



Constitution and Standards Committee

Date:	Thursday, 1 August 2024
Time:	6.00 p.m.
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Daphne Courtenage
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Please note that public seating is limited therefore members of the public are encouraged to arrive in good time.

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This meeting will be webcast at
<https://wirral.public-i.tv/core/portal/home>

AGENDA

- 1. NOMINATION OF CHAIR AND VICE-CHAIR OF THE CONSTITUTION AND STANDARDS COMMITTEE**
- 2. APOLOGIES FOR ABSENCE**
- 3. DECLARATIONS OF INTERESTS**

Members are asked to consider whether they have 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 the nature of the interest.

- 4. MINUTES (Pages 1 - 4)**

To approve the accuracy of the minutes of the meeting held on 28 February 2024.

5. PUBLIC AND MEMBER QUESTIONS

Public Questions

Notice of question to be given in writing or by email by Monday 29 July to the Council's Monitoring Officer (via the online form here: [Public Question Form](#)) and to be dealt with in accordance with Standing Order 10.

For more information on how your personal information will be used, please see this link: [Document Data Protection Protocol for Public Speakers at Committees | Wirral Council](#)

Please contact the Committee Services Officer listed at the top of this agenda if you have not received an acknowledgement of your question by the deadline for submission.

Statements and Petitions

Statements

Notice of representations to be given in writing or by email by 12 noon, Monday 29 July to the Council's Monitoring Officer (committeeservices@wirral.gov.uk) and to be dealt with in accordance with Standing Order 11.

Petitions

Petitions may be presented to the Committee if provided to Democratic and Member Services no later than 12 noon, 3 working days before the meeting, at the discretion of the Chair. The person presenting the petition will be allowed to address the meeting briefly (not exceeding three minutes) to outline the aims of the petition. The Chair will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion, unless a relevant item appears elsewhere on the Agenda. If a petition contains more than 5,000 signatures, it will be debated at a subsequent meeting of the Council for up to 15 minutes, at the discretion of the Chair. Please give notice of petitions to committeeservices@wirral.gov.uk in advance of the meeting.

Please telephone the Committee Services Officer if you have not received an acknowledgement of your question/statement by the deadline for submission.

Questions by Members

Questions by Members to be dealt with in accordance with Standing Orders 12.3 to 12.8.

6. MEMBERS SUPPORT STEERING GROUP ANNUAL REPORT MAY 2023 - APRIL 2024 (Pages 5 - 32)

7. **SUMMARY OF STANDARDS COMPLAINTS (Pages 33 - 38)**
8. **APPOINTMENT OF PANELS, STATUTORY / ADVISORY COMMITTEES AND WORKING PARTIES 2024/25 (Pages 39 - 46)**
9. **AMENDMENTS TO THE CONSTITUTION & ARRANGEMENTS FOR COMMITTEE MEETINGS (Pages 47 - 54)**
10. **HEALTH AND WELLBEING BOARD MEMBERSHIP (Pages 55 - 84)**

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Terms of Reference

The terms of reference for this committee can be found at the end of this agenda.

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CONSTITUTION AND STANDARDS COMMITTEE

Wednesday, 28 February 2024

Present: Councillor T Cox (Chair)

Councillors G Bennett M Sullivan
P Gilchrist
J Grier
T Murphy

In attendance: R Jones
G Kerr
J McCosh

14 WELCOME AND INTRODUCTION

The Chair welcomed attendees and viewers to the meeting and reminded everyone that the meeting was webcast and retained on the Council's website.

15 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Tom Laing, who was deputised by Councillor Angie Davies.

16 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.

Independent Persons in attendance at the Committee declared their interest in item 6, Revisions to the Constitution, in regards to the subject of the Independent Persons Allowance. The Chair noted and appreciated this declaration, and acknowledged advice from the Monitoring Officer that Independent Persons would not need to declare an interest and leave the room as they are not entitled to vote.

17 MINUTES

Resolved – That the minutes of the meeting held on 28 September 2023 be approved.

18 PUBLIC AND MEMBER QUESTIONS

No questions were received.

19 REVISIONS TO THE CONSTITUTION

The Director of Law and Corporate Services introduced the report. The report provided a summary of the discussions held by the Governance Working Group over the course of the last municipal year in respect to proposed changes to the Constitution. The proposed changes were in relation to: Officer Code of Conduct, Member Officer Protocol, Media Protocol, Financial Procedure Rules, Members Allowance Scheme, Public Questions and Petitions, and Minor amendments.

In relation to the Members Allowance Scheme, the Chair of the Independent Remuneration Panel, Peter Bounds, addressed the Committee, outlining the 2 proposals the panel had put forward. One proposal suggested the allowance for Independent Members of the Constitution and Standards Committee and the Audit and Risk Management Committee, be increased from £30 per meeting to £60 per meeting. The second proposal suggested that the Chair of the Liverpool City Region Transport Committee, if a member of Wirral Council, should be paid 65% of the Special Responsibility Allowance of the Leader of Wirral Council, which amounts to £10,305.58.

Members commented on the changing responsibilities of the Chair of the Transport Committee and recognised the need for such remuneration. Members also thanked Peter and his colleagues for their work on the Independent Remuneration Panel.

In relation to the Public Questions and Petition Scheme, members were in agreement of the proposal to reduce the deadline for submitting a petition from 10 days prior to the meeting to 3 days prior, at 12 noon, as well as increasing the time allowed for debate of said petition from 15 minutes to 30 minutes.

On a motion by the Chair, seconded by Councillor Angie Davies, it was,

Resolved - That the proposed amendments to the Constitution, as detailed in sections 3.3 to 3.13 of the report, be referred to the Council for consideration and approval at the Annual Meeting in May 2024.

20 LICENSING CODE OF GOOD PRACTICE

The Head of Legal Services introduced the report of the Director of Law and Corporate Services. The report was submitted to Committee for comment and agreement that the draft Council Members' Licensing Code of Good Practice be presented to Council for inclusion in the Constitution.

Members praised the Code of Good Practice as a valued addition to the constitution and noted that it mirrored the Planning Code of Good Practice.

On a motion by the Chair, seconded by Councillor Tony Murphy, it was,

Resolved – That the committee,

- 1. Recommends to Council that the Draft Licensing Code of Good Practice appended to this report be approved by Council and be included within the Council’s Constitution, subject to the views of the Regulatory and General Purposes Committee and the Licensing Act Committee.**

Agrees that the Draft Licensing Code of Good Practice and the recommendation of the Constitution and Standards Committee be referred to the Regulatory and General Purpose Committee and Licensing Act Committee for their consideration.

21 **CALENDAR OF MEETINGS 2024/25 AND 2025/26**

The Director of Law and Corporate Services introduced the report. The report recommended amendments to the previously agreed dates for Council and Committee meetings for the municipal year 2024/2025 as detailed in Appendix 1 of the report. The report also recommended draft dates for the municipal year 2025/26 at Appendix 2.

Members reflected the importance of having a calendar set in advance for those of them who work full time, and were appreciative of the changes made to rectify common movements.

Members questioned the proposed sequence of meetings in July 2024 and 2025, as drafted the Political Group Meetings were scheduled too far in advance of the publication of the council Summons. Members requested that the Director of Law and Corporate Services give consideration to the views expressed by Members and that the July 2024 and July 2025 meeting sequence be amended prior to submission to Council for approval.

On a motion by the Chair, seconded by Councillor Mike Sullivan, it was,

Resolved – That Council be recommended to approve the calendar of Meetings for 2024/25 and 2025/2026, subject to the Director of Law and Corporate Services, in consultation with the Chair and Group spokespersons, amending the sequence of meetings in July 2024 and July 2025.

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CONSTITUTION AND STANDARDS COMMITTEE 1 AUGUST 2024

REPORT TITLE:	MEMBERS SUPPORT STEERING: GROUP ANNUAL REPORT MAY 2023 – APRIL 2024
REPORT OF:	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is to enable the Constitution and Standards Committee to be appraised of the work during the 2023/2024 municipal year and ongoing planned work of the Members Support Steering Group (MSSG) The Constitution and Standards Committee will receive this report at the first meeting of each municipal year.

The report contributes to the Wirral Plan 2023 – 2027 in supporting the organisation in meeting all Council priorities. The Members Support Steering Group helps Members in their implementation of the five key themes within that plan: The report also provides a progress update of the implementation of the Members Learning and Development Strategy (MLDS).

This is not a key decision.

RECOMMENDATION

The Constitution and Standards Committee is recommended to endorse and comment on the report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The report provides the Members of the Constitution and Standards Committee with the opportunity to review, appraise and to contribute to the work undertaken by the Members Support Steering Group during the 2023/2024 Municipal Year and provides an update of the implementation of the ML&DS.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not to submit a report to Committee. This was discounted as it was deemed appropriate to appraise the Constitution & Standards Committee on the work undertaken by the Steering Group.

3.0 BACKGROUND INFORMATION

- 3.1 The Members Support Steering Group was established by the Constitution and Standards Committee at their meeting on 24 February 2021. The Group was a product of the merger of the former Member Support Group and Member Equipment Steering Group.

3.2 Terms of reference

The role of the Member Support Steering Group is to:

- provide cross-party strategic leadership to member learning, development, support so as to enable members to help deliver the Refreshed Wirral Plan 2021-2026 and its themes;
- provide cross-party strategic leadership to the member ICT offer to ensure that equipment, software and systems used by members enables them to effectively undertake their duties;
- Provide oversight on the development of the Member Portal;
- Ensure all members have the requisite skills, knowledge and attributes to be able to meet their varied duties and responsibilities;
- Actively promote, encourage and oversee member culture, development and support;
- Explore, research, gather insight, examine and develop and implement new innovative methods, approaches and initiatives to improve member culture, development and support.
- Drive continuous improvement in member culture, development and support within political groups.
- “Provide an overview of support to members in fulfilling their roles and duties as Councillors.
- Oversight of the Member Welfare Policy

- 3.3 Standard agenda items included an analysis of the new member induction Members ICT, Members Portal, the implementation of the ML&DS and the consideration of individual training requests by members.

Membership

- 3.4 Nominations for membership were requested at the first meeting of the Constitution and Standards Committee, however Members of the Group do not necessarily need to be for members of the Constitution & Standards committee. The MSSG comprises of seven members, appointed by reference to political proportionality (3:2:1:1). Membership for the 2023/24 municipal year was as follows:

Councillors: C Carubia (Chair)
 G Bennett
 C Cooke
 J Johnson
 T Laing
 T Murphy
 M Sullivan

Frequency of Meetings

- 3.5 The Group met on four occasions during the 23/24 municipal year in September, November, January and April.

Work undertaken to during the municipal year

Oversight of the Members Portal

- 3.6 The Members Portal was rolled out to all Members December 2020 supported by a programme of training. Training on how to use the Portal is offered to all Members annually as part of the New Member Induction Programme. The Portal offers a number of facilities for Members to utilise but a primary goal on implementation was to make the process of reporting cases and casework management more efficient and user-friendly for Members. During the previous municipal year, Members of the Steering Group were kept updated with developments to the portal including:
- Migration of reporting functions
 - the introduction of an escalation feature; and
 - the adaptation of the general enquiry form
- 3.7 Alongside reporting cases the Portal also serves as a domain for Members to gain additional relevant information they need to assist in undertaking their role. A useful tool is the training library which hosts recording and training clips which is regularly updated. Following the May 2023 election, training material was migrated to Flo, the council's learning and resource base. This ensures that a database is maintained and used as a bank of support.

3.8 Following requests from Members, through the MSSG, on Monday the 15th May 2023 a formal escalation process went live via the Members Portal. This enables members to escalate an existing referral should it exceed the prescribed ten working day response target. Escalations are owned by Assistant Directors/Heads of Service who ensure that a detailed response is provided to the Member via the Members Portal.

The main aims of this functionality are as follows:

- To improve the experience for Members and make querying a case easier
- To ensure the full history of the case is kept against the case itself, rather than across emails and phone calls. This ensures continuity and allows multiple officers to assess progress to date for each escalation. Members will only have one place to look for all interactions per case
- To increase response efficiency via one clear platform for all escalations

3.9 In January, Members of the MSSG responded to a question that was asked at full council in December 2023. with regards to the message 'case closed' Members of the MSSG were informed that the use of the automatic system generated 'case closed' message has now been discontinued and training and engagement sessions have been held with officers in order to improve responses.

3.10 The Members Portal Protocol (appendix 1) was updated during this municipal year to reflect changes since the portal was first introduced to members four years ago, such as the escalation process

3.11 Members received reporting figures on a quarterly basis, which are now produced through Power Bi. Of particular note, the data demonstrated how:

- there are now less direct emails to officers;
- all councillors are using the portal to report cases;
- on an average month over the past four months, the average number of cases per month reported per councillor was 15; and
- the top three enquiries in a six-month period (October 23 – April 24) were in relation to street lighting, fly tipping and pavements.

Analysis of the new member induction

3.12 A comprehensive survey was sent out to all new members at the end of July asking them to evaluate the programme as a whole. The findings were presented to the MSSG and evaluated as below:

- 100% of respondents found the new member induction day either extremely useful (71%) or somewhat useful (29%)
- Members rated the material received following their election as a Councillor i.e. new members induction booklet and associated documents as 4.1/ 5
- 92% of respondents felt that the induction programme in its entirety was sufficient to best introduce them to the Council.

- 31% would prefer in person training for all courses, 69% would prefer a mix of in person and in teams whilst no respondents wanted to receive training wholly through teams.
- 73% of respondents were highly satisfied with the new member induction part II, 9% were satisfied, whilst 18% answered 'other'
- 25% of respondents were very satisfied with the facilities at Birkenhead Town Hall, 58% were somewhat satisfied and 17% were neither satisfied or dissatisfied.

Overseeing the implementation of the Member Learning & Development Strategy (ML&DS) 2023-2027

3.13 Members of the Steering Group provided the expertise and oversight of the development of Strategy and the forum was used to consider the drafts in October 2022 and January 2023. Suggestions made at the Steering Group were incorporated into the final version approved by the Constitution and Standards Committee in February 2023. It is worth noting that the final strategy was endorsed by colleagues at the Local Government Association as well as political peers on the Independent Assurance Panel.

Year One

- 3.14 The ML&DS set out targets as displayed in in appendix 2. All the mandatory training was completed with the majority of the specific and specialist training also completed with the exception of Media and GDPR training that will be held following the August recess.
- 3.15 In addition to the year one plan as set out in the ML&DS, all members were surveyed to which 32 responded, further helping to shape the programme for the year.
- 3.16 Furthermore, there was some additional training provided throughout the year that were not explicitly identified within the survey or the ML&DS but welcomed by members.
- 3.17 Throughout the course of the year the following training events and workshops were arranged and facilitated for members:

Date	Training	Internal/ external
12 May 2023	Teams/ Portal/mod.gov training	Internal
15 th May 2023	From candidate to councillor/ code of conduct training	Internal
30 th May 2023	Planning Committee training	Internal
1 June 2023	Finance training	Internal
5 th June 2023	Constitution and Decision making	Internal
6 th June 2023	Licensing training	Internal
7 th June 2023	ARMC training	External
12 th June 2023	Chair training	External – Bethan Evans
7 th – 19 th June 2023	Intro to policy committee sessions	Internal
28 th June 2023	Corporate Parenting Training	Internal

5 th July 2023	Children's Safeguarding	Internal
11 July 2023	Chair's training	External – LGA
14 th July 2023	Partnership meeting	External
27 th July 2023	The Local Plan	Internal
27 th September 23	Rules of Debate- motions, amendments and questions	Internal
12 th October 23	Members portal engagement	Internal
11 March 24	'Effective speaking – getting your voice heard'	External
28 th March 24	All Member Scrutiny Training	External

- 3.18 Individual training requests were received from a total of 6 councillors, all of which were agreed by the MSSG.
- 3.19 Not only were physical training sessions facilitated, there was also material identified and added as pathways on Flo from a range of sources including LGA, Centre for Public Scrutiny and internal providers.
- 3.20 In addition, the Members Support Team have offered sessions individually to councillors who require support on a regular basis.

Next Steps

3.21 The Members Support Steering Group will continue to meet and analyse year 2 of the implementation of the ML&DS, future plans are as follows:

- Media training for committee chairs
- Annual training for committee members
- Refreshed code of conduct and finance training
- Partnership event for all members
- Members to be surveyed to explore their training needs
- Portal workshop sessions
- A review of councillor safety

4.0 FINANCIAL IMPLICATIONS

4.1 The majority of Member Training is provided in house by council officers, however there have been a number of training events that have been provided by external individuals or agencies. Should there be a cost implication the Members Support Steering Group is consulted and if the majority do not agree to the spend an ad -hoc meeting can be arranged to discuss concerns.

4.2 During the financial year (1 April 23 – 1 April 24) the total cost for Members Training was £6,296. This included individual training courses as requested by Members and costs for external trainers providing sessions for all Councillors. Prudent budget management enabled the group to meet all requirements of the programme as well as agreeing to Member requests whilst remaining below the e annual training budget of £10k.

5.0 LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from this report.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 Members Development is included within job packages of two members of staff working in Democratic Services with HR and organisational development support .

7.0 RELEVANT RISKS

7.1 If the Members Support Steering Group fails to meet and be consulted regularly there could be ineffective oversight on development of individual members.

8.0 ENGAGEMENT/CONSULTATION

8.1 Members of the Steering Group are consulted and reported to during meetings in the municipal year and as and when necessary.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2 Whilst there are no equality implications arising directly from this report, members who need reasonable adjustments under the Equality Act 2010 will be given bespoke support where required.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Where possible training is delivered virtually as a means to prevent unnecessary carbon emissions in car journeys.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 Elected Members are committed to improving the lives of the people across Wirral and that is at the core of the work we do. Wirral Council will continue to develop our Social Value agenda in all procurement where relevant and proportionate to ensure that businesses we contract with, are supporting our local communities and adding value beyond their contractual requirement.

**REPORT AUTHOR: Vicky Simpson
Principal Member Support Officer**

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APPENDICES

Appendix 1 – Members Portal Protocol

Appendix 2 – Members Learning and Development Strategy

BACKGROUND PAPERS

The Role of a Councillor – Local Government Association

The 21st Century Councillor – University of Birmingham

Highlighting Political Leadership – Local Government Association

Constitution

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Constitution and Standards Committee	June 2023

PROTOCOL FOR THE MEMBERS' PORTAL

INTRODUCTION

In their role as Community Leaders, Elected Members will contact Council Officers through the Members' Portal on issues raised by their constituents, or for information and advice on service provision.

In their role as Community Leaders, Elected Members will contact Council Officers through the Members' Portal on issues raised by their constituents, or for information and advice on service provision.

This protocol aims to provide a clear procedure for both raising and escalating cases to ensure they are managed in a timely, efficient and effective manner.

This protocol was formulated to accompany the existing 'Protocol for Member/ Officer Relations' outlined in Part 5 (section 3) of the council's constitution. This protocol provides a guide to Members and Officers in their relations with each other and outlines some of the appropriate conventions within the Council, specifically with regards to the principles underlying the respective Codes of Conduct which apply to Members and Officers. In addition The Members Support Steering Group, made up of Members represented by all political groups on the Council, have oversight on the improvement and monitoring of the Portal and quarterly reports come to this group for scrutinising and recommendations are made as appropriate.

Using the Members' Portal

The Portal can be accessed through the council's intranet page. All enquiries should be submitted through the Portal which enables Members to report general service problems or make a request online to gather information on a range of services, including:

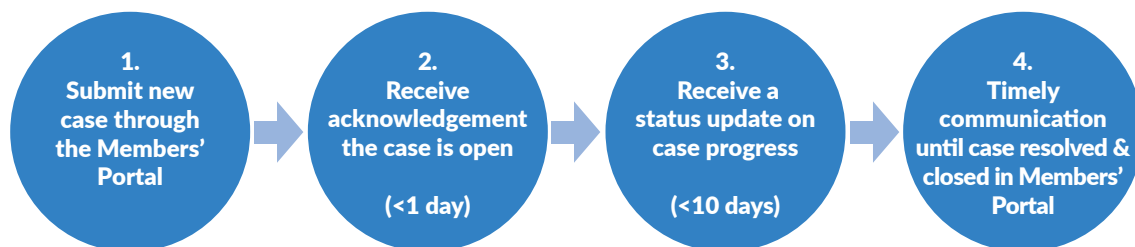
- Roads and pavements
- Street lighting and signs
- Bins and litter
- Environmental problems
- Parking
- Parks, coast and countryside
- Planning
- Licensing

For all other matters such as children's and adult services, environmental health and council tax there is a generic enquiry form.

Requesting services online is the cheapest, most effective method. Members can access their account and view their case histories as well as progress on their open cases at any time. Requests submitted through the portal are resolved quicker than direct resident requests submitted through the council's website. It is important that Members are mindful of ensuring the correct form is utilised within the portal and should contact the Member Support Team should they require any assistance.

WHAT CAN MEMBERS EXPECT?

Officers should always endeavour to respond to requests for information from Members promptly via the Members' Portal and should inform the Member through the Portal if there is likely to be any appreciable delay in dealing with an enquiry.



As a minimum the timescale for responding to correspondence should be as follows:

- All Members' enquiries submitted through the Members' Portal should be acknowledged within one working day
- A response should be provided within ten working days
- The response will not necessarily provide a resolution to the enquiry but will seek to provide an update on progress that has been made since the enquiry was acknowledged
- Officers will respond via the Members' Portal even if the enquiry has not been resolved to provide Members with an update on the actions being taken and to agree next steps.
- Any further updates will be provided as soon as information is available and within a time- frame appropriate to the specific case.

Escalation Process:

If no response has been received within ten working days of first submitting the enquiry, Members are able to escalate cases through the portal. This enables members to escalate an existing referral should it exceed the prescribed ten working day response target. Escalations are owned by Assistant Directors/Heads of Service who ensure that a detailed response is provided to the Member via the Members Portal.

Members will not be able to escalate enquiries that have not yet reached the ten working day limit. If an issue has already been raised and the case closed, for example, a streetlight that you reported as broken a year ago has since broken again, then a new case must be raised.

To ensure the Members' Portal and Officer time is used effectively, Assistant Directors and the Customer Feedback Team have a mechanism to provide information to the Member Support Team of any cases where a more appropriate reporting form should be used. This information will be used to assist councillors using the Portal, develop training sessions and drive Portal improvements and development.

Officers welcome any ideas Members have for improving the Members' Portal, you can feedback your comments to your Member Support Officer or Member Support Steering Group representative:

- Cllr. Chris Carubia (Chairperson)
- Cllr. Gary Bennett
- Cllr. Chris Cooke
- Cllr. Jenny Johnson
- Cllr. Tom Laing
- Cllr. Mike Sullivan
- Cllr. Tony Murphy

RIGHTS AND RESPONSIBILITIES:

Members must respect an Officer's duty not to disclose information to which a Member is not entitled. A Member's right of access depends on their role in the Council as summarised in the table below.

- All Members can expect an acknowledgement of their enquiry within one working day. Enquiries submitted via the Members' Portal will be responded to within ten working days. Updates on progress will be provided to Members as soon as information is available until the case is resolved.
- Members have the right to escalate any issue that has not been resolved after ten working days through the portal.
- Members are asked not to share officers' direct email addresses or telephone numbers to constituents without having gained permission from the officer concerned first.
- Members will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Member or Officer entitled to know it.

PERSON SEEKING ACCESS	RIGHT OF ACCESS
Public and Press	<ul style="list-style-type: none"> - Access to all Council reports, agendas, and minutes, except those reports which are exempt from public access - Access to the Forward Plan and Committees and Key Officer decisions - Rights under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection Act 1998.
Independent Standards Committee Members	Public and Press Rights plus: <ul style="list-style-type: none"> - Reports for local determination hearings under the Code of Conduct (including exempt information)
All Elected Members	Public and Press Rights plus: <ul style="list-style-type: none"> - 'Need to know' - These primary rights are in common law. Members have rights of access to information so far as access is reasonably necessary for them to perform their duties. - Right to inspect 'business to be transacted' by the Council.

Freedom of Information requests

Statistics in terms of case numbers raised per member through the portal is considered to be 'recorded information' and is therefore subject to the FOI legislation. Personal information pertaining to specific cases will not be disclosed.

OFFICERS' RESPONSIBILITIES:

- Officers will respond to Members enquiries in accordance with the timescales specified in this protocol. If the relevant Officer is on annual leave, a delegated Officer will deal with Member enquiries which come through the Members' Portal on the Officer's behalf.
- Officers will always provide detailed responses/information to Members upon requests, to which a Member is entitled.
- Officers will maintain open and timely communication with Members via the Portal: updating Members on progress, giving fair warning when there may be a delay, or providing the reason for a lack of progress so Members understand the situation.

Feedback

The appropriate forum to raise any issues with the portal is at the Members Support Steering Group that has representation from all political groups on the council. It can also be raised through the Members Support Team with your appropriate support officer as below:

First largest group

Gill Pinch

Email: gillpinch@wirral.gov.uk

Second largest group

Andrea Shillinglaw

Email: andreashillinglaw@wirral.gov.uk

Third and fourth largest groups

Victoria Simpson

Email: victoriasimpson@wirral.gov.uk

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MEMBER LEARNING AND DEVELOPMENT STRATEGY

2023 - 2027

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FOREWORD & COMMITMENT

The primary role of a Member is to represent their ward and the residents who live within it. Members provide a bridge between the community and the Council. As well as being an advocate for your local residents and signposting them to the right Officers within the Council, you will need to keep them informed about the issues that affect them.

In addition, Members have an important role in providing community leadership. Councils work in partnership with local partners and other organisations, including the public, voluntary, community and private sectors, to develop a vision for their local area and to find ways to work collaboratively to improve local services and quality of life for its residents. Members have a crucial role in this process.

As a Member, you will also contribute to the development of Council policies and strategies, bringing the views and priorities of your local area to the discussion. How and where you do this will depend on the Committees and other forums to which you are appointed. However, strategies contained in the Council's Policy Framework must be signed off by full Council, on which every Member sits. Aside from these key responsibilities, Members are also obligated to maintain high standards of conduct in their role by adhering to the Council's Code of Conduct which encompasses **the Nolan Principles of Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership**. Members are obligated to register disclosable and pecuniary interests as set out in the Code on their register of interests and must ensure they make balanced and legal decisions.

This strategy is based on four key principals underpinning which underpin the Council's corporate values. These are:

- 1. Customer focused;**
- 2. Accountable;**
- 3. Professional; and**
- 4. Ambitious**

The learning & development four-year development plan which sits at the heart of the strategy is aligned to the Council's electoral cycle, with the aim of supporting members to carry out roles and responsibilities. This Strategy will have the flexibility to meet the needs of new Members elected to the Council in 2023 (and in the event of any by-elections) as well as meeting the needs of experienced Members. The Programme will be continuously monitored and evaluated throughout its life cycle to ensure it keeps pace with new priorities and the refreshed Wirral plan.

"The Members Support Steering Group, supported by officers, have carried out a thorough piece of work to ensure the necessary support is available to new members. It also aims to enhance the skills members already bring to the council governance process."



Tony Cox, Chair of the Constitution and Standards Committee



"We all have skills that we use in our daily lives that reflect our characters, our experiences and our training. Both newly elected and existing Councillors will bring such skills to bear as they serve the public of Wirral with the support and advice from colleagues and officers.

I commend the Members Learning and Development Strategy as an excellent resource to aid both existing and newly elected members."



A handwritten signature in black ink, appearing to read 'Phil Gilchrist'.

Phil Gilchrist, Chair of the Members Support Steering Group

INTRODUCTION

Priorities

This Strategy sets out the Council's priorities for member development which are aligned with the Nolan Principals. These priorities are:



Also interwoven into the strategy is the 21st Century Councillor, a study undertaken by the university of Birmingham and North West Employers and promoted by the LGA which looked primarily looked at the current context and demands of Members, at a time of budget reductions and the changing public sector landscape. The study looked at the roles, skills and support needed to enable individual Members to undertake their crucial front-line role of making connections with their communities and building a strong democratic place.

WIRRAL PLAN 2023 - 2027

The Wirral Plan is a key document of the Council’s policy framework, setting out the vision and priorities for Wirral as a place. The Plan has been aligned with the Council’s Improvement Plan which sets out the vision and priorities for organisational change and improvement that will ensure the Council is in the best shape to lead Wirral partners in achieving the Wirral Plan vision.

The Wirral Plan was developed following engagement with Members, staff, and partners in 2020/21. As the Council moves to a Whole Council Election scheme in 2023, there is an opportunity to re-set the Wirral Plan as a four-year programme for the full term of the new administration. This work will be conducted during 2022/23 to enable a new 2023/27 plan to be presented to Council in the Summer 2023.

The Plan is built around the following five strategic priorities for the Council and its partners. The table below gives a high-level summary of how the Member Learning and Development Strategy 2023-27 will support the five main themes of the Wirral Plan.

Wirral Plan Themes	Action
Sustainable Environment	The strategy will provide Members with a baseline of information to ensure they fully understand this theme within the Wirral Plan, and within the Council’s decision-making process. Carbon Literacy training will be made available to all Members.
Brighter Futures	All Members of the Council are corporate parents. This is the name given to an organisation or person who have special responsibilities to children and young people who are under the care of the Local Authority. Training will be given to Members on the responsibilities of being a corporate parent; this includes safeguarding guidance which will ensure that Members are aware of how to protect children and young people both when making decisions and in the community.
Inclusive Economy	Regular learning and development will be offered to ensure that Members understand the Councils’ Finance and Budget setting process and how this, alongside strategies such as Community Wealth Building can help build an Inclusive Economy.
Safe and Pleasant Communities	Mandatory Planning and Licensing training will be provided for Members who sit on those Committees which will assist in the delivery of this pledge. In addition, training modules such as online safety and social media training will assist Members when working online.
Active and Healthy Lives	A welfare policy which actively promotes happy, healthy, and engaged elected Members. A robust Member wellbeing and support package will help facilitate in the delivery of the Healthy and Active Lives pledge. Members will also be provided with additional training to help them support their constituents and communities. Focus will be given on preventative measures rather than statutory requirements.

ROLE OF THE MEMBER SUPPORT STEERING GROUP

The Member Support Steering Group (MSSG) was formed to help aid the introduction of the Committee System in 2020. Membership of the group is appointed by the Constitution and Standards Committee on an annual basis and meets quarterly.

The role of the group is to review annually the New Member Induction Programme, Member Learning & Development Strategy and Member Welfare Policy, as well as to provide cross-party strategic leadership on all Member learning and development matters. Regular reports are also submitted to the MSSG regarding the development of and performance of the Councillor Portal. The Portal is a members enquiry reporting tool as well as an information sharing space, and information is gathered as to how this can be improved and developed.

The overall objectives of the MSSG is to:

- Explore, research, gather insight, examine, and develop and implement new innovative methods, approaches, and initiatives to improve member culture, development, and support.
- Drive continuous improvement in member culture, development, and support within political groups.

The MSSG also considers training requests by individual members and monitors the Member Learning and Development budget. The MSSG also submits an annual report to the Constitution and Standards Committee.

HOW MEMBER LEARNING AND DEVELOPMENT NEEDS ARE IDENTIFIED

The Strategy has been developed through extensive consultation and collaboration. Officers have undertaken a survey of elected members, consulted with other Local Authorities and the Local Government Association and received feedback from the Member Support Steering Group.

The Strategy has been designed with consideration to the Councils Core values and the ever-changing needs of the community and organisation. Regular surveys of Members, both newly elected and longstanding, alongside information gathered through the MSSG and individual requests. A recent survey undertaken by Democratic Services and the Learning & Inclusion team identified the following key themes as priorities:

Corporate Finance - Training in respect of Revenue and Capital, Budget development and budget performance monitoring including Council Tax, Revenues and Benefits.

Communication - Dealing with casework, enquiries from constituents and social media.

Personal skills - Such as public speaking, chairing meetings and delivering comments and ideas within committee meetings.

Understanding decision making, governance, policy formation and scrutiny.

Development of IT skills – Depending in individual skills; basic, intermediate and advanced IT training over a four year cycle essential for hybrid meetings, casework, research and report reading.

2023-27 MEMBER LEARNING AND DEVELOPMENT PLAN

Access to Learning and Development

All Members will be given access to development opportunities that enhance their skills and knowledge to meet their immediate training needs and to respond to the changing needs of the Borough. Care will be taken to better identify and remove disadvantages or barriers that Members feel prevent them from taking advantage training opportunities by ensuring they are readily accessible to all.

Where possible the Council will support Members to develop skills and knowledge that will be useful to them in preparation for enhanced roles such as chairing a Committee meeting. Enabling Members to attend events and undertake learning and development activities is a key priority. In order to facilitate this:

- Formal sessions will be programmed in advance to try to ensure that they do not clash with the committee cycle, Political Group meetings and other major civic events.
- Activities will be programmed at different times of the day to accommodate individual commitments where possible.
- Training will be held via Microsoft teams, to allow Members flexibility in their working day. Sessions will be recorded, and Members will be given access to FLO to allow them to undertake training at a time convenient to them.
- Where appropriate, training will be held face-to face.

FLO

FLO is the Council's learning and development platform. FLO makes it easier to develop skills, knowledge, and experience, with supercharged search and artificial intelligence.

Members can consume and share a wide variety of content, on any device and at any time that suits, and it isn't just e-learning – Flo gives access to a wide range of content, both internal and external to the Council, including courses, videos, podcasts, blogs, and articles.

Members will be assigned a learning pathway which will enable them to access all essential learning identified within the Member Development Plan. plan.

FLO learns what you're interested in and will recommend relevant learning content based on interests, skills, and roles. No log in is required, as it is linked to an individual's email address, and it will be linked both on the Council's intranet page and within the Councillor Portal.

Delivery

Wirral Council recognises the many different ways to deliver training and development. In addition to more formal training sessions, Members will have access to the following,

- Members Portal and FLO which hold various training videos and useful documents
- Briefing notes and learning guides.
- Member View - a weekly briefing from the Council's Communications Team
- External conferences, seminars, and network meetings.
- In house workshops presented by senior managers and specialist officers.
- An Information Library from a variety of sources such as, LGA workbooks Local Government Information Unit blogs (LGIU)

Review

The Strategy will be an iterative process, regularly reviewed, and adapted to Members needs and requirements. Monitoring will be taken annually.

Review of the Strategy will be taken via several channels.

- Evaluation and impact of training and learning opportunities
- Annual Member personal development survey
- Review via the Members Support Steering Group as an annual report
- External review, publications, and research

Year 1

Mandatory	Specific	Specialism
Corporate Parenting Finance Licensing Planning	New Member Induction Committee Specific Training Audit and Risk Management Code of Conduct / Decision Making Carbon Literacy Social Media Equality and Diversity	Chairs Training - New and Existing Chairs Leadership Training: • Policy Development • Local Government Finance IT Basic Training Advanced Personal Development Mental Health Awareness / First Aid Overview and Scrutiny The Effective Ward Councillor Supporting Your Constituents With Complex Issues GDPR

Year 2

Mandatory	Specific	Specialism
Corporate Parenting Finance Licensing Planning	Committee Specific By Election Induction (if required)	Chairs Training - Continuous Development and Future Chairs Leadership Training <ul style="list-style-type: none"> • Facilitation and Conflict Resolution • Influencing Skills Advanced Personal Development IT Intermediate Training Overview and Scrutiny Mental Health Awareness / First Aid

Year 3

Mandatory	Specific	Specialism
Corporate Parenting Finance Licensing Planning	Committee Specific By Election Induction (if required)	Chairs Training - Ongoing and Future Chairs Development Leadership Development <ul style="list-style-type: none"> • Community Engagement and Leadership • Economic Development Advanced Personal Development IT Advanced Training Mental Health Awareness Overview and Scrutiny

Year 4

Mandatory	Specific	Specialism
Corporate Parenting Finance Licensing Planning	Committee Specific By Election Induction (if required)	Chairs Training - Ongoing and Future Chairs Development Leadership development <ul style="list-style-type: none"> • Political collaboration • Influencing skills Advanced Personal Development IT Advanced Training Chairs Training Leadership Mental Health Awareness Overview and scrutiny

By-election

When Members join the Council as a result of a by-election, Democratic Services will arrange tailored induction courses that introduce the varied elements of the year 1 programme and ensure adequate mentoring support is available to ensure new Members do not feel 'adrift'. Opportunities to observe committees and other operations will form part of this induction.

Members Wellbeing

Member support and wellbeing is of utmost importance to the Council. The Member welfare resource guide is attached as an appendix to this report.

Support available to all Members includes,

- Access to the Employee Assistance Programme
- Resilience and mental wellbeing training
- Discounted membership at Wirral Council owned gyms
- Access to FLO for targeted learning on Mental Health, Financial Wellbeing and managing stress.
- Individual support from the Member Support Team if required.

Personal safety

The personal safety of Members and staff is of utmost importance to Wirral Council. Comprehensive guidance can be found in the LGA guide, Personal-safety-for- councilors. Members are encouraged to read this to provide guidance on how to keep themselves safe whilst out and about in the Community. If you are unsure of a situation or feel unsafe, always speak to the Democratic Services Team in the first instance for advice.

Team around the Member

To assist Members a team of officers are available to provide support in guidance, both with personal development and wellbeing.

- **Anna Perrett - Principal Democratic Services Officer: Policy and Member Development**
Email: annaperrett@wirral.gov.uk
- **Victoria Simpson - Senior Member Support Officer**
Email: victoriasimpson@wirral.gov.uk
- **Andrea Shillinglaw - Executive Policy Support**
Email: andreashillinglaw@wirral.gov.uk
- **Gill Pinch - Executive Policy Support**
Email: gillpinch@wirral.gov.uk

Accessibility For Disabled Councillors

The Council has a legal duty under The Equality Act 2010 to make any reasonable adjustments you need to carry out your work as a Councillor. You will be asked upon your election if you require any reasonable adjustments to be made in order for you to effectively carry out your work as an elected member. Examples of this may be access to specialist equipment or adaptations to your working environment.

You are not responsible for the costs of any reasonable adjustments. The document below supplied by the Local Government Association provides further information.

https://www.local.gov.uk/sites/default/files/documents/Improving%20access%20to%20local%20government%20elected%20office%20for%20disable%20people_0.pdf

APPENDICES

- 1. New Member Induction Booklet**
- 2. Councillor Handbook**
- 3. Criteria for Approval of Training Requests**
- 4. Members Welfare Booklet**

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WIRRAL COUNCIL

CONSTITUTION & STANDARDS COMMITTEE

June 2024

SUBJECT:	SUMMARY OF STANDARDS COMPLAINTS
REPORT OF:	MONITORING OFFICER

REPORT SUMMARY

This report provides a summary of Standards complaints received under the Members' Code of Conduct and Protocol for dealing with complaints against Members between 1 January 2023 and 31 March 2024.

RECOMMENDATION

That the Constitution and Standards Committee notes the summary of standards complaints set out at Appendix 1 to this report.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION

- 1.1 To provide the Committee with an opportunity to consider the handling and progress of standards complaints.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The process for the administration of standards complaints is undertaken in accordance with the Protocol for dealing with complaints against Members which was approved by the Committee in February 2019.

3.0 BACKGROUND

- 3.1 The Council is required to deal with complaints made against Members under its approved Ethical Framework.
- 3.2 In order to assist with the effective administration of standards complaints, the Committee, as part of its monitoring role, is invited to consider the nature and handling of complaints received pursuant to the Members' Code of Conduct.
- 3.3 Appendix 1 sets out a summary of the complaints received between 1 January 2023 and 31 March 2024 and their status.
- 3.4 The Ethical Framework requires complaints to be dealt with confidentiality and therefore it is not possible to provide extensive details in respect of each complaint.
- 3.5 Between 1 January and 31 March 2024 a total of 39 complaints in respect of the conduct of 7 Members have been received. The complaints were received from 34 different complainants. There were 4 complaints raised by Members against other Members. One complaint received was referred for a formal investigation.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report save that where an external investigator or trainer is appointed, additional costs will be incurred. Such costs will vary depending upon the nature of the complaint and the time taken to undertake and complete the investigation or undertake the training.

5.0 LEGAL IMPLICATIONS

- 5.1 Under the Localism Act 2011 the Council is required to have a Code of Conduct relating to the conduct of Members and arrangements in place to deal with any complaints received in respect of Members conduct.
- 5.2 This report provides an opportunity for the Committee to monitor the progress of complaints.

6.0 RESOURCE IMPLICATIONS

6.1 There are no such issues arising from this report.

7.0 RELEVANT RISKS

7.1 The administration of standards complaints should be dealt with as efficiently as possible to ensure matters are concluded quickly and closure of issues secured for both complaint and the subject member(s) involved.

8.0 ENAGEMENT/CONSULTATION

8.1 One of the Independent Persons is consulted every time a complaint is assessed and evaluated and whenever an investigation is undertaken.

9.0 EQUALITIES IMPLICATIONS

9.1 There are no specific equality implications arising from this report.

10.0 ENVIRONMENT & CLIMATE IMPLICATIONS

10.1 There are no specific environmental and climate issues arising from this report.

11.0 COMMUNITY WEALTH BUILDING IMPLICATIONS

11.1 There are no specific community wealth building issues arising from this report.

REPORT AUTHOR: **Vicki Shaw**
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and Deputy Monitoring Officer
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APPENDICES

Appendix 1 – Summary of Standards Complaints

BACKGROUND PAPERS

The Members' Code of conduct

The Protocol for dealing with complaints against Members

APPENDIX 1

Summary of complaints received 1 January 2023 and 31 March 2024

No	Date received	Nature of Complaint	Date concluded & outcome
1	11.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
2	11.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
3	13.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
4	15.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
5	16.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
6	23.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
7	26.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
8	26.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
9	26.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
10	27.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
11	28.01.23	Conduct inconsistent with standards of public life	23.02.23 No breach
12	05.02.23	Conduct inconsistent with standards of public life	23.02.23 No breach
13	28.02.23	Conduct inconsistent with standards of public life	Investigation not concluded as subject ceased to be a Member.
14	15.03.23	Conduct inconsistent with standards of public life	26.05.23 No breach
15	15.03.23	Conduct inconsistent with standards of public life	02.06.23 No breach
16	17.03.23	Conduct inconsistent with standards of public life	02.06.23 No breach
17	29.03.23	Conduct inconsistent with standards of public life	04.08.23 No breach
18	27.06.23	Conduct inconsistent with standards of public life	24.10.23 No breach
19	20.07.23	Conduct inconsistent with standards of public life	28.09.23 No breach
20	20.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
21	21.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
22	21.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
23	21.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach

24	21.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
25	21.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
26	21.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
27	22.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
28	22.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
29	22.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
30	23.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
31	24.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
32	25.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
33	25.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
34	26.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
35	26.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
36	27.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
37	29.09.23	Conduct inconsistent with standards of public life	15.12.23 No breach
38	02.10.23	Conduct inconsistent with standards of public life	Complaint withdrawn 03.01.24
39	23.11.23	Conduct inconsistent with standards of public life	29.01.24 No breach

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CONSTITUTION AND STANDARDS COMMITTEE

Thursday 01 August 2024

REPORT TITLE:	APPOINTMENT OF PANELS, STATUTORY / ADVISORY COMMITTEES AND WORKING PARTIES 2024/25
REPORT OF:	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The purpose of this report is to enable the Constitution and Standards Committee to review the continuing need for various panels, statutory / advisory committees and working parties, and to appoint members and named deputies to serve on those (including the statutory committees and panels) that are to be retained in 2024/25.

RECOMMENDATION/S

The Constitution and Standards Committee is requested to authorise the Monitoring Officer as proper officer to carry out the wishes of the Group Leaders in allocating Members to membership of the Statutory and Advisory Committees listed in the report and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Committee is required to appoint the membership of various panels, statutory / advisory committees and working parties, which fall under its remit at the start of each Municipal Year.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options considered include not appointed to the statutory and advisory bodies or appointing a different number of members.

3.0 BACKGROUND INFORMATION

STATUTORY COMMITTEES AND PANELS

- 3.1 The following statutory committees and panels, all of which have full delegated authority, were retained during 2023/24.

3.2 Standards Panel and Standards Appeals Panel

Sub-Committees of between three (3) and five (5) members of the Constitution and Standards Committee with responsibility for arrangements under which decisions can be made on an allegation that a Member of the Council or its committees has breached the Members' Code of Conduct.

The Committee or a Panel may regulate, where necessary, its own procedures to deal with any matter arising in connection with its duties, provided that the procedures remain in accordance with the principles set out at Article 13 of this Constitution. This includes that, subject to any statutory rules or procedures detailed elsewhere, a Panel acting as a tribunal is permitted, when all evidence has been submitted and speakers (if any) have finished, will hold discussion in the presence of the speakers and, as appropriate and in compliance with the Access to information Procedure Rules, the public and press, and the decision making may thereafter be taken in private adjournment.

It is expected that decisions will then normally be announced to those present and remaining post-adjournment, at least in summary form, before a decision is issued in writing.

ADVISORY COMMITTEES AND WORKING PARTIES

- 3.3 The following is a list of advisory and consultative bodies that were retained or created in 2023/24 to assist the Committee in its work.

(i). **Members Support Steering Group**

(This group was established by the Committee on 24 February, 2021, by the merger of the former Member Support and Members' Equipment Steering Groups)

The role of the Group is to:

- provide cross-party strategic leadership to member learning, development, support so as to enable members to help deliver the Refreshed Wirral Plan 2021-2026 and its themes;
- provide cross-party strategic leadership to the member ICT offer to ensure that equipment, software and systems used by members enables them to effectively undertake their duties;
- Provide oversight on the development of the Member Portal;
- Ensure all members have the requisite skills, knowledge and attributes to be able to meet their varied duties and responsibilities;
- Actively promote, encourage and oversee member culture, development and support;
- Explore, research, gather insight, examine and develop and implement new innovative methods, approaches and initiatives to improve member culture, development and support.
- Drive continuous improvement in member culture, development and support within political groups.

3.4 Options for the appointment of members to the Member Support Steering Group vary due to the size of the Committee. The Committee may wish to resolve to:

- a) Appoint one member from each Political Group (4 Members: 1 Labour, 1 Conservative, 1 Green and 1 Lib Dem)
- b) Appoint the minimum number of members based on political proportionality and all-party representation (5 Members: 2 Labour, 1 Conservative, 1 Green and 1 Lib Dem)
- c) Appoint all 7 members to the Member Support Steering Group

(ii). Governance Working Group

The Governance Working Group was set up as working group of members to consider constitutional and governance related matters in advance of reports and recommendations being submitted to the Constitution and Standards Committee.

3.5 Options for the appointment of members to the Governance Working Group vary due to the size of the Committee. The Committee may wish to resolve to:

- d) Appoint one member from each Political Group (4 Members: 1 Labour, 1 Conservative, 1 Green and 1 Lib Dem)
- e) Appoint the minimum number of members based on political proportionality and all-party representation (5 Members: 2 Labour, 1 Conservative, 1 Green and 1 Lib Dem)
- f) Appoint all 7 members to the Governance Working Group

3.6 Appendix 1 to this report outlines all Statutory and Advisory Committee appointments for the 2024/25 municipal year.

4.0 FINANCIAL IMPLICATIONS

4.1 There are none arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 There is a requirement under the Council's Constitution to appoint Members to various panels, advisory committees and working parties.

6.0 RESOURCE IMPLICATIONS: ICT; STAFFING AND ASSETS

6.1 There are none arising directly from this report.

7.0 RELEVANT RISKS

7.1 If the Council does not appoint to its statutory bodies there is a risk that it will fail to fulfil its statutory duties.

8.0 ENGAGEMENT / CONSULTATION

8.1 It is for political groups to decide how they wish to allocate their committee places.

9.0 EQUALITIES IMPLICATIONS

9.1 There are none arising directly from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are none arising directly from this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are none arising directly from this report.

REPORT AUTHOR: Daphne Courtenage
Principal Democratic Services Officer
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BACKGROUND PAPERS

Constitution

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Constitution and Standards Committee	23 June 2021
Constitution and Standards Committee	24 February 2021
Council	28 September 2020
Council	14 May 2019
Council	15 May 2018

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APPOINTMENT OF PANELS STATUTORY ADVISORY COMMITTEES AND WORKING PARTIES 2023/24

(a) CONSTITUTIONS AND STANDARDS COMMITTEE

Member Steering Group

Councillor Tony Murphy
Councillor Mike Sullivan
Councillor Tom Laing
Councillor Chris Cooke
Councillor Chris Carubia
Councillor Jenny Johnson
Councillor Gary Bennett

Governance Working Group

Councillor Tony Cox
Councillor Gary Bennett
Councillor Phil Gilchrist
Councillor Judith Grier
Councillor Tom Laing
Councillor Tony Murphy
Councillor Mike Sullivan

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CONSTITUTION AND STANDARDS COMMITTEE

Thursday 1st August 2024

REPORT TITLE:	AMENDMENTS TO THE CONSTITUTION & ARRANGEMENTS FOR COMMITTEE MEETINGS
REPORT OF:	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

This report requests the Constitution & Standards Committee to give consideration to:

- Recommending to Council that Standing Order 10.7, in respect to public question is amended so that no public question submitted exceeds 100 words
- Arrangements for the holding of Committee Meetings in Wallasey Town Hall
- Noting the role of Facilities Management, Community Patrol and security officers in respect to the running of Council and Committee Meetings in Wallasey Town Hall
- Requesting the Member Support Steering Group to undertake a review of Member Safety

This matter affects all wards. This is not a key decision.

The report contributes to the delivery of the Wirral Plan 2023-2027 by ensuring that the Council's decision-making process is as effective as possible.

RECOMMENDATION/S

The Constitution & Standards Committee is requested to:

- 1) Recommend to Council that Standing Order 10.7 be amended as detailed in section 3.2 of the report.
- 2) Note the revised arrangements for Committee Meetings for the 2024/2025 municipal year as outlined in section 3.3 of the report.
- 3) Recommend that the Head of Democratic & Member Services, in consultation with the Member Support Steering Group, undertakes a review of the arrangements for Member safety and submit a report to a future meeting of the Committee.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Further to the temporary closure of Wallasey Town Hall, Council and Committee Meetings for the 2023/2024 Municipal year were held in Birkenhead Town Hall. The logistics associated with the running of Committee meetings presented a number of challenges both in respect to the physical arrangement of the Committee room but also the access arrangements for members of the public.

A number of high profile meetings throughout the municipal year resulted in demonstrations outside of the Town Hall and significant interest from the public in attending meetings. Further to issues experienced at the meeting of the Pensions Committee held on 19 March 2024, concerns were raised by Group Leaders with the Chief Executive about Member safety at Committee meetings. Following consultation with the Chair of the Pensions Committee, the Chief Executive requested the Head of Democratic & Member Services to give consideration to the concerns raised and in consultation with the Chair of Constitution and Standards Committee to submit a report to the first meeting of that Committee in the 2024/2025 municipal year.

Due to the events at the Annual Council Meeting on the 22nd May 2024, the Chief Executive, following a discussion with the Political Group Leaders, took the decision that with immediate effect, all Council and Committee Meetings were to be held in Wallasey Town Hall. Section 3.3 of the report details the arrangements which were put in place to implement that decision.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 No alternative options have been considered in light of the request of the Chief Executive. In respect to recommendation one (amending the public question time Standing Orders) the Committee could decide not to make any changes.

3.0 BACKGROUND INFORMATION

- 3.1 The report presented for consideration is essentially split into four key parts:

- Possible constitutional amendments which would aid the smooth running of the meeting. This includes the support and advice provided to the Chair of the Committee
- The access/egress arrangements for Members and Members of the public at Wallasey Town Hall including meeting management arrangements
- The role of FM and Community Patrol
- How the Member Support Steering Group can assist when considering the broader issues of Member Safety and Member Welfare.

- 3.2 Constitutional Amendments

Standing Order 10.7 “Asking the Questions at the Meeting” currently allows members of the public two minutes to put the question to the meeting. When public questions are received by Committee Officers in initial form, they can often be quite lengthy and it is difficult to ascertain if they will can be asked within the time limit. In reality, a significant number of the questions are in fact lengthy statements with a short question at the end. It should be noted that Standing Order 11 already makes provision for members of the public to make statements at Committee Meetings.

When considering whether a public question should be put to Council or Committee, the Monitoring Officer (MO) will inform the Mayor or Chair who will then decide whether or not to reject the question if the Monitoring Officer considers the question:

- is not about a matter for which the local authority has a responsibility, or which affects the Borough;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

The current arrangements make it very difficult to test whether a question submitted is substantially the same as a question which has been put at a meeting of the Council in the past six months. On occasions when the MO has advised the Mayor (or Committee Chair) that a question should not be allowed, that has often resulted in disappointment for the questioner.

It should be noted that the final decision on whether to accept or reject a question lies with the Mayor or Committee Chair.

For the reasons outlined, it is therefore recommended:

1. That Standing Order 10.7 “Asking the Questions at the Meeting” be amended so that the words “*Two minutes are allowed for putting the question*” are deleted and they are replaced with “*The question to be put at the meeting shall not exceed 100 words in length.*”

2. If any public questions are rejected, the Mayor/Chair will make a statement to clarify the reason why the question has been rejected.

3.3 Committee Meeting Room

At the time of report publication, Committees are in the first full cycle of the municipal year given the calling of the General Election on the 4th July 2024. The move back to WTH for the hosting of Council and Committee meetings was supported by a comprehensive risk assessment. The risk assessment was informed by recent lessons learnt at BTH, the best advice by colleagues in the community safety unit, an independent validation process from an experienced security firm and by members’

own experiences at the Regulatory and General Purposes Committee held on 13th June 2024. The risk assessment contains a number of fundamental key principles,

- Members being encouraged to park in the allotted spaces to the South of WTH and then accessing the building on that side of the building which is the natural shortest walking route.
- Members of the public to access from the North side of the building. All members on the public attending a Council of Committee meeting will be required to sign in.
- If, in the opinion of the Head of Democratic & Member Services, a meeting is likely to generate considerable public interest or potential for disruption, the meeting will be deemed to be a *ticketed event*. That will require members of the public to register in advance of the meeting in order to ensure access to the public gallery. This is made clear on the agenda front sheet and on the Council website. A decision will then be made as to whether to hold the meeting in the Committee Room, Council Chamber or Civic Hall.
- A further decision will be made by the Head of Service in respect to the need for the support of private security.

To supplement the Risk Assessment, Member Support officers were tasked with ensuring that each Group and members were invited to attend a familiarisation exercise so that they fully understood the access and egress routes to the town hall. Similarly, Legal and Committee Officers have been fully briefed on the requirements contained within the risk assessment and in particular how to deal with disruption at a meeting.

In respect to meeting management, Members attention is further drawn to those sections of the Constitution relating to dealing with disturbance by the public at Council or Committee meetings. This matter is dealt with under Standing Orders 20 and 21. Extracts below:

“ 20.5 General disturbance

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he or she thinks necessary.

21. DISTURBANCE BY PUBLIC

21.1 Removal of member of the public

If a member of the public interrupts or otherwise disturbs the conduct of proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

21.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.”

Committee Chairs and spokespersons, Legal & Committee officers and Facilities Management colleagues will be reminded of these provisions within the constitution.

3.4 Role of Facilities Management and Community Patrol

Throughout the 2023/2024 – 136 Council or Committees meetings were held in Birkenhead Town Hall with little or no disruption. This is testament to the preparatory work undertaken by Committee Services Officers, colleagues in Facilities Management and when called upon the Community Patrol Team.

In respect to Community Patrol, the Director of Neighbourhoods has confirmed that where possible colleagues in the community patrol team will support the running of committee meetings and will be present, particularly when there are large demonstrations outside of the Town Hall. Additional support will be sourced from Oculus, the company which manages the security at the Mallory and Irvine buildings, if it is deemed necessary by the Head of Democratic & Members Services.

3.5 Member Support Steering Group

It is proposed that the Steering Group is requested to give consideration to two interrelated matters and with the support of Officers prepare a report and recommendations for consideration at a future Committee Meeting. These are:

- a) the role of and how best Members of the Council can support the public engagement process at Committee meetings.
- b) Member Safety and Member Welfare. Issues to be considered to include the register of interests, dealing with social media, personal safety when attending meetings, out in the community and surgeries, plus any other matters considered relevant by the Steering Group.

4.0 **FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implication arising from the recommendations detailed in this report.

5.0 **LEGAL IMPLICATIONS**

- 5.1 Part 3, Section A of the constitution details those functions which are reserved to the Council Meeting which includes making any amendments to the Constitution .
- 5.2 Should the Constitution & Standards Committee conclude that the Council Procedure Rules be amended, then a recommendation must be made to the Council for a final decision.
- 5.3 The Local Government Act 1972 s.100A deals with the right of members of the public attending meetings of local authorities. The purpose of giving the public the right to attend meetings is so that they can inform themselves of what is going on.

They are not given the right to disrupt meetings and the right is not a right to participate in anything that is going on, but merely to observe. S.100A (8) states that the right to attend public meetings is "...without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting."

The power to exclude from a public meeting attendees whose disorderly conduct or other misbehaviour disrupts or threatens to disrupt the Council's business being conducted in the meeting is a common law power which was preserved by section 100A (8) of the 1972 Act.

The power extends to excluding all members of the public either before or during a meeting should the public presence as a whole be liable to give rise to the same conduct that would justify the exclusion of an individual. The power to exclude the entirety of the public from a meeting should, however, be used sparingly and only in exceptional circumstances where the only practical way of carrying on the business of the authority is to exclude the public because their behaviour is disruptive of the meeting.

Where the police are present they can be called upon to intervene where there is a breach of the peace or a breach is imminent.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no implications arising from the recommendations detailed in this report.

7.0 RELEVANT RISKS

7.1 There are no foreseen risks arising from the recommendations detailed in this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 Members of the Committee have been consulted and have been supportive of the recommended proposals detailed in this report.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2 There are no direct equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment and climate implications arising from this report

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct community wealth implications arising from this report.

REPORT AUTHOR: **Steve Fox**
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APPENDICES

None

BACKGROUND PAPERS

Council Constitution
Risk Assessment Public Meetings 2023-24 BTH
Risk Assessment Public Meetings 2023-24 WTH
Violence & Aggression Risk Assessment BTH

TERMS OF REFERENCE

This report is being considered by the Constitution and Standards Committee in accordance with Section 11.2(a) of its Terms of Reference, to keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's Constitution, including the codes and protocols.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	May 2023
Council	May 2022

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CONSTITUTION AND STANDARDS COMMITTEE

1 August 2024

REPORT TITLE:	MEMBERSHIP OF HEALTH AND WELLBEING BOARD
REPORT OF:	DIRECTOR OF LAW AND CORPORATE SERVICES

REPORT SUMMARY

The report provides for consideration of the recommendations of the Health and Wellbeing Board in respect of its membership. The full minute of the Health and Wellbeing Board and associated Report of the Director of Law and Corporate Services.

One of the themes of the Council Plan 2023-2027 is to promote independence and healthier lives. By having active, effective partnerships on the Board and developing strategies in partnership to combat health inequalities and enable more effective working, the Board will contribute to that theme. Reviewing the membership can help facilitate this.

This matter relates to all Wards within the Borough and is not a key decision.

RECOMMENDATION/S

The Constitution and Standards Committee is asked to consider the request from the Health and Wellbeing Board to approve that:

Council be recommended to amend the Constitution as detailed in Appendix 6 to this report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Health and Wellbeing Board reviewed its membership in the light of changes to organisations and job titles. Changes required the approval of the Constitution and Standards Committee and then approval of full Council before adoption.
- 1.2 Since the last review in May 2022 several job titles had changed and some organisations had ceased including the establishment of Integrated Care Boards to replace the Clinical Commissioning Group, so an update of the membership list was beneficial to ensure it remained current.
- 1.3 Two reports had been considered by the Health and Wellbeing Board, on 21 September 2023 and on 14 March 2024. The earlier report updated the working list of membership which included individual names and co-opted memberships. The later report was for amendments to the Constitution (Part 3, Section B) and incorporated the changes from the earlier version and it is this which is being recommended to Constitution and Standards Committee and Council. Both are included as appendices for information.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Other options have been considered as noted in the appended report.

3.0 BACKGROUND INFORMATION

- 3.1 Background information is detailed in the appended report.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications of the decision.

5.0 LEGAL IMPLICATIONS

- 5.1 As detailed in the appended report, changes to the formal membership as defined in the Constitution would require endorsement by the Constitution and Standards Committee and approval by Council. The principal role of the Health and Wellbeing Board is to discharge functions pursuant to sections 195 and 196 of the Health and Social Care Act 2012.
- 5.3 As the decision in this matter is the subject of a recommendation from another Committee, the Constitution and Standards Committee must take into account the resolution of that Committee and give due regard to the guidance and comments made by its members. The Constitution and Standards Committee must not, however, consider itself bound by that Committee's recommendations or otherwise fetter its discretion; its Members must come to

their own decision. In doing so, the Committee must satisfy itself that it has been provided with all relevant information or a suitable précis to enable it to comply with its duties and make a lawful decision.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no direct resource implications.

7.0 RELEVANT RISKS

7.1 The risks were covered in the original report submitted to the Committee.

8.0 ENGAGEMENT/CONSULTATION

8.1 There was no additional consultation undertaken.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity. An Equality Impact Assessment was not required for this decision.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment or climate implications from this decision.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct community wealth implications from this decision.

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APPENDICES

Appendices 1, 2, 3 Report and appendices to Health and Wellbeing Board 21 September 2023

Appendix 4 Minute Extract from the meeting of Health and Wellbeing Board held on 21 September 2023.

Appendices 5, 6, 7 Report and appendices to Health and Wellbeing Board 14 March 2024

Appendix 8 Minute Extract from the meeting of Health and Wellbeing Board held on 14 March 2024

BACKGROUND PAPERS

Constitution

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Health and Wellbeing Board	16 June 2021
Health and Wellbeing Board	20 July 2023
Health and Wellbeing Board	21 September 2023
Health and Wellbeing Board	14 March 2024



HEALTH AND WELLBEING BOARD

Thursday, 21 September 2023

REPORT TITLE:	HEALTH AND WELLBEING BOARD MEMBERSHIP
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report provides the Health and Wellbeing Board with an opportunity to review its formal membership as contained within the Wirral Council Constitution and propose any amendments to Wirral Council's Constitution and Standards Committee.

One of the key themes in the Wirral Plan 2021-2026 is to provide happy, active and healthy lives for all, with the right care, at the right time to enable residents to live longer and healthier lives. By having active, effective partnerships on the Board and developing strategies in partnership to combat health inequalities and enable more effective working, the Board will contribute to the key priorities set out within the current Wirral Plan. Reviewing the membership can help facilitate this.

This matter relates to all Wards within the Borough and is not a key decision.

RECOMMENDATION

The Health and Wellbeing Board is recommended to recommend to Constitution and Standards Committee the adoption of a revised membership list as provided in Appendix 2 to the report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To make the Board aware of its membership and to clarify which members have voting rights.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 An alternative option was to not update the Board on its membership. However, updating the Board on its current membership assists in the effective management of its meetings and ensures the Board are utilising its ability to co-opt additional members and removing any co-optees no longer as relevant, and allows the list to be updated following changes such as the cessation of the Clinical Commissioning Group and the changing of some job titles or organisations.

3.0 BACKGROUND INFORMATION

- 3.1 The Health and Social Care Act 2012 sets out that a local authority must establish a Health and Wellbeing Board for its area and prescribes the membership must contain a minimum of that outlined at 3.2.
- 3.2
- a. at least one councillor of the local authority
 - b. the director of adult social services for the local authority
 - c. the director of children's services for the local authority
 - d. the director of public health for the local authority
 - e. a representative of the Local Healthwatch organisation for the area of the local authority
 - f. a representative of each relevant clinical commissioning group (n.b. It should be noted that CCGs no longer exist within the NHS infrastructure)
 - g. such other persons, or representatives of such other persons, as the local authority thinks appropriate.
- 3.3 Health and Wellbeing Boards (HWBs) have been a key mechanism for driving joined up working at a local level since they were established in 2013.
- 3.4 The Health and Care Act 2022 introduced new architecture to the health and care system, specifically the establishment of integrated care boards (ICBs) and integrated care partnerships (ICPs).
- 3.5 In this new landscape, HWBs continue to play an important statutory role in instilling mechanisms for joint working across health and care organisations and setting strategic direction to improve the health and wellbeing of people locally.
- 3.6 It is important that Wirral's Health and Wellbeing Board reflects the Council's operating Executive arrangements, and those of other partners.
- 3.7 At its meeting on 25 May 2022, the Council adopted a revised Constitution within which contained the Terms of Reference and membership of the Health and Wellbeing Board. The membership is included below.

3.8 Current Core Membership

- (i) Five (5) elected Members of Wirral Borough Council, being the:
 - (1) Leader (or Deputy Leader) of the Council.
 - (2) The Chair (or Vice Chair) of the Adult Social Care and Public Health Committee.
 - (3) The Chair (or Vice Chair) of the Children, Young People and Education Committee; and
 - (4) The leaders (or nominee) of the two largest opposition Political Groups.
- (i) the Chief Executive of Wirral Borough Council.
- (ii) the Director of Adult Social Services of Wirral Borough Council.
- (iii) the Director of Children's Services of Wirral Borough Council.
- (iv) the Director of Public Health of Wirral Borough Council.
- (v) the Chair of Wirral NHS Clinical Commissioning Group.
- (vi) the Accountable Officer of Wirral Clinical Commissioning Group.
- (vii) a representative of HealthWatch; and
- (viii) a Representative from the Local Area Team: Cheshire, Warrington and Wirral, NHS England

Current Appointed Membership

- a. A senior officer of Wirral Borough Council responsible for housing policy and services.
 - b. Chief Executive, Voluntary & Community Action Wirral.
 - c. Chief Executive, Wirral University Teaching Hospital NHS Foundation Trust.
 - d. Chief Executive, Wirral Community NHS Foundation Trust.
 - e. Chief Executive, Cheshire & Wirral Partnership NHS Foundation Trust.
 - f. Chief Executive, Clatterbridge Cancer Centre NHS Foundation Trust.
 - g. Representatives from the three divisions of the NHS Clinical Commissioning Group to present annual commissioning plan.
 - h. Representative from Merseyside Police.
 - i. Representative from Merseyside Fire & Rescue Service; and
 - j. Representative from Jobcentre Plus.
 - k. Chairs of the local NHS Trusts (co-opted).
 - l. Chair of the Primary Care Council (co-opted).
 - m. Principal of Wirral Metropolitan College (co-opted).
 - n. Magenta Living (co-opted).
 - o. Wirral Chamber of Commerce (co-opted).
- 3.6 The Health and Wellbeing Board is a partnership body and has historically invited attendees from various organisations to participate in meetings or be co-opted to the Board to support effective decision-making.
- 3.7 This report also provides an opportunity to review the number and range of co-opted individuals and organisations for the remainder of the 2023/2024 Municipal Year. Attendance by appointed organisations has been very low.

- 3.8 This report also gives the Board an opportunity to make recommendations for amendments to its core membership to the Constitution and Standards Committee.

Suggested membership changes

- 3.9 Suggested amendments to be recommended to Constitution and Standards Committee include removal of reference to the Clinical Commissioning Group and Local Area Teams as they no longer exist, and the correcting of several job titles which have been changed since the previous list was written. The current list with suggested changes is at **Appendix 1** and the potential new list is at **Appendix 2**.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications.

5.0 LEGAL IMPLICATIONS

- 5.1 Any individual co-opted to the Health and Wellbeing Board will be a non-voting member.
- 5.2 Changes to the formal membership as defined in the Constitution would require endorsement by the Constitution and Standards Committee and approval by Council.
- 5.3 The principal role of the Health and Wellbeing Board is to discharge functions pursuant to sections 195 and 196 of the Health and Social Care Act 2012.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no resource implications.

7.0 RELEVANT RISKS

- 7.1 Having an unclear membership risks decision making not being taken in accordance with the defined Terms of Reference.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 No additional consultation has been undertaken.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no direct equality implications.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no environmental and climate implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 There are no direct implications for community wealth as a result of this report.

REPORT AUTHOR: Mike Jones
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APPENDICES

Appendix 1 – Membership of Health and Wellbeing Board with suggested amendments
Appendix 2 – Membership of Health and Wellbeing Board for approval

BACKGROUND PAPERS

The Health and Social Care Act 2012
Council Constitution
Guidance on Health and Wellbeing Boards
(<https://www.gov.uk/government/publications/health-and-wellbeing-boards-guidance/health-and-wellbeing-boards-guidance>)

TERMS OF REFERENCE

By ensuring its membership is effective and representative, the report aims to enable the Board to meet the following term of reference:

- i. To establish a key forum for local democratic accountability relating to commissioning against agreed health outcomes.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Health and Wellbeing Board	16 June 2021

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Appendix 1 - Membership of Health and Wellbeing Board with suggested amendments

	Representing	Name	Deputies
1	Leader (or deputy leader) of Council	Cllr Jean Robinson	Cllr Paul Stuart
2	The Chair (or Vice Chair) of the Adult Social Care and Public Health Committee	Cllr Phil Gilchrist (as Vice Chair)	Chair of Adults Cllr Janette Williamson
3	The Chair or Vice Chair of the Children, Young People and Education Committee	Cllr Sue Powell-Wilde	Vice-Chair of Childrens (Cllr Chris Carubia)
4	The leaders (or nominee) of the <u>second and third</u> two -largest opposition Political Groups	Cllr Jeff Green (Con) <u>and</u> Cllr Amanda Onwuemene ((as nominee not leader) Green)	chosen nominee from their political group. Cllr Kieran Murphy (Green)
5	Chief Executive of Wirral Borough Council	Paul Satoor	
6	Director of Adults, <u>Health and Strategic Commissioning-Social Services of at</u> Wirral Borough Council	Graham Hodkinson	
7	Director of Child, <u>Family and Education ren's Services of at</u> Wirral Borough Council	Simone White	Liz Hartley
8	Director of Public Health <u>of at</u> Wirral Borough Council	David Bradburn	
9	<u>Chair of Wirral NHS Clinical Commissioning Group</u> <u>Place Director for Cheshire and Merseyside Integrated Care Board</u>	Simon Banks, Director of Place, NHS Cheshire and Merseyside	
10	<u>Accountable Officer of Wirral Clinical Commissioning Group; WCHG</u>	<u>Karen Howell</u>	
11	Representative of HealthWatch	Karen Prior	Kirsteen Sheppard, Micha Woodworth
12	<u>Representative from the Local Area Team: Cheshire, Warrington and Wirral, NHS England</u>		
13	Senior officer of Wirral Borough Council	David Hughes, Director of regeneration and Place	

	responsible for housing policy and services		
14	Chief Executive, Voluntary & Community Action Wirral	CAW are no longer a separate organisation – they are part of the Wirral Chamber who will represent both	
15	Chief Executive, Wirral University Teaching Hospital NHS Foundation Trust (WUTH)	Janelle Holmes or Mike Gibbs	Matthew Swanborough
16	Chief Executive, Wirral Community Health and Care NHS Foundation Trust (WCHC)	Karen Howell or Tony Bennett	David Hammond; Alison Hughes, Director of Corporate Affairs
17	Chief Executive, Cheshire & Wirral Partnership NHS Foundation Trust (CWP)	Dr Anushta Sivananthan, Medical Director, Compliance, Quality & Regulation Or Dr Faouzi Alam, Medical Director, Effectiveness, Medical Education and Medical Workforce Or Tim Welch, Interim CEO	Suzanne Edwards
18	Chief Executive, Clatterbridge Cancer Centre NHS Foundation Trust	Liz Bishop	Julie Gray
19	Representatives from the three divisions of the NHS Clinical Commissioning Group to present annual commissioning plan		
20	Representative from Merseyside Police	Matthew Moscrop	
21	Representative from Merseyside Fire & Rescue Service	Mark Thomas	Nick McCormack, Lauren Woodward Chief Inspector Col Rooney
22	Representative from Jobcentre Plus	Louise Healey_Helen West, Dept for Work and Pensions?	
23	Chairs of the local NHS Health Foundation Trusts (co-opted 160621)	Michael Brown, Chair Wirral CHC; Sir David Henshaw, Chair, WUTH; Isla Wilson, Chair, CWP,	

24	Chair of the Primary Care Council (co-opted 160621)	Dr Abel Adegoke, Chair Primary Care Council	
25	Principal of Wirral Met College (co-opted 160621)	Sue Higginson Gill Banks (not starting until 1 st Aug)	Michael Norton, Deputy Principal
26	Magenta Living (co-opted 290922)	Rachel Bennett	
27	Wirral Chamber of Commerce (co-opted 211222)	Patsy Crocker	

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Appendix 2 - Membership of Health and Wellbeing Board for approval

	Representing	Name	Deputies
1	Leader (or deputy leader) of Council	Cllr Jean Robinson	Cllr Paul Stuart
2	The Chair (or Vice Chair) of the Adult Social Care and Public Health Committee	Cllr Phil Gilchrist (as Vice Chair)	Chair of Adults Cllr Janette Williamson
3	The Chair or Vice Chair of the Children, Young People and Education Committee	Cllr Sue Powell-Wilde	Vice-Chair of Childrens (Cllr Chris Carubia)
4	The leaders (or nominee) of the two largest opposition Political Groups	Cllr Jeff Green (Con) and Cllr Amanda Onwuemene ((as nominee not leader) Green)	chosen nominee from their political group. Cllr Kieran Murphy (Green)
5	Chief Executive of Wirral Borough Council	Paul Satoor	
6	Director of Adults, Health and Strategic Commissioning at Wirral Borough Council	Graham Hodgkinson	
7	Director of Child, Family and Education at Wirral Borough Council	Simone White	Elizabeth Hartley
8	Director of Public Health at Wirral Borough Council	David Bradburn	
9	Place Director for Cheshire and Merseyside Integrated Care Board	Simon Banks, Director of Place, NHS Cheshire and Merseyside	
10	Representative of HealthWatch	Karen Prior	Kirsteen Sheppard, Micha Woodworth
11	Senior officer of Wirral Borough Council responsible for housing policy and services	David Hughes, Director of regeneration and Place	
12	Chief Executive, Wirral University Teaching Hospital NHS Foundation Trust (WUTH)	Janelle Holmes or Mike Gibbs	Matthew Swanborough
13	Chief Executive, Wirral Community Health and Care NHS Foundation Trust (WCHC)	Karen Howell Or Tony Bennett	David Hammond; Alison Hughes, Director of Corporate Affairs
14	Chief Executive,	Dr Anushta Sivananthan,	Suzanne Edwards

	Cheshire & Wirral Partnership NHS Foundation Trust (CWP)	Medical Director, Compliance, Quality & Regulation Or Dr Faouzi Alam, Medical Director, Effectiveness, Medical Education and Medical Workforce Or Tim Welch, Interim CEO	
15	Chief Executive, Clatterbridge Cancer Centre NHS Foundation Trust	Liz Bishop	Julie Gray
16	Representative from Merseyside Police	Matthew Moscrop	
17	Representative from Merseyside Fire & Rescue Service	Mark Thomas	Nick McCormack, Lauren Woodward Chief Inspector Col Rooney
18	Representative from Jobcentre Plus	Louise Healey Helen West, Dept for Work and Pensions	
19	Chairs of the local NHS Health Foundation Trusts (co-opted 160621)	Michael Brown, Chair WCHC Sir David Henshaw, Chair, WUTH; Isla Wilson, Chair, CWP	
20	Chair of the Primary Care Council (co-opted 16.06.21)	Dr Abel Adegoke, Chair Primary Care Council	
21	Principal of Wirral Met College (co-opted 16.06.21)	Sue Higginson Gill Banks	Michael Norton, Deputy Principal
22	Magenta Living (co-opted 29.09.22)	Rachel Bennett	
23	Wirral Chamber of Commerce (co-opted 21.12.22)	Patsy Crocker	

MINUTE EXTRACT

HEALTH AND WELLBEING BOARD 21 SEPTEMBER 2023

21 Membership of Health and Wellbeing Board

The Consultant Lawyer presented the report of the Director of Law and Governance which provided the reviewed the formal membership as contained within the Wirral Council Constitution and propose any amendments to Wirral Council's Constitution and Standards Committee and then to full Council. Changes were recommended to reflect changes in job titles, the replacement of the Clinical Care Groups with the Integrated Care Board and the disbanding of Local Are teams.

The Chair suggested that a workshop be held to consider whether the correct people and organisations were included in the membership list.

It was noted that on lines 12,13 and 14 it is the Chief Executives of those Trusts who were members and other persons would be added to the Deputies column.

Resolved: That, subject to lines 12,13 and 14 it is the Chief Executives of those Trusts who were members and other persons would be added to the Deputies column, Constitution and Standards Committee be recommended to adopt the revised membership list as provided in Appendix 2 to the report.

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HEALTH AND WELLBEING BOARD

Thursday, 14 March 2024

REPORT TITLE:	HEALTH AND WELLBEING BOARD MEMBERSHIP
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report provides the Health and Wellbeing Board with an update of the review of its formal membership as contained within the Wirral Council Constitution and propose any amendments to Wirral Council's Constitution and Standards Committee.

One of the themes of the Council Plan 2023-2027 is to promote independence and healthier lives. By having active, effective partnerships on the Board and developing strategies in partnership to combat health inequalities and enable more effective working, the Board will contribute to that theme. Reviewing the membership can help facilitate this.

This matter relates to all Wards within the Borough and is not a key decision.

RECOMMENDATION

The Health and Wellbeing Board is recommended to recommend to Constitution and Standards Committee the amendments to the Constitution detailed in Appendix 2 to the report, subject to any amendments made at the meeting.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To review the membership as listed in the Council's Constitution based upon work carried out by officers to establish which organisations needed to be involved and wished to be involved, following a report on 21 September 2023.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 An alternative option was to not update the membership. However, the Board and officers had felt that a review would help the Board meetings to focus more on specific areas of work by having advisory groups of organisations providing reports on request which will help manage the focus and length of meetings and would also update the membership in the Constitution to reflect changes in organisations and job titles.

3.0 BACKGROUND INFORMATION

- 3.1 In the report to Board on 21 September 2023, the responsibility for establishing a Health and Wellbeing Board along with the statutory membership was detailed.
- 3.2 That report was forwarded to Constitution and Standards Committee with a renewal of the membership list which updated titles of organisations and individuals which had changed and removed organisations which no longer existed. Constitution and Standards Committee has not yet considered the changes.
- 3.3 At the Board meeting on 21 September 2023, the chair suggested a workshop take place to consider whether the correct people and organisations were included in the membership list.
- 3.4 A small workshop took place on 30 November 2023 and further changes were suggested that could make the Board more effective. There were some minor changes to the wording of some existing roles but there were more fundamental changes suggested. These were:
- To review the attendance of member organisations and write to those who had not attended half of the meetings in the last Municipal Year to see if they wished to be removed from the membership.
 - To set up 'Advisory Groups' which would be groupings of types of member organisations such as clinical (such as health providers) and CVSFE (Community, Voluntary, Faith and Social Enterprise sector) who could be asked to provide reports on matters which would be under discussion at a particular meeting. This would help the focus of the meetings which were intended to be themed around aspects of the Health and Wellbeing Strategy (e.g. employment, early years etc) at each meeting. The details of the Advisory Groups, including membership and terms of reference, are still being developed by the Director of Care and Health and the Head of Legal Services

and are intended to be brought to a future meeting at the start of the new Municipal Year.

- 3.5 The organisations to be written to were identified by an examination of attendance to identify those who had attended less than half of the meetings, and they were written to on 25 January 2024 using the email addresses previously used. Replies were varied – 10 organisations were contacted. 8 have replied with answers, of which one wishes to be removed, four have new contacts and three wish to remain. Any who do not respond will be removed but can be co-opted in the future. There were several instances of our single contact no longer being part of the organisation so a support contact email is now held as a backup. The results of the exercise are detailed in Appendix 1 which include co-opted membership which are not listed in the Constitution.
- 3.6 The changes to the membership listed in the Council's Constitution resulting from the report from 21 September 2023, the workshop and the review exercise are all combined into Appendix 2. It should be noted that this does not include changes to Co-opted member organisations.
- 3.7 The timescales and intention is to:
- refer any suggested changes to the Constitution and Standards Committee for their meeting on 10 June 2024, then
 - refer them to Council on 8 July 2024, then
 - implement any resulting changes at Health and Wellbeing Board's first meeting of the 24/25 Municipal Year on 18 July 2024.
- 3.8 The Health and Wellbeing Board is a partnership body and has historically invited attendees from various organisations to participate in meetings or be co-opted to the Board to support effective decision-making.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications.

5.0 LEGAL IMPLICATIONS

- 5.1 Any individual co-opted to the Health and Wellbeing Board will be a non-voting member.
- 5.2 Changes to the formal membership as defined in the Constitution would require endorsement by the Constitution and Standards Committee and approval by Council.
- 5.3 The principal role of the Health and Wellbeing Board is to discharge functions pursuant to sections 195 and 196 of the Health and Social Care Act 2012.
- 5.4 The power to set up Advisory Groups is in Part 3, section B of the Council's Constitution as follows:

Working Groups Involving Members

Working groups, review teams and advisory groups may be established by a Committee from time to time to develop recommendations or investigate issues of interest or concern alongside formal Sub-Committees. They shall be for specific purposes and shall be time limited. They will only be established when the matter cannot be undertaken by a relevant Committee and each committee is limited to establishing [two] such committees at any one time.

They usually fall into one of the following categories:

a. Panels or groups relating to policy development or service functions Usually established to advise about an issue or subject area. The relevant Committee shall specify terms of reference and membership, which may include invited persons holding relevant expertise or knowledge and Members who are not members of the parent Committee.

b. Task & Finish Groups

Small groups of Members appointed by a Committee or Sub-Committee for the purpose of advising the parent committee about either:

1. an in-depth policy review;
2. performance monitoring; or
3. responding to a major policy consultation.

The terms of reference and purpose are to be specified by the relevant Committee. A specific standing order is set out at Part 4(4)B of this Constitution in respect of a Policy and Services Committee establishing a panel or working group to undertake its overview and scrutiny review functions.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no resource implications.

7.0 RELEVANT RISKS

7.1 Having an outdated or unsuitable membership risks decision making not being taken in accordance with the defined Terms of Reference. This could lead to decisions being taken which had not included input from involved organisations which could affect their implementation and cause reputational damage to the Council and partner organisations.

8.0 ENGAGEMENT/CONSULTATION

8.1 No additional consultation has been undertaken.

9.0 EQUALITY IMPLICATIONS

9.1 There are no direct equality implications.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no environmental and climate implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct implications for community wealth as a result of this report.

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APPENDICES

Appendix 1 - Organisations Contacted and Responses
Appendix 2 – Suggested Changes to the Council’s Constitution

BACKGROUND PAPERS

The Health and Social Care Act 2012
Council Constitution
Guidance on Health and Wellbeing Boards
(<https://www.gov.uk/government/publications/health-and-wellbeing-boards-guidance/health-and-wellbeing-boards-guidance>)

TERMS OF REFERENCE

By ensuring its membership is effective and representative, the report aims to enable the Board to meet the following term of reference:

- i. To establish a key forum for local democratic accountability relating to commissioning against agreed health outcomes.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Health and Wellbeing Board	16 June 2021
Health and Wellbeing Board	21 September 2023

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Membership of Health and Wellbeing Board report. Appendix 1

Organisations contacted and responses

	Representing	Name	reply
14	Chief Executive, Cheshire & Wirral Partnership NHS Foundation Trust (CWP)	Dr Anushta Sivananthan, Medical Director, Compliance, Quality & Regulation Or Dr Faouzi Alam, Medical Director, Effectiveness, Medical Education and Medical Workforce Or Tim Welch, Interim CEO	Would like to remain with Dr Faouzi Alam and his PA as contacts
15	Chief Executive, Clatterbridge Cancer Centre NHS Foundation Trust	Liz Bishop	Remove
16	Representative from Merseyside Police	Matthew Moscrop	Would like to remain
19	Chairs of the local NHS Health Foundation Trusts (co-opted 160621)	Michael Brown, Chair Wirral CHC Sir David Henshaw, Chair, WUTH Isla Wilson, Chair, CWP	Willing but finds it difficult to attend meetings. Will prioritise Replace with Matthew Swanborough and his PA Wrong email. Now has a deputy too
20	Chair of the Primary Care Council (co-opted 160621)	Dr Abel Adegoke, Chair Primary Care Council	Would like to remain and be able to send substitutes
21	Principal of Wirral Met College (co-opted 160621)	Sue Higginson	New contact – Gill Banks, Principal
22	Magenta Living (co-opted 290922)	Rachel Bennett	New PA checking 23.02.24
23	Wirral Chamber of Commerce (co-opted 211222)	Patsy Crocker	Written to 23.02.24

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Membership of Health and Wellbeing Board report.

Appendix 2

Suggested changes to the Council's Constitution

13.2 Composition:

The Wirral Health and Well Being Board will consist of the following

(a) Core Membership

- (i) Five (5) elected Members of Wirral Borough Council, being the
 - (1) Leader (or Deputy Leader) of the Council;
 - (2) The Chair (or Vice Chair) of the Adult Social Care and Health Committee;
 - (3) The Chair (or Vice Chair) of the Children, Young People and Education Committee; and
 - (4) The leaders (or nominee) of the second and third ~~two~~ largest ~~opposition~~ Political Groups;
- (ii) the Chief Executive of Wirral Borough Council;
- (iii) the Director of Adults, Health and Strategic Commissioning at Wirral Borough Council ~~Director of Adult Social Services of Wirral Borough Council~~;
- (iv) Director of Children, Families and Education at Wirral Borough Council ~~the Director of Children's Services of Wirral Borough Council~~;
- (v) the Director of Public Health ~~of at~~ Wirral Borough Council;
- (vi) Place Director for Cheshire and Merseyside Integrated Care Board ~~the Chair of Wirral NHS Clinical Commissioning Group~~;
- ~~(vii) the Accountable Officer of Wirral Clinical Commissioning Group;~~
- (viii) a representative of HealthWatch; and
- ~~(ix) a Representative from the Local Area Team: Cheshire, Warrington and Wirral, NHS England~~

(b) Appointed Membership

- (i) A senior officer of Wirral Borough Council responsible for housing policy and services;
- ~~(ii) Chief Executive, Voluntary & Community Action Wirral;~~
- (iii) Chief Executive, Wirral University Teaching Hospital NHS Foundation Trust;
- (iv) Chief Executive, Wirral Community Health and Care NHS Foundation Trust;
- (v) Chief Executive, Cheshire & Wirral Partnership NHS Foundation Trust;
- ~~(vi) Chief Executive, Clatterbridge Cancer Centre NHS Foundation Trust;~~
- (vii) Representatives Chairs from the ~~three divisions of the NHS Clinical Commissioning Group to present annual commissioning plan~~ NHS Foundation Trusts in Wirral;
- (viii) Representative from Merseyside Police;

- (ix) Representative from Merseyside Fire & Rescue Service; and
- (x) Representative from Jobcentre Plus

MINUTE EXTRACT

HEALTH AND WELLBEING BOARD 14 MARCH 2024

48 HEALTH AND WELLBEING BOARD MEMBERSHIP

The Head of Legal Services presented the report of the Director of Law and Governance which provided an update of the review of the Board's formal membership as contained within the Wirral Council Constitution

Any amendments were to be recommended to Wirral Council's Constitution and Standards Committee and then to Wirral Council before implementation. Organisations which had not attended 50% of meetings had been written to and a variety of responses had been received. Some were yet to respond.

Members indicated that those who had not responded be removed from the membership but could be co-opted in the future.

Resolved: That the amendments to the Constitution detailed in Appendix 2 to the report be recommended to Constitution and Standards Committee.

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Constitution and Standards Committee – Terms of Reference

The Constitution and Standards Committee is responsible for overseeing the operation of the Council's Constitution and for promoting and maintaining high standards of ethical conduct and probity within the Council, including the exercise of all functions of the Authority in relation to ethical standards and, in particular, those under Chapter 7 of the Localism Act 2011.

The Committee is charged by full Council to undertake responsibility for the Council's role and functions:-

- (a) to keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's Constitution, including the codes and protocols;
- (b) to oversee and agree such minor and consequential changes to the Council's constitutional arrangements as are recommended by the Monitoring officer from time to time;
- (c) to hear and determine complaints against members alleging breaches of the Members' Code of Conduct;
- (d) to take an action in respect of a member found to be in breach;
- (e) to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:
 - (i) approving and issuing guidance to Members
 - (ii) making recommendations to Full Council regarding the suggested amendment of the Members' Code of Conduct
 - (iii) approving training to be provided to members in the Code of Conduct
 - (iv) monitoring the operation of the Code of Conduct
- (f) to approve the granting, to any Council employee, of a dispensation in relation to disqualification from political activities Local Government and Housing Act 1989;
- (g) to select and recommend to Council persons for appointment as members of the Council's Independent Remuneration Panel;
- (h) to select and recommend to Council persons for appointment as an Independent Person;
- (i) to receive and approve proposals regarding the Council's exercise of powers covered by the Regulation of Investigatory Powers Act;
- (j) to issue dispensations to any member in respect of statutory and non-statutory disclosable interests;
- (k) to monitor and review as necessary the operation of whistleblowing procedures;
- (l) to consider reports arising from external inspections, audit investigations, Ombudsman investigations where maladministration is found, legal challenges and other sources which cast doubt on the honesty or integrity of the Council or its Members; and
- (m) to consider and make recommendations on such other matters as the Committee itself thinks appropriate or which are referred to it by Council, which further the aim of promoting and maintaining the highest standards of conduct within the Council.

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