

**REPORT OF DIRECTOR OF GOVERNANCE & LEGAL SERVICES &
MONITORING OFFICER**

REVIEW OF TERMS OF REFERENCE & MEETING TIMES

Reason for this Report

1. To provide the Committee with the opportunity to consider whether they wish to review the Committee's Terms of Reference adopted by Council 24 July 2014 to ensure they are fit for purpose.
2. To respond to matters raised at the meeting of the Committee 17 July 2018 on frequency of meetings.
3. To be notified of the outcome of the Democratic Services Committee 1 October 2018 consideration of Elected Member Role Description.

Background

4. The Children and Young People Scrutiny Committee and the former Corporate Parenting Panel in the spring 2014 undertook a joint inquiry to review the role and status of the Corporate Parenting Panel ("the Joint Inquiry" or "the Inquiry").
5. The Constitution Committee is responsible for reviewing the Council's Constitution including the establishment of Committees; their Terms of Reference and number of Members and recommend any changes to Council.
6. The Constitution Committee also makes recommendations to Council on the frequency of meetings.
7. The Democratic Services Committee makes recommendations on support to Elected Members, and reports to Council annually.

Issues

Terms of Reference

8. The Council on 24 July 2014, approved the following recommendations of the Constitution Committee 11 June 2014: -
 1. *the establishment of a Corporate Parenting Advisory Committee (pursuant to section 102(4) of the Local Government Act 1972), to replace the current Corporate Parenting Panel;*

2. *the terms of reference of the Corporate Parenting Advisory Committee as follows:*

- a) *To actively promote real and sustained improvements in the life chances of Looked After Children, Children in Need, Care Leavers and children and young people in the criminal justice system and to work within an annual programme to that end;*
- b) *To develop, monitor and review a corporate parenting strategy, and ensure its effective implementation through work plans and corporate parenting training programmes;*
- c) *To seek to ensure that the life chances of Looked After Children, Children in Need and care leavers are maximised in terms of health, educational attainment, and access to training and employment, to aid the transition to a secure and productive adulthood;*
- d) *To recommend ways in which more integrated services can be developed across all Council directorates, schools and other stakeholders to lead towards better outcomes for Looked After Children, Children in Need and care leavers;*
- e) *To ensure that mechanisms are in place to enable Looked After Children, Children in Need and care leavers, to play an integral role in service planning and design, and that their views are regularly sought and acted upon;*
- f) *To ensure performance monitoring systems are in place, and regularly review performance data to ensure sustained performance improvements in outcomes for Looked After Children, Children in Need and care leavers,*
- g) *To receive all relevant Children's Services inspection and annual reports, including: Children's Homes Quality of Care Report; Case Practice Reviews, Fostering Annual Quality of Care Report; Adoption Fostering Annual Quality of Care Report; 4C's Commissioning; Out of Area Annual Report; Annual Report of Brighter Futures (with education); Children's Complaints reports; and Advocacy Annual Report;*
- h) *To report to the Cabinet at least twice a year;*
- i) *To make recommendations to the Cabinet where responsibility for that function rests with the Cabinet;*
- j) *To report to the Children and Young People's Scrutiny Committee as necessary;*
- k) *To recommend the appointment of co-opted members to the Committee for approval by Council;*
- l) *To develop and undertake a programme of consultation, listening and engagement events with Looked After Children and care leavers, as well as visits to services providing support and advice to Looked After Children, Children in Need and care leavers;*
- m) *To submit an Annual Report on the work of the Committee to full Council.*

3. *approved the recommendations in respect of membership of the Corporate Parenting Advisory Committee as follows: -*

Total number of seats for elected Members to be 9, allocated on a politically proportionate basis (but excluding any members of the Children and Young People's Scrutiny Committee), as follows:

- 3 Cabinet Members, to include the Deputy Leader (as Chair of the Committee), the Cabinet Member for Children's Services and the Cabinet Member for Education
- 3 backbench Labour Group Members
- 2 Liberal Democrat Group Members
- 1 Conservative Group Member
- 1 Independent Member (depending on other group nominations)

9. The Council at its meeting in March 2017, added the following training requirement to the Committee's terms of reference:

(n) All Members of the Committee will be required to undertake relevant¹ training to enable them to properly discharge their duties.

¹ *Relevant Training* relates to Essential Induction and ongoing learning for Elected Members who sit on this Committee to ensure they have an understanding of the duties of the Committee. This was agreed by Democratic Services Committee.

10. The Committee is invited to consider the current Terms of Reference (as set out in paragraphs 8.2 and 9 above) and whether they meet the needs of the Committee currently and going forward, and how it would wish to proceed with a review.
11. **Appendix A** is a summary of the terms of reference from the Corporate Parenting Committees of Core Cities. It should be noted that different authorities may adopt different types of committee structures to undertake their corporate parenting functions and the terms of reference adopted will reflect this. An advisory committee (set up under the provisions of section 102(4) of the Local Government Act 1972) may only advise or make recommendations to Cabinet or full Council in relation matters within its remit.
12. The next meeting of the Corporate Parenting Advisory Committee is scheduled for 29 January 2019.

Scheduling of Meetings

13. The Constitution Committee on 15 January 2015 concluded its review of the frequency of meetings of Council and Committees in response to concerns raised in the Elected Member Survey around increasing time pressures and challenges and the diverse role of Elected Members in supporting their communities, attending meetings and undertaking learning and development.
14. Elected Members were committed to ensuring that the governance of the Council was conducted efficiently and effectively and this includes the work of its Committees & Task and Finish Groups.
15. The Constitution Committee's recommendations did not have direct financial implications for service areas, however it was reported that any proposal to change the frequency of meetings would require a review of resources.

16. The Corporate Parenting Advisory Committee was programmed to meet each quarter (i.e. 4 meetings a year), rather than previous bi-monthly meetings (i.e. 6 meetings a year).

Elected Member Role Descriptions

17. The Democratic Services Committee at its meeting 1 October 2018, considered a report on Elected Member Role Descriptions and the suite of model Role Descriptions developed by the Wales Local Government Association (WLGA) and adopted by this Council in December 2013.
18. The Democratic Services Committee was of a view that some Role Descriptions could be updated to include specific references to the requirements of Cardiff Council and also to reflect the Cardiff Undertaking signed by all Elected Members annually which was updated in 2016 to include reference to Elected Members responsibilities as Corporate Parents and for Safeguarding matters.
19. The Democratic Services Committee resolved to set up a Working Group of 3 to 4 Members to review the Role Descriptions and also to develop a role description for the Chair and Members of the Corporate Parenting Advisory Committee which wasn't included in the suite of model Role Descriptions.
20. The Democratic Services Committee agreed to liaise with the Corporate Parenting Advisory Committee on the draft model Role Description to ensure it meets the requirements of the Committee and its terms of reference.
21. It is proposed that a Democratic Services Committee Member Group be established to include Members of the their Committee and these be invited to a meeting in early November.
22. It is noted that the next meeting of this Corporate Parenting Committee is 29 January 2019.

Legal Implications

23. The Corporate Parenting Advisory Committee is empowered to advise or make recommendations to the Cabinet and or the Council on any matter relating to the discharge of its functions, as set out in its approved terms of reference (pursuant to s.102(4) of the Local Government Act 1972).
24. Any changes which the Committee may wish to make to its approved terms of reference or membership arrangements should be recommended to full Council for approval.
25. There are no direct legal implications arising from the recommendations of the report.

Financial Implications

26. There are no financial implications directly arising from this report. In the implementation of any proposed changes to the Committee the financial costs will need to be identified and found from within existing financial resources.

RECOMMENDATIONS

The Committee is requested to:

1. confirm whether it wishes to review the Terms of Reference of the Corporate Parenting Advisory Committee;
2. subject to (1.) above, agree how the Committee will undertake the review of its Terms of Reference;
3. note that the final terms of reference will need to be agreed by the Committee prior to submission to Full Council for ratification;
4. note and consider the frequency of meetings which are covered within existing within the Children's Services and Democratic Services resources;
5. note that the Democratic Services Committee is undertaking a review of Elected Role Descriptions to include developing a Role Description for both the Chair and Members of the Corporate Parenting Advisory Committee

DAVINA FIORE

Director of Governance and Legal Services

08/10/18

Appendices

Appendix A Terms of Reference of Corporate Parenting Committees in Core Cities

Background papers

Draft minutes of Democratic Services Committee 1 October 2018

Minutes of the Constitution Committee on 15 January 2015

Constitution Committee report 'Role and Status of Corporate Parenting', 11 June 2014

Minutes of the Constitution Committee on 11 June 2014

Joint Report of the Children and Young People Scrutiny Committee and the Corporate Parenting Panel, 'A Review of the Status and Roles of Corporate Parenting in Cardiff Council', May 2014

Minutes of the Constitution Committee on 19 March 2014

Minutes of Ordinary Council 19 December 2013