

Appendices to the Constitution

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Appendix 1 - Petition Scheme

1. The Council will consider all petitions that fall within the scope of this scheme. A petition template and signature sheet are attached at Appendix 1. This sets out the information we need to consider your petition. If you need any advice, please contact the Governance & Committee Services team at:

committee@lewisham.gov.uk.

2. We accept both paper and e-petitions. The requirements of the Council's Petition Scheme apply to both paper and e-petitions. E-Petitions should use the Council's system which can be found on the Council's website.
3. Paper petitions can be sent to:

Committee Services, 1st Floor, Laurence House, Catford Road, SE6 4RU.
4. To submit an e-petition you will need to register on the Council's petition page. Registration is simple requiring a few details in case we need to contact you. On the e-petition page, select 'submit a new petition' and follow the prompts from there. Your online form will be submitted to the Governance & Committee Services Team. You must let us know when you would like your e-Petition to go live on the website, and a date for when your e-petition will stop collecting signatures. The Council accepts no liability for the petitions on these web pages. The views expressed in the petitions do not necessarily reflect those of the Council. When the e-petition reaches its closing date, you will no longer be able to sign it online. The petition will then be dealt with in line with the scheme.
5. We do not accept hybrid petitions.
6. The Council will acknowledge receipt of a petition within ten working days. In all cases the relevant Cabinet member and senior officer (at Director level) will be informed, if the petition relates to a particular part of the Borough, then we will also notify the local ward councillors.

Who can submit a petition?

7. Any person who lives, works or studies in Lewisham can organise a petition, including those under the age of 18. The address provided must be an address within the borough of Lewisham: it may be the home, work or study address.

Who can sign a petition?

8. Any individual can sign a petition and may be any age and should provide an address which shows that they live, work or study in Lewisham. There may be occasions where it is appropriate for signatories from outside the borough to sign a petition, for example where the matter significantly affects the community in a neighbouring borough. You can only sign a petition once.

What are the guidelines for submitting a petition?

9. Petitions submitted to the council must:
 - Contain the name, a valid address with postcode, and the signature of any person supporting the petition. A valid address is within the Borough of Lewisham and can be a home, work or study address;

- Include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take;
- Have the petition organisers contact address. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If no lead petitioner is identified, we will consider the first decipherable name on the petition to be the lead contact;
- Relate to a matter for which the authority has responsibility, and which affects the authority or its area.

Are there petitions the Council cannot accept?

10. Most petitions we receive will be accepted but there are some circumstances where we will not be able to deal with your petition under this scheme. To avoid contempt of court or prejudice to the Council's position, and duplicating procedures where established processes already exist, some matters are excluded from this scheme:
 - Petitions which in the opinion of the Monitoring Officer are considered vexatious, defamatory, offensive, frivolous or abusive or otherwise inappropriate will not be accepted;
 - Any matter that does not engage the Council's responsibilities including, matters which relate to the proceedings of a political party, and matters that are the subject of electoral law;
 - Petitions which relate to any matter that is, or is likely to be, the subject of legal proceedings. This includes petitions which the Monitoring Officer considers would put the Council at risk of constituting a contempt of court, or any petition which is asking the Council to do anything unlawful;
 - In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case, we will explain the reasons and discuss the revised timescale which will apply;
 - If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons;
 - Any matter where there is already an existing way of making representation and a process for right of appeal such as Planning, Licensing, council tax banding and non-domestic rates, where the existing procedures will be used;
 - Requesting a statutory petition (for example requesting a referendum on having an elected mayor);
 - Names or clearly identifies an employee of the authority or any matter relating to an individual;
 - Petitions which are substantially the same as a petition which has been considered under the Petition Scheme within the last 12 months as agreed by the Monitoring Officer;
 - Involve the disclosure of confidential or exempt information as defined under Schedule 12A to the Local Government Act 1972 (as amended by the Local Authorities (Access to Information (Exempt Information))(England) order 2006).

What will the Council do when it receives my petition?

11. An acknowledgement will be sent to the petition organiser within ten working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again.

12. The Council will normally send its substantive response within 4 weeks of receipt, however there may be occasions where this is not possible, for example, over the summer holidays, in the period immediately prior to an election or referendum, where a petition relates to a matter yet to be considered.
13. If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. Where the subject matter of the petition relates to a matter which is or will shortly be the subject of statutory or non-statutory consultation by the authority, the Monitoring Officer may elect to include the petition in the consultation process. You will be informed if this is the route that has been taken.
14. If the petition has enough signatures to trigger a debate at a meeting of full Council or at an Overview and Scrutiny Select Committee then the acknowledgment will confirm this and tell you when and where the meeting will take place.
15. If the petition needs more investigation, we will tell you the steps we plan to take.
16. The Council reserves the right to verify signatures as required. Please ensure each signatory has given a valid address and postcode. These signatures will be taken into account when identifying if a debate at an Overview and Scrutiny Select Committee, or full Council has been triggered. Any signature without a valid address, or duplicates will be discounted.
17. Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
 - a) taking the action requested in the petition;
 - b) considering the petition at a council meeting;
 - c) holding an inquiry into the matter;
 - d) undertaking research into the matter;
 - e) holding a public meeting;
 - f) holding a consultation;
 - g) holding a meeting with petitioners;
 - h) referring the petition for consideration by an Overview and Scrutiny Select Committee;
 - i) writing to the petition organiser setting out our views about the request in the petition;
 - j) referring the petition for consideration to the Standards Committee.
18. If your petition is about something that a different authority is responsible for, for example a local railway or hospital, we will consider the best method for responding; this may consist of simply forwarding your petition to that body, or the council may consider making representations on behalf of the community to the relevant body. This may depend on whether the petition conflicts with Council policy. In any event, we will always inform you of the action taken.

Full Council debates

19. If the petition contains at least 1% of the assessed population figure from the 2021 Census (300,600) as published by the Office of National Statistics, it will be

debated by the full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

20. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible, and consideration will then take place at the following meeting. The petition organiser will be advised of the date for full Council and the time allowed for presentation of the petition.
21. The petition organiser will be contacted by the Governance & Committee Services Team to clarify what remedy is being sought and to advise of the option of having their Councillor present their petition. The Governance & Committee Services Manager will prepare a report detailing the subject of the petition and what action the Council and/or partners is being asked to take and arrange for this issue to be placed on the appropriate Council agenda to suit all parties.
22. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of fifteen minutes. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.
23. Where the issue is one on which the Mayor & Cabinet are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of the Council's decision. This confirmation will also be published on our website.

What can I do if I feel my petition has not been dealt with properly?

24. If you feel that we have not dealt with your petition properly, the petition organiser has the right to request a review of the steps that the Council has taken in response to your petition. If your petition was considered and a response given by officers, then please send your concerns via the Council's corporate complaints system which can be accessed via the Council's website. If you remain dissatisfied, you can submit a complaint to the Local Government and Social Care Ombudsman.
25. If your petition was considered at full Council, then please request a referral to the Speaker who will consider how best to respond depending on the nature of the concerns. Please email committee@lewisham.gov.uk.
26. If your petition was considered at an Overview & Scrutiny meeting, then please request a referral to the Chair of OSC who will consider how best to respond, depending on the nature of the concerns, please email scrutiny@lewisham.gov.uk.

Privacy policy

27. The details you give us are needed to validate your support and your details will not be published on the website. This is generally the same information required for a paper petition. The Council may contact you in relation to any petitions you have signed, unless you have requested not to be contacted when signing the e-

Petition. London Borough of Lewisham is the data controller for personal information collected in respect of both the Council's E-petition facility and for paper petitions.

Appendix 2 - Protocol for the Recording of Council Meetings

1. This Protocol reflects the Openness of Local Government Bodies Regulations 2014, which make provision about the recording of Council proceedings held in public and are due to come into force on 31st July 2014. These Regulations allow for contemporaneous reporting (filming, audio, social media etc) at open Council meetings. The purpose of the Protocol is to set out how this will operate in practice at Lewisham Council. It is designed to balance the need for transparency with the rights of others present, especially other members of the public, to know that reporting may occur and enable them to make choices about how to respond.
2. The Protocol applies to all meetings held by the Council which are open to the public. This includes any meeting of the Council which the public may lawfully attend, such as Council meetings, committee meetings, subcommittee meetings, panels and boards. Recording is not allowed during any part of a meeting which is not open to the public.
3. While meetings are open to the public, any person who is present may report on that meeting as it takes place, provided they comply with the provisions of this Protocol.
4. Reporting may be by a number of means, including:
 - (a) filming, photographing or making an audio recording of proceedings;
 - (b) reporting or providing commentary on proceedings, orally or in writing, so that the report or commentary is available either as the meeting takes place or later;
 - (c) other means to enable persons not present to see or hear the proceedings either as they occur, or later.
5. The Council will ensure, so far as practicable, that anyone attending an open meeting will be given reasonable facilities to carry out their reporting.
6. Anyone who wants to attend an open meeting to carry out reporting of all or part of that meeting must contact the Council's Committee Services' officer who will be attending the meeting in advance. This is to make sure that appropriate arrangements may be made to facilitate the recording in a manner which is open, fair and provides an opportunity for any other persons attending to be made aware that proceedings may be recorded. Such prior contact with the committee officer must take place before the meeting is opened.
7. If any person attending an open meeting tries to report on that meeting without having first contacted the committee officer, then it shall be at the sole discretion of the Chair of the Committee meeting whether or not to allow that reporting to continue. The Chair's decision shall be final.
8. The filming, videoing, photographing or other means of recording of open meetings must not disturb the conduct of the meeting and so may only take place from locations within the room as arranged with the committee clerk and agreed by the Chair.

9. If during the meeting the Chair is of the view that any recording is disruptive or distracting to the good order and conduct of the meeting, then they may require that recording be stopped. The Chair's decision shall be final.
10. To minimise disruption to others attending the meeting, everyone present must ensure that their phones and other mobile devices are either switched off or set to silent mode during the meeting.
11. Should the press and public be excluded from any meeting or part of a meeting, then there may be no reporting/filming/ etc during the time that the press and public are excluded.
12. Anyone who makes a visual recording shall be requested to focus their recording only on members, Council officers, and those members of the public who are directly participating in the conduct of the meeting.
13. At the beginning of a meeting which is open to the public, the Chair will inform everyone present that proceedings may be recorded by means of social media, audio recording, photographed and/or filmed. Notices will also be placed in the meeting room informing attendees of this. Meeting agendas will also carry this message.
14. Members of the public who may not wish to be photographed and/or filmed will be asked to sit away from the area being photographed and/or filmed, wherever possible. Whilst the Council will take reasonable precautions to ensure that members of the public who do not wish to be photographed, filmed, or recorded by anyone at a meeting are not filmed, photographed or recorded, ultimately the Council cannot offer complete assurance about this to anyone. Once the Chair has advised those present that recording may take place, it will be the responsibility of those attending to choose whether they participate, where they sit, and whether they stay or leave.

Appendix 3 - Pension Board - Terms of Reference

1. Introduction

- 1.1 This document sets out the terms of reference of the Local Pension Board of the London Borough of Lewisham (the 'Administering Authority') a scheme manager as defined under Section 4 of the Public Service Pensions Act 2013. The Local Pension Board (hereafter referred to as 'the Board') is established in accordance with Section 5 of that Act and under regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended).
- 1.2 The Board is established by the Administering Authority and operates independently of the Pension Investment Committee. Relevant information about its creation and operation are contained in these Terms of Reference.
- 1.3 The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the constitution, standing orders or scheme of delegation of the Administering Authority apply to the Board unless expressly included in this document.
- 1.4 The Board shall be constituted separately from the Pension Investment Committee constituted under Section 101 of the Local Government Act 1972 with delegated authority to execute the function of the Administering Authority.

2. Interpretation

- 2.1 The following terms have the meanings as outlined below:

'the Act'	The Public Service Pensions Act 2013
'the Code'	means the Pension Regulator's Code of Practice No 14 governance and administration of public service pension schemes
'the Committee'	London Borough of Lewisham's Pension Investment Committee who has delegated decision making powers for the Pension Fund in accordance with Section 101 of the Local Government Act 1972.
'the Fund'	means the Pension Fund that is managed and administered by the London Borough of Lewisham as Administering Authority.
'the Guidance'	means the guidance on the creation and operation of local pension boards issued by the Shadow Scheme Advisory Board.
'the Regulations'	means the Local Government Pension Scheme Regulations 2013 (as amended from time to time); the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended from time to time), including any earlier regulations as defined in these regulations to the extent

they remain applicable and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (as amended from time to time).

‘Relevant legislation’ means relevant overriding legislation as well as the Pension Regulator’s Codes of Practice as they apply to the Administering Authority and the Board, notwithstanding that the Codes of Practice are not legislation.

‘the Scheme’ means the Local Government Pension Scheme in England and Wales.

3. Statement of Purpose

- 3.1 The purpose of the Board is to assist the London Borough of Lewisham in its role as a scheme manager of the Scheme. Such assistance is to:
- (a) secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pension Regulator in relation to the Scheme; and
 - (b) to ensure the effective and efficient governance and administration of the Scheme.

4. Duties of the Board

- 4.1 The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members should be subject to and abide by the code of conduct for Board members.

5. Establishment

- 5.1 The Board is established on 1 April 2015.

6. Membership

- 6.1 The Board shall consist of 4 voting members, as follows:
- Scheme Representatives; and
 - Employer Representatives.
- 6.2 There shall be an equal number of Member and Scheme Employer Representatives.
- 6.3 There shall also be one other member who will be appointed as Chair, who is not entitled to vote.

7. Scheme Member Representatives

- 7.1 Scheme Member representatives shall either be scheme members or have capacity to represent scheme members of the Fund.
- 7.2 Scheme Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 7.3 Substitutes shall not be appointed.
- 7.4 A total of 2 Scheme member representatives shall be appointed as follows:

- (a) 1 Scheme member representative shall be nominated by the trade union with the largest number of Lewisham Scheme members in its membership.
- (b) 1 Scheme member representative shall be nominated by a transparent process open to all Fund members and approved by the Council.

8. Employer Representatives

- 8.1 Employer representatives shall be office holders or senior employees of employers of the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of the London Borough of Lewisham who is responsible for the discharge of any function of the London Borough of Lewisham under the Regulations may serve as a member of the Board.
- 8.2 Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 8.3 Substitutes shall not be appointed.
- 8.4 A total of 2 employer representatives shall be appointed to the Board by the Council where all employers have been asked to submit their interest in undertaking the role of employer representative on the Board.

9. Other Members

- 9.1 The independent member (Chair) shall be appointed to the Board by the agreement of the London Borough of Lewisham.
- 9.2 Other members (who are not scheme member nor employer representatives) do not have voting rights on the Board.

10. Appointment of Chair

- 10.1 Subject to the meeting arrangements in paragraphs 16-17 below a Chair shall be appointed for the Board using the processes listed below:

An independent chair is to be appointed by the London Borough of Lewisham but shall count as an 'other' member under paragraphs 9.1-9.2 above. In this respect the term independent means having no existing employment, financial or other material interest in either the London Borough of Lewisham or any scheme employer in the Fund and not being a member of the Fund. The appointment of the Chair shall be subject to the passing of a motion to confirm by a majority of the employer and member representatives of the Board.

11. Duties of Chair

- 11.1 The Chair of the Board:

- (a) Shall ensure the Board delivers its purpose as set out in these Rules of Procedure.
- (b) Shall ensure that meetings are productive and effective, and that opportunity is provided for the views of all members to be expressed and considered, and

- (c) Shall seek to reach consensus and ensure that decisions are properly put to a vote when it cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.

12. Notification of appointments

- 12.1 When appointments to the Board have been made the London Borough of Lewisham shall publish the name of Board members, the process followed in the appointment together with the way in which the appointments support the effective delivery of the purpose of the Board.

13 Term of Office

- 13.1 Board members shall normally be appointed at the first AGM following a local Council election and serve until the first AGM after the next local Council election. Extensions to terms of office may be made by the London Borough of Lewisham with the agreement of the Board.

- 13.2 Initially the Council will appoint:

- (a) 1 employer representative and scheme member to serve until the Council's AGM in 2017
- (b) 1 employer representative and scheme member representative to serve until the Council's AGM in 2018.

- 13.3 A Board member may be appointed for further terms of office using the methods set out in paragraph 8.

- 13.4 Board membership may be terminated prior to the end of the term of office due to:

- (a) A member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Fund.
- (b) A member representative no longer being a scheme member or a representative of the body on which their appointment relied.
- (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
- (d) A Board member no longer being able to demonstrate to the London Borough of Lewisham their capacity to attend and prepare for meetings or to participate in required training.
- (e) The representative being withdrawn by the nominating body and a replacement identified.
- (f) A Board member has a conflict of interest which cannot be managed in accordance with the Board's conflict policy.
- (g) A Board member who is an elected member becomes a member of the Committee.
- (h) A Board member who is an officer of the London Borough of Lewisham becomes responsible for the discharge of any function of the London Borough of Lewisham under the Regulations.

14. Conflicts of interest

- 14.1 All members of the Board must declare to the London Borough of Lewisham on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

14.2 A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme.

14.3 On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the London Borough of Lewisham shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Board's conflicts policy and the requirements of the Code.

15. Knowledge and understanding (including Training)

15.1 Knowledge and understanding must be considered in light of the role of the Board to assist the London Borough of Lewisham in line with the requirements outlined in paragraph 6 above. The Board shall establish and maintain a Knowledge and Understanding Policy and Framework to address the knowledge and understanding requirements that apply to Board members under the Act. That policy and framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.

15.2 Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy framework.

15.3 Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board.

16. Meetings

16.1 The Board shall as a minimum meet 1 time each year but may determine to meet more regularly.

16.2 The Chair of the Board with the consent of the Board membership may call additional meetings. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board, including telephone conferencing and emails.

17. Quorum

17.1 A meeting is only quorate when at least 50% of both scheme member and employer representatives are present.

17.2 A meeting that becomes inquorate may continue but any decisions will be non-binding.

18. Board administration

18.1 The agenda and supporting papers will be issued at least 5 working days (where practicable) in advance of the meeting except in the case of matters of urgency.

18.2 Draft minutes of each meeting including all actions and agreements will be recorded and circulated to all Board members. These draft minutes will be

subject to formal agreement by the Board at their next meeting. Any decisions made by the Board should be noted in the minutes and in addition where the Board was unable to reach a decision such occasions should also be noted in the minutes.

18.3 The minutes may with the agreement of the Board, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.

18.4 Officers shall arrange such advice as is required by the Board subject to such conditions as are listed in these Terms of Reference for the use of the budget set for the Board.

18.5 Officers shall ensure an attendance record is maintained along with advising the London Borough of Lewisham on allowances and expenses to be paid under these terms.

19. Public access to Board meetings and information

19.1 Generally, the public will be given access to Board meetings, if they would be entitled to access to its meeting if it were established as a formal Council Committee.

19.2 Observers are welcome to record any part of any board meeting that is open to the public. The Council cannot guarantee that anyone present at a board meeting will not be filmed or recorded by anyone who may then use the image or sound recording.

19.3 The following will be entitled to attend Board meetings in an observer capacity:

- (a) Members of the Pensions Investment Committee;
- (b) Any person requested to attend by the Board.

Any such attendees will be permitted to speak at the discretion of the Chair.

19.4 In accordance with the Act the London Borough of Lewisham shall publish information about the Board to include:

- (a) The names of Board members and their contact details.
- (b) The representation of employers and scheme members on the Board.
- (c) The role of the Board.
- (d) These Terms of Reference.

19.5 The London Borough of Lewisham shall also publish other information about the Board including:

- (a) Agendas and minutes
- (b) Training and attendance logs
- (c) An annual report on the work of the Board to be included in the Fund's own annual report.

19.6 All or some of this information may be published using the following means or other means as considered appropriate from time to time:

- (a) On the Fund's website.
- (b) As part of the Fund's Annual Report.
- (c) As part of the Governance Compliance Statement.

19.7 Information may be excluded on the grounds that it would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.

20. Expenses and allowances

20.1 The London Borough of Lewisham will reimburse the reasonable travel expenses of Board members in line with the London Borough of Lewisham's policy on expenses as set out in the Council's Constitution.

20.2 The London Borough of Lewisham shall pay to the Chair of the Pension Board an allowance equivalent to that paid to a co-opted member of the Standards Committee. In 2015/16 this is £600 per annum. Other members of the Board shall not receive any remuneration.

21. Budget

21.1 The Board is to be provided with adequate resources to fulfil its role. In doing so the budget for the Board will be met from the Fund. The full Council will approve its budget on an annual basis. The budget will be managed by and at the discretion of the Board.

22. Core functions

22.1 The first core function of the Board is to assist the London Borough of Lewisham in securing compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme.

22.2 The second core function of the Board is to ensure the effective and efficient governance and administration of the Scheme.

22.3 In support of its core functions the Board may make a request for information to the Committee or Council officers with regard to any aspect of the London Borough of Lewisham's function. Any such request should be reasonably complied with in both scope and timing subject to data protection.

22.4 In support of its core functions the Board may make recommendations to the Committee or Council officers which should be considered and a response made to the Board on the outcome within a reasonable period of time.

23 Reporting

23.1 The Board should in the first instance report its requests, recommendations or concerns to the Committee or Council officers. In support of this any member of the Board may attend a Committee meeting as an observer.

23.2 Requests and recommendations should be reported under the provisions of these Terms of Reference.

23.3 The Board should report any concerns over a decision made by the Committee to the Committee subject to the agreement of at least 50% of voting Board members provided that all voting members are present. If not, all voting members are present then the agreement should be of all voting members who are present, where the meeting remains quorate.

23.4 On receipt of a report above the Committee should within a reasonable period, consider and respond to the Board.

23.5 Where the Board is not satisfied with the response received it may request that a notice of its concern be placed on the website and in the Fund's annual report.

23.6 Where the Board is satisfied that there has been a breach of regulation which has been reported to the Committee under paragraph 60 and has not been rectified within a reasonable period of time it is under an obligation to escalate the breach.

23.7 The appropriate internal route for escalation is to the Monitoring Officer.

23.8 The Board may report concerns to the LGPS Scheme Advisory Board for consideration subsequent to, but not instead of, using the appropriate internal route for escalation.

23.9 Board members are also subject to the requirements to report breaches of law under the Act and the Code, and the whistleblowing provisions set out in the London Borough of Lewisham's whistleblowing policy.

24 Review of terms of reference

24.1 These Terms of Reference shall be reviewed on each material change to those part of the Regulations covering local pension boards and at least every 12 months.

24.2 These Terms of Reference were adopted at a meeting of the London Borough of Lewisham on 25 February 2015 to be effective from 1 April 2015.

Appendix 4

South East London Joint Health Overview and Scrutiny Committee

Terms of Reference

1. Introduction

- 1.1 The Joint Health Overview and Scrutiny Committee is constituted in accordance with the Local Authority Public Health, Health & Wellbeing Boards and Health Scrutiny Regulations 2013 (the “Regulations”) and Department of Health Guidance to review and scrutinise any matter, including, when required, substantial reconfiguration proposals, relating to the planning, provision and operation of health services covering more than one Council area from within the South East London Integrated Care System. The ICS is a partnership of local health and care providers and local authorities responsible for collaboratively planning and commissioning health and care services for the South East London region, which covers the London Boroughs of Bexley, Bromley, Greenwich, Lambeth, Lewisham and Southwark.

2. Terms of Reference

- 2.1 To carry out overview and scrutiny in relation to planning, provision and operation of health services that cross local authority boundaries in the SEL ICS footprint area. This does not prevent the appointing local authorities from separately scrutinising local health issues. However, there are likely to be occasions on which this committee is the best way of considering how the needs of a local population, which happens to cross council boundaries, are being met.
- 2.2 To convene as, and to undertake all the functions of, a statutory Joint Health Overview and Scrutiny Committee (JHOSC) when required, in accordance with the Regulations and Department of Health Guidance. This includes, but is not limited to the following:
- (a) To consider and respond to proposals from the SEL Integrated Care System (ICS) for the substantial reconfiguration of Health Services in South East London.
 - (b) To scrutinise any consultation process that relate to more than one borough conducted by the SEL ICB, but not to replicate any consultation process.
- 2.3 This does not include the power to make any decision to make a referral to the Secretary of State in relation to the proposals from the SEL ICS for Bexley, Bromley, Greenwich, Lambeth, Lewisham and Southwark. However, any individual borough may make a specific delegation to the JHOSC in relation to their own power to make such a referral on their behalf.¹

3. Membership

- 3.1 Membership of the Committee will be two named Members from each of the following local authorities:
- London Borough of Bexley;
 - London Borough of Bromley;
 - Royal Borough of Greenwich;

¹ This remains the current position with regards to powers to make a referral to the Secretary of State until changes to the reconfiguration process that were introduced through the Health and Care Act 2022 are implemented and new statutory guidance around this is published.

- London Borough of Lambeth;
- London Borough of Lewisham;
- London Borough of Southwark.

Members must not be an Executive Member.

Chair and Vice-Chair

1. The Committee will appoint a Chair and Vice-Chair at its first meeting, and at the first meeting of every new municipal year. The Chair and Vice-Chair should be members of different participating authorities.

Substitutions

2. Substitutes may attend Committee meetings in lieu of nominated members. Continuity of attendance throughout a review is strongly encouraged, however.
3. It will be the responsibility of individual committee members and their local authorities to arrange substitutions and to ensure that the lead authority is informed of any changes prior to the meeting.
4. Where a substitute is attending the meeting, it will be the responsibility of the nominated member to brief them in advance of the meeting

Quorum

5. The quorum of the meeting of the Joint Committee will be 4 members, each of whom should be from a different participating authority.
6. The meeting should start at the time stated on the agenda, but it is acceptable to wait up to 15 minutes for quorum to be achieved. If after 15 minutes there is still not a quorum present, the meeting shall terminate.

Voting

7. It is hoped that the Committee will be able to reach their decisions by consensus. However, in the event that a vote is required each member present will have one vote. In the event of there being an equality of votes, the Chair of the meeting will have the casting vote.
8. On completion of a scrutiny review by the Joint Committee, it shall produce a single final report, reflecting the views of all the local authorities involved.

Meetings

9. Meetings of the Joint Committee will normally be held in public and will take place at venues within South East London. The normal access to information provisions applying to meetings of the Overview and Scrutiny committees will apply. However, there may be occasions on which the Joint Committee may need to make visits outside of the formal Committee meeting setting.
10. Meetings shall last for up to two hours from the time the meeting is due to commence. The Joint Committee may resolve, by a simple majority, before the expiry of 2 hours from the start of the meeting to continue the meeting for a maximum further period of up to 30 minutes.

Local Overview and Scrutiny Committees

11. The Joint Committee will encourage its Members to inform their local overview and scrutiny committees of the work of the Joint Committee and any proposals contained within the SEL Integrated Care System.

12. The Joint Committee will invite its Members to represent to the Joint Committee the views of their local overview and scrutiny committees on the work of the SEL ICS and the Joint Committee's work.

Communication

13. The Joint Committee will establish clear lines of communication between the NHS, participating local authorities and itself. All formal correspondence between the Committee, local authorities and the NHS on this matter will normally be administered by officers from the same borough as the Chair.

Representations

14. The Joint Committee will identify and invite witnesses to address the committee and may wish to undertake consultation with a range of stakeholders.

Support

15. Administrative and research support will be provided by the scrutiny teams of the 6 boroughs working together.

Assumptions

16. The Joint Committee will be based on the following assumptions: -
 - (a) That the Joint Health Scrutiny Committee is constituted to carry out overview and scrutiny in relation to planning, provision and operation of health services that cross local authority boundaries in the SEL ICS footprint area and to respond to the work of the Integrated Care System this includes, when required, to respond to any proposals it puts forward and any consultation it may carry out, as well as comment on the public and patient involvement activity in which the NHS has engaged in relation to this matter.
 - (b) That the SEL ICS will permit the Joint Committee access to the outcome of any public consultation phase prior to the formulation and submission of the Joint Committee's response to such public consultations.
 - (c) Efforts will be made to avoid duplication. The individual health overview and scrutiny committees of individual authorities shall endeavour not to replicate any work undertaken by the SEL ICS JHOSC.

Appendix 5 - Standing Advisory Council on Religious Education

Constitution

The Standing Advisory Council shall be called the Lewisham SACRE (Standing Advisory Council on Religious Education). It is established under Section 3.90 – 3.97 of the Education Act 1996 as amended.

Interpretation

In this Constitution

‘Local Authority’ means Lewisham Council acting either independently or through the Education Lead Member and Children and Young People’s Directorate.

‘The Council’ means Lewisham’s SACRE.

‘Member’ means a member of SACRE and includes a substitute or co-opted member.

‘Elected member’ means an elected member of the Lewisham Council sitting on Committee D as a SACRE member

All questions of Interpretation are governed by the “Interpretation Act” 1978 as may be subsequently amended.

Role and functions

- (i) To advise the Local Authority (Lewisham Council) on the religious education to be given in its schools in accordance with an Agreed Syllabus. In particular, the SACRE can offer advice on methods of teachings, the choice of materials and the provision of training for teachers.
- (ii) To advise the Local Authority on matters pertaining to school worship in its schools.

With regard to (i) and (ii), the Local Authority may refer matters to the SACRE, which the latter must then consider and advise on. The SACRE may also take the initiative and make recommendations to the Local Authority on these matters.

- (iii) To receive, determine and review applications from Head Teachers as to whether the requirement for collective worship that is wholly or mainly of a Christian character may not apply. This application to vary the legal requirement for collective worship may be for the whole school or for groups of pupils.
- (iv) To require the LA to set up a Statutory Agreed Syllabus Conference to review the Agreed Syllabus if, in the opinion of SACRE, this becomes necessary.
- (v) To produce an annual report on its work which will, inter alia:
 - a) describe the work that SACRE has undertaken
 - b) specify matters in respect of which the SACRE has given advice to the Local Authority;
 - c) broadly describe the nature of the advice given and the response given by the LA;
 - d) where any such matters were not referred to the SACRE by the Local Authority, provide the SACRE’s reasons for offering advice on the matter.

Copies of the report will be made available to schools and the public on the SACRE and/or other appropriate website.

In partnership with the Local Authority, in order to fulfil its responsibilities, the SACRE will:

- (a) monitor the provision of Religious Education in order to inform its advice and reporting.
- (b) monitor the provision of collective worship in order to inform its advice and reporting.
- (c) be involved in Complaints Procedures.
- (d) support the final distribution of the last remaining resources from the South London Multifaith and Multicultural Resources Centre as a continuing means of promoting effective religious and multicultural education within the local authority.

Officers

The SACRE will have an elected Chair and an elected Vice Chair. In the absence of the Chair or Vice-Chair at any meeting the Council can elect one of its members to act as the Chair for that meeting.

Membership

A list of those members deemed appropriate for the Lewisham SACRE under the legal framework is in the Appendix 1.

All members shall be delegates who are interested in education in general and religious education in particular.

Delegates as members shall remain until such time as they will have resigned or have been removed from under the rules dictated by their sponsorship group, Governing Body of that class of Members or for any reason stated therein.

Members will work within the SACRE's agreed Code of Conduct (Appendix 2).

Terms of Office of Members

Termination of SACRE membership by reason of non-attendance:

If a SACRE member is absent for 2 or more consecutive meetings without apology or for any reason not acceptable to the SACRE, the clerk will write to the member concerned to check whether their membership has lapsed and whether they would like to nominate a substitute or to refer their membership back to their sponsoring body.

Should they be absent from the next meeting without apologies or for any reason not acceptable to the SACRE there shall be deemed to be a vacated place to be filled by the sponsorship group / governing body for that class of members. The SACRE clerk will write to the lapsed member informing them of the decision and then write to the sponsoring body requesting a new member be nominated.

Vacancies

The Clerk, working on behalf of the LA and the Officers will approach sponsoring bodies for new delegates as soon as a vacancy arises.

Deputies / Substitute members

There can be a substitute member nominated by the absent member and notice of this substitution should be notified to the clerk of SACRE at least 6 hours in advance of the meeting.

Procedure for electing Chair and Vice Chair

The Chair and Vice-Chair of the Council shall be chosen from Members of the SACRE and shall be elected at the first meeting in each education (academic) year.

Nominees for these positions should have served on the SACRE for at least twelve months so that members would have developed a relationship with that person and have confidence to nominate them to such an important position.

Co-options

Co-option – SACRE has the power to co-opt members as agreed by the majority of its members.

Quorum

A meeting will only be quorate if the following numbers of representative/s of the respective groups are present: -

Group A - minimum of 2 representatives (1 Christian and 1 non-Christian)

Group B - minimum of 1 representative

Group C - minimum of 1 representative

Group D - minimum of 1 representative

Meetings

There will be a minimum of 5 SACRE meetings per year. These will be normally 2 in the Autumn and Summer terms and one in the Spring term. An Extraordinary meeting may also be called or convened to deal with urgent matters of national or local importance.

Meetings should be open to the public. Where confidential items related to individual schools or persons are discussed, members of the public will be asked to withdraw.

The dates of the main meetings will be decided at the first meeting in the education (academic) year and circulated by the clerk to all members. Where necessary SACRE meetings may be held online or as hybrid meetings with notification made public.

Sub-Committees

Occasional sub committees or working parties will be convened for specific pieces of work. These will report back to the full SACRE meeting for the duration of their work.

Agendas

Matters or items for the Agenda of any meeting shall be sent to the clerk / RE Professional at least 21 days in advance of the meeting. The Agenda shall be distributed to reach members at least 7 working days in advance of the next listed meeting.

Voting

All members are entitled to speak and vote on any issue as invited by the Chair, but substitute or Co-opted members may speak but not vote at any meeting. SACRE will always seek to reach decisions on a consensus basis but when voting is to be exercised only one vote is allowed from each Group A, B, C or D as mentioned above. In the event of an equality of votes on any issue the Chair may exercise a casting vote.

Minutes

Minutes will be taken by the clerk and cleared by the Officers. The draft minutes of meetings shall be circulated to members within one month of the meeting taking place where possible or at the latest with the next set of meeting papers

Availability of papers to the public

Papers for each meeting will be made available on the Lewisham Council website

..... (Chair) on behalf of Lewisham SACRE

Dated:

Appendix 1 – SACRE Membership

Committee A Other Christian denominations and other faiths and beliefs represented in the LA

African-Caribbean Churches	1 representative
Pentecostal churches	1 representative
Baha'i	1 representative
Buddhism	1 representative
Free Churches	3 representatives
Hinduism	1 representative
Humanism	1 representative
Islam	2 representatives
Judaism	1 representative
Roman Catholicism	1 representative
Sikhism	1 representative

Committee B The Church of England

Southwark Diocese	5 representatives
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Committee C Teachers' Professional Associations

NEU	3 representative
NASUWT	1 representative
Lewisham Heads and Deputies	1 representative
Academies	1 representative

Committee D The Local Authority

Elected Members	3 representatives
Representative of the Executive Director	1 representative
Secondary school Governors	1 representative
Primary school Governors	1 representative

Also

The Lewisham Young Mayor's Team	1 representative (non – voting)
Clerk to the SACRE	(non-voting)
RE Adviser to SACRE	(non-voting)
Co-optees	(non-voting)

Appendix 2 – SACRE & Agreed Syllabus Conference

Code of conduct

Please note - where an Agreed Syllabus is currently working, references to SACRE also relate to the Agreed Syllabus Conference, its work, members and its Chair.

All representatives should:

- be nominated by a respected professional body and / or faith and belief community and have the support of their nominating body behind them;
- regularly attend the meetings of SACRE and take part in the deliberations and work of SACRE;
- where attendance is difficult, aim to ensure a substitute member is nominated who can attend;
- ensure apologies are submitted when attendance is not possible;
- demonstrate respect to the work of the SACRE and its Chair;
- participate in and share the work of SACRE for the benefit of the whole community;
- actively challenge and resist stereotyping;
- work with all other members of SACRE, in the spirit of trust and collaboration where all are concerned with the best interests of SACRE and its work;
- state views and opinions honestly, whilst respecting and listening to each other's contributions, not denigrating each other's views or beliefs;
- respect the rights of other members to disagree with your point of view;
- express differing points of view in a spirit of respectful disagreement;
- understand that it is not the place of RE to challenge the beliefs of any member of the school community or to attempt to change those beliefs;
- have respect for the work of SACRE, believing that the RE and collective worship that all students are legally entitled to experience should be of the highest quality.

Belief group representatives should:

- ensure that they have sufficient knowledge, skills and understanding to represent authentically their belief, community or sponsoring body
- be able to explain how they intend to inform and consult with their belief community
- feel a sense of responsibility not only to the children coming from their own belief but also to all the children of Lewisham
- provide expertise, or assist in providing access to such expertise, in matters of tradition, theology and practice relating to their own belief for the benefit of the whole school population
- represent to SACRE the interests and concerns of their own belief community
- endeavour to represent fairly the views and interests of the widest possible range of belief positions within their community (*this is particularly relevant if they are the sole representative on SACRE for their belief.*)
- recognise that stating a belief or religious tenet is not the same as advancing an argument for or against any proposal, although it may well be an overriding consideration
- inform members of their belief community of the work of SACRE

Teacher and teacher association representatives should:

- provide information and expertise in relation to teaching and the school environment
- where appropriate provide information and expertise in relation to the teaching of religious education and the delivery of collective worship in schools
- represent the interests and concerns of teachers, pupils and schools
- consult with teaching colleagues and students
- keep colleagues informed about the work of SACRE
- ensure that the welfare and education, particularly religious education, of all the children in Lewisham is the primary focus of SACRE

LA representatives should:

- represent the wider public interest or the interest of the school communities
- provide information and expertise to SACRE in their capacity as an elected member of Lewisham Council or a school Governor
- inform SACRE of concerns or issues known to Lewisham Council relating to education and in particular the provision for SMSC (spiritual, moral, social and cultural development), teaching of religious education and the delivery of collective worship in schools
- support the work of SACRE by representing its interests in Lewisham Council and to school Governing bodies
- endeavour to ensure that SACRE and the ASC are adequately resourced, funded and supported
- ensure that the legal requirements for the conduct of SACRE are observed, particularly in relation to the suitability and qualifications required to be a member of SACRE

Members who do not work within the code of conduct will be reminded courteously of the relevant elements of this code that they are ignoring by the Chair. Repeated examples of working in conflict with the code and therefore disrespectfully or in conflict with the effective work of either body will result in the issue being taken up with their sponsoring body and ultimately to a request for a replacement representative.

APPENDIX 6 - Schools' Forum Terms of Reference

The Schools' Forum acts in a consultative role on some issues and as a decision-making body on others.

The Schools' Forum acts in a consultative role for:

- changes to the local funding formula (the local authority makes the final decision).
- proposed changes to the operation of the Minimum Funding Guarantee.
- changes to or new contracts affecting schools.
- arrangements for pupils with special educational needs, in pupil referral units and in early years provision.

The Schools' Forum acts in a decision-making role for:

- How much funding may be retained by the local authority within the Dedicated Schools Grant.
- Any proposed carry forward of deficits on central spend from one year to the next.
- Proposals to de-delegate funding from maintained primary and secondary schools.
- Changes to the Scheme of Financial Management.

1

Schools' Forum Membership

Primary Head Teachers	5 representatives
Secondary Head Teachers	4 representatives
Special School Head Teachers	1 representative
Primary School Governors	2 representatives
Secondary School Governors	2 representatives
Special School Governor	1 representative
PRU Head Teachers	1 representative
Nursery School Head	1 representative
Academy Representatives	2 representatives
Early Years –	1 PVI representative
Diocesan Authority Representatives	2 representatives
14-19 Consortium Representative	1 representative

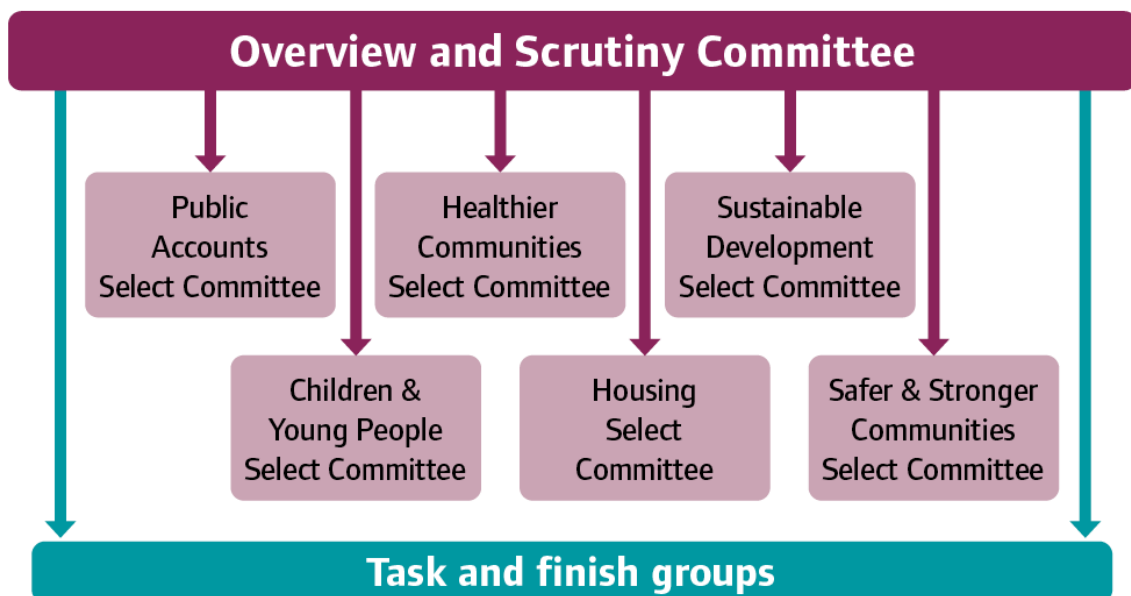
Appendix 7 - Scrutiny Executive Protocol

1. Scrutiny at Lewisham

1.1 The Council has a comprehensive governance structure within which scrutiny operates as a check and balance to the Executive (which, in Lewisham, is the Mayor and Cabinet). Effective scrutiny provides constructive challenge to decision makers, amplifies the voices and concerns of the public, is led by independent people who take responsibility for their role and helps drive improvement in public services.

1.2 Its various bodies can make reports and recommendations to the Mayor and Cabinet and carry out:

- **Pre-decision scrutiny** (*helping to improve the quality of decisions that are subsequently taken*)
- **Post-decision scrutiny** (*making suggestions for how a decision should be implemented or requiring that a decision is reconsidered*)
- **Performance monitoring** (*ensuring that service delivery standards are high and poor performance is rectified*)
- **Policy development** (*contributing to the development of new policies, strategies and services*).



1.3 Ten non-Executive councillors (those who are not members of the Mayor's Cabinet) sit on the Overview and Scrutiny Committee (OSC). The membership includes the Chair and Vice Chair of Overview and Scrutiny; the six select Committee Chairs; and two other non-Executive councillors. The OSC focuses on key strategic and cross-cutting issues. Many non-Executive councillors serve on six select committees covering specific areas. The OSC can also establish time limited task and finish groups (TFGs) to look at topical issues of concern to Lewisham residents.

1.4 At Lewisham, Scrutiny:

Prioritises – Scrutiny focuses on issues of concern to the community and/or matters that are linked to corporate priorities. Scrutiny only adds items to the work programme if it is certain its consideration of the matter will make a real and tangible difference.

Is independent - Scrutiny is led by Scrutiny Members. Scrutiny Members are in charge of the work programme and, for every item, specify what evidence they require and what information they would like to see in any officer reports that are prepared. Scrutiny Members are not whipped by their political party or unduly influenced by the Cabinet or senior officers.

Works collectively - Scrutiny collectively agrees in advance what it wants to achieve in relation to each item under consideration, including what the key lines of enquiry should be. Scrutiny Members work as a team to question witnesses and ensure that all the required evidence is gathered. Scrutiny is impartial and the scrutiny process should be free from political point scoring and not used to further party-political objectives.

Engages - Involving residents helps scrutiny access a wider range of ideas and knowledge, listen to a broader range of voices and better understand the opinions of residents and service users. Engagement helps ensure that recommendations result in residents' wants and needs being more effectively met.

Makes evidence-based recommendations - Scrutiny makes recommendations that are based on solid, triangulated evidence – where a variety of sources of evidence point to a change in practice that will positively alter outcomes.

2. Aims of the protocol

- 2.1 This protocol establishes a framework for how Scrutiny and the Mayor and Cabinet can work together so that:
- Debate happens in a constructive way
 - Scrutiny is timely and effective
 - Conflict is minimised
 - There is an ethos of mutual respect between the Mayor and Cabinet and Scrutiny
 - All work undertaken by Members is aligned in supporting the corporate strategy and improving outcomes
 - The outcomes of scrutiny positively benefit the residents of Lewisham.

3. Scrutiny's work programme

- 3.1 It is expected that scrutiny will focus on issues of concern to the community and/or matters that are linked to the Council's corporate priorities and other key strategies. Scrutiny will only add items to its work programme if it is certain that its consideration of the matter will make a real and tangible difference.

3.2 The Overview & Scrutiny Committee focusses on looking at cross-cutting and strategic issues that do not fall into the remit of a single select committee; and on holding Cabinet Members to account on their portfolio and priorities. The committee focuses on:

- The exploration of key strategic issues - where speakers are invited, and a matter is explored with a view to inspiring members to consider the issue further either at smaller scrutiny meetings (select committees or TFGs) or in their back bench roles.
- Q&A sessions - where invited people (often Cabinet Members or Senior Officers) are asked about their areas of responsibility/expertise and held to account.)

It is expected that if a matter falls wholly within the terms of reference of a specific select committee, scrutiny of that matter will ordinarily be carried out by that select committee, rather than Overview and Scrutiny Committee.

3.3 The six Select Committees cover specific service areas and in relation to these areas, they can:

- Carry out pre-decision scrutiny, looking at decisions due to be taken by Mayor and Cabinet before they are taken and making recommendations in relation to them.
- Monitor service performance.
- Comment on and make recommendations in relation to policy development.

3.4 The select committees devise an annual programme of work at the start of each year which is agreed by the OSC. The OSC is responsible for looking at the overall scrutiny work programme, considering what each scrutiny body is doing and ensuring there is no duplication. Where a particular issue falls within the remit of more than one select committee, OSC can be asked to decide on the allocation of the issue. OSC may allocate the issue to a single select committee; suggest more than one select committee jointly look at the matter; or reserve the matter to itself for consideration. It could also suggest that a Task and Finish Group is set up to look into the issue.

3.5 OSC can establish time limited Task and Finish Groups (TFGs) to carry out policy development in relation to specific matters of interest or concern. TFGs are run as projects with the aim of coming up with solutions that can be easily implemented by Mayor and Cabinet and that are effective and improve residents' lives.

3.6 OSC (Call-in) is responsible for post decision scrutiny. It can choose to call-in decisions taken by Mayor and Cabinet (and key decisions taken by Executive Directors under delegation) and can require the decision maker to reconsider their decision.

3.7 The Constitution states that:

- **Cross Party working:** When each select committee draws up its work programme it must specifically take into account the views of members of that select committee who are not members of the largest political group. Scrutiny should not be whipped.

- **Executive suggestions:** The Council and the Mayor and Cabinet can request that a select committee researches and/or reports on a matter of concern. The select committee must consider whether the work can be carried out as requested. If it can be accommodated, the select committee will carry out the work. If the committee has reservations about performing the requested work, it will refer the matter to OSC for decision.
- **Suggestions from individual members:** Any member of a select committee can place an item on the agenda of that select committee for discussion and under the Councillor Call for Action procedure, any member may refer a matter to a select committee or OSC for consideration, even if they are not a member, provided it is not an excluded matter². In both cases the matter will go on the agenda, but an officer report, whilst helpful, is not a requirement.

4. Channels of communication

4.1 It is expected that Scrutiny and Cabinet Members will keep each other informed of their work using both formal and informal channels.

4.2 Formal channels will include:

- Cabinet Members attending scrutiny meetings to present reports/ contribute to the debate
- Scrutiny Members attending Mayor and Cabinet to present scrutiny reports and referrals/contribute to the debate
(see section below on attendance at meetings)
- Consideration of the Forward Plan of key decisions at every select committee meeting
- Formal written reports, referrals and recommendations (and call ins) made by Scrutiny to Mayor and Cabinet and written responses from the Mayor and Cabinet to Scrutiny
(see section below on referrals and recommendations)
- Regular reports, such as mid-term and end of administration reports, to full council on Scrutiny's work.

4.3 Informal channels will include:

- Regular meetings and email or other written correspondence between Scrutiny Chairs and Cabinet Members, as agreed between members
- Liaison at the start of each year so Scrutiny Chairs understand the upcoming priorities and plans of Cabinet Members so this can be reflected in the work programme, if agreed by the committee
- Interaction throughout the year via scheduled All Member Briefings and other briefings.

5. Attendance at formal meetings

5.1 Mayor and Cabinet meetings and scrutiny meetings are meetings held in public, and Cabinet Members are free to attend any scrutiny meeting they wish to

² Excluded matters include (a) planning appeals, licensing appeals and all other areas where a person has an alternative avenue to resolve an issue, through the Council's complaints process; and (b) any matter that is vexatious, that is likely to cause distress, disruption or irritation, without any proper or justified cause.

attend; and Scrutiny Members can attend any Mayor and Cabinet meeting they wish to attend. It is furthermore expected that if a Cabinet Member wishes to speak at a scrutiny meeting or a Scrutiny Member wishes to speak at a Mayor and Cabinet meeting, the presiding chair will afford them this opportunity. It is also expected that if the Chair of a meeting wishes a particular Cabinet Member or Scrutiny Member to attend and present a report or contribute to the debate, they will ensure that a specific invitation is issued.

- 5.2 Under the Constitution Cabinet Members can be 'required' to attend scrutiny meetings. The Mayor and Deputy Mayor (in respect of any executive function) and any other Cabinet member (in respect of any executive function within their portfolio) may be required to attend any meeting of the Overview and Scrutiny Committee, or any of its select committees to give account for executive action and/or performance. If a member of the Cabinet is being invited to a meeting on this basis, the invitation will specify the relevant Constitutional provision to make it clear that attendance is a requirement. The right to require the attendance of members to answer questions includes a right to require a member to attend to answer questions on up-and-coming decisions as well as decisions taken.

6. Scrutiny referrals and recommendations (and Mayoral responses)

- 6.1 Scrutiny can submit reports and recommendations to Mayor and Cabinet in relation to matters it has scrutinised or investigated; and make referrals to Mayor and Cabinet setting out its views on any matter it wishes to refer to them. The content of any reports, recommendations or referrals will be agreed at a formal committee meeting and not by the Chair acting alone afterwards.
- 6.2 The report or referral will be placed on the agenda for the next available meeting of Mayor and Cabinet if so requested. If the relevant Scrutiny Chair wishes to present the report or referral it is expected that they will be granted the opportunity to do so.
- 6.3 It is expected that a response (drafted by the relevant Executive Director) will be agreed at a subsequent Mayor and Cabinet meeting, within 2 months of Mayor and Cabinet receiving the report or referral from scrutiny. The agreed response will be placed on the agenda for the next available meeting of the scrutiny body in question. If the relevant Cabinet Member wishes to present the response it is expected that they will be granted the opportunity to do so.
- 6.4 Executive decisions (taken by Mayor and Cabinet or taken by a Director under delegated authority) come into effect seven working days after the date the decision is made. OSC (Call in) meetings are scheduled to take place shortly after each meeting of Mayor and Cabinet; and the Chair, Vice Chair, or any three members of OSC can request that an executive decision is called in.
- 6.5 When a request is made to call in a decision, the relevant officers are required to attend the meeting to present their reports and answer questions from Scrutiny Members. The relevant Cabinet Member may also attend, and is encouraged to do so, in order that a full explanation for the decision taken can be provided. OSC (Call-in) has the power to recommend that a decision be reconsidered by the decision maker or reviewed by full Council. Once a decision has been called in by OSC it cannot be actioned until OSC has met and agreed not to refer it for

reconsideration. If it is referred, it cannot be actioned until it has been reconsidered by the decision maker alongside the representations of OSC, and then, only if the decision is re-affirmed.

7. Ethos/Behaviour

- 7.1 All Elected Members should promote and support high standards of conduct and Executive and Scrutiny Members are expected to engage positively with each other at, and outside of, formal meetings, in line with the code of conduct and the behaviour expected of local councillors.
- 7.2 Scrutiny Members, when engaging with members of the Cabinet at scrutiny meetings will:
- Welcome Cabinet Members to attend their meeting. If attendance by a Cabinet Member is specifically desired, provide an invitation to attend with adequate notice.
 - Maintain a positive style of questioning and treat Cabinet Members with respect and courtesy
 - Familiarise themselves with the subject under review prior to engaging with the Cabinet Members
 - Ensure that scrutiny is focussed on having a positive impact for local people
 - Conduct scrutiny investigations fairly and ensure all members of the committee are given the opportunity to ask questions of Cabinet Members and other attendees and to contribute and speak
 - Conduct the investigation so as to maximise the efficiency of the investigation or analysis.
 - Be mindful that, where key decisions have been made on the basis of a report with part 1 and part 2 sections, scrutiny relating to the decision must also be conducted in part 1 and part 2; and be aware of commercial and contractual sensitivities.
- 7.3 Cabinet Members, when engaging with Scrutiny Members at meetings of Mayor and Cabinet will:
- Welcome Scrutiny Members to their meeting. If attendance by a Scrutiny Member is specifically desired, provide an invitation to attend with adequate notice.
 - Maintain a positive style of questioning and treat Scrutiny Members with respect and courtesy
 - Familiarise themselves with the subject being discussed prior to engaging with the Scrutiny Members
 - Ensure that the engagement remains focussed on having a positive impact for local people
 - Provide detailed and timely responses to reports, recommendations and referrals and provide further clarification on points raised by Scrutiny Members if required.

8. Upholding the protocol

- 8.1 The Statutory Scrutiny Officer and Monitoring Officer are the responsible officers for overseeing compliance with this Protocol and ensuring that it is used to

support the wider aim of supporting and promoting a positive culture of scrutiny and executive engagement which demonstrates parity of esteem.

Appendix 8 - Senior Management Structure Chart

