questions part of the Committee's work programme.

Catherine Evans asked a supplementary question, as to whether the range of subject matter covered by public questions could be considered so that answers are given to every subject matter raised under the public questions agenda item.

The Chair responded that member training had taken place hosted by the Department of Law and Governance whereby this suggestion was considered. The Chair suggested that questioners who attend in person should take precedence when taking questions at a committee meeting, and that this suggestion would be discussed formally.

Daisy Kenny made a statement regarding the parental leave policy, which was not part of the constitution, raising concern with the average age of Councillors being 60, and that the policy would encourage a wider age range for potential Councillors who would normally be deterred from local politics when face with balancing family life and the responsibilities of a Councillor.

The Chair thanked Daisy Kenny for her statement and congratulated her on the recent birth of her child, informing her the subject matter of parental leave policy was on the agenda for the meeting.

12 **MEMBERS PARENTAL LEAVE POLICY**

The Principal Committee Services Officer introduced the report of the Director of Law and Governance which provided the context for and a draft of a Member Parental Leave Policy, following a motion to Council on 20 March 2023 which sought to ensure Members were able to take parental leave at the time of birth or adoption and that reasonable and appropriate arrangements were in place to provide cover during any period of leave taken.

It was moved by Councillor Tom Laing, seconded by Councillor Tony Murphy, that Council be recommended to approve the draft Member Parental Leave Policy, subject to the deletion of the paragraph titled 'Paternity' and the deletion of all references to 'maternity' and 'paternity' and their replacement with the word 'parental'.

An amendment to the motion was then moved by the Chair, Councillor Tony Cox, seconded by Councillor Gary Bennett, that the Director of Law and Governance be given delegated authority to make the necessary amendments to the Parental Leave Policy with the effect of the Special Responsibility Allowance reverting back to a basic allowance to the elected members for the duration of their parental leave, and instead paying whoever is appointed to cover the period of absence the Special Responsibility Allowance.

The Chair spoke to his amendment and outlined his concerns at the prospect of a member appointed to undertake a special responsibility receiving the allowance whilst not undertaking that duty, as well as the financial implications of two members receiving an allowance for the same responsibility for the period of the parental leave. Following a debate on the motion, it was put to the vote and lost (2:5).

The motion as moved by Councillor Tom Laing was then put to the vote and carried (unanimously). It was therefore –

Resolved – That Council be recommended to approve the draft Member Parental Leave Policy, subject to the deletion of the paragraph titled ‘Paternity’ and the deletion of all references to ‘maternity’ and ‘paternity’ and their replacement with the word ‘parental’.

13 ESTABLISHMENT OF THE INTEGRATED CARE PARTNERSHIP

The Democracy Business Manager introduced the report of the Director of Law and Governance. The purpose of the report was to establish the Cheshire and Merseyside Health and Care Partnership as a Joint Committee within Wirral Council’s Constitution. The Cheshire and Merseyside Health and Care Partnership had been in place since 2020 as a collaborative body between relevant partners and stakeholders, and following the requirement for the establishment of an Integrated Care Partnership (ICP) which is a statutory committee formed between an NHS Integrated Care Board and all upper-tier local authorities within the same Integrated Care System were, Cheshire and Merseyside ICP will be known as the Health and Care Partnership. Council agreed to appoint to the Health and Care Partnership as an outside body at its meeting in December 2022. The Cheshire and Merseyside Health and Care Partnership has since been established as a Joint Committee under S116ZA of the Health & Social Care Act 2022 and the report sought to enable Wirral Council to adopt the Joint Committee arrangements and appoint to the Health and Care Partnership. The Partnership would have one elected member from each of the nine Cheshire and Merseyside Local Authorities, with provision for deputies as required.

Members noted that there was a legal obligation to appoint to the Integrated Care System, regardless of political opinion, and commented that involvement in the system ensured that issues did not arise that were out of Wirral’s control.

A further conversation was had regarding the appointment of a named deputy and Members were assured that a Deputy would be a Council appointment. The Chair commented that he had highlighted to the Director of Law and Governance that there should be some function to allow Members to question the representative on this body.

Resolved – That Council be recommended to;

(1) Establish the Cheshire and Merseyside Health and Care Partnership Joint Committee.

(2) Appoint the Chair of the Health and Wellbeing Board and a named deputy to represent the Council on the Cheshire and Merseyside and Care Partnership.

(3) Authorise the Director of Law and Governance to make any necessary changes to the Council's Constitution.