

REPORT OF COUNTY CLERK & MONITORING OFFICER

ESTABLISHMENT OF COMMITTEES, THEIR SIZE, TERMS OF REFERENCE AND ALLOCATION OF SEATS

Reason for this Report

1. To review and approve the establishment of Committees, their size, terms of reference and allocation of seats for 2015/16 in accordance with the statutory requirements concerning political balance.

Background

2. The Constitution provides that at its Annual meeting the Council will decide on any amendments to its standing Committees and their size, terms of reference and allocation of seats.
3. The Local Government and Housing Act 1989 requires the Council to allocate Committee seats to political groups in proportion, as far as is reasonably practicable, to the size of those groups on the Council.
4. The appointment of Members to Committees and the election of Chairs and Deputy Chairs for 2014/15 are dealt with in a separate report (Agenda item 13).

Issues

Proposed Committees

9. Council is recommended to establish the following Committees with the number of seats shown:

<u>COMMITTEES</u>	<u>SEATS</u>
<u>Ordinary & Regulatory Committees</u>	
Planning Committee	12
Licensing Committee	12
Public Protection Committee	12

Audit Committee	12 (8 Members and 4 Independent Members)
Constitution Committee	12
Corporate Parenting Advisory Committee	8 (Not Members of the Children & Young People Scrutiny Committee)
Council Appeals Committee	9
Democratic Services Committee	12 (Cannot include more than 1 Member of the Cabinet who must not be the Council Leader)
Family Absence Appeals Panel (Called as and when required)	3 (To be Members of the Democratic Services Committee but not include the Chair of Council)
Employment Conditions Committee	8
Standards & Ethics Committee	9 (3 Members**, 5 Independent Members & 1 Community Member) **Not subject to Political balance arrangements
Local Authority Governor Panel	7
<u>Scrutiny Committees</u>	
Children & Young People	13 (9 County Councillors + 4 Co-opted Members)
Community & Adult Services	9
Economy and Culture	9
Environmental	9
Policy Review & Performance	9
<u>Other Committees and Panels</u>	
Appointments Committee	To comprise 5 Members from those appointed to serve in accordance with the rule on political balance
Disciplinary & Grievance Appeals Committee	To comprise not less than 3 and not more than 5 Members from those appointed to serve in accordance with the rule on political balance.

Health & Safety Advisory Group	5 (Appropriate Cabinet Member and up to 4 other Members)
Works Council	5 (To be Members of Employment Condition Committee)
<u>Allocation of Seats on Joint Committees</u>	
Glamorgan Archives Joint Committee	5 Cardiff Councillors
Prosiect Gwyrdd Joint Committee	2 (Relevant Cabinet Members)
Shared Regulatory Services Joint Committee	2 (Relevant Cabinet Member & Chair of Licensing Committee)
Central South Consortium Joint Education Service Joint Committee	1 (Leader or relevant Cabinet Member)

Terms of Reference

10. The terms of reference of each of the established Committees and Groups are set out in Appendix A.
11. Council is asked to note and agree revised terms of reference for the Audit Committee, which have been updated to reflect discussions on best practice from the Self Assessment process undertaken by the Audit Committee in January 2015 and CIPFA guidelines on Audit Committees.

Allocation of Seats

12. The Council is required to allocate Committee seats to political groups in proportion, as far as is reasonably practicable, to the size of those groups on the Council (in accordance with the Local Government and Housing Act 1989, Section 15 and the Local Government (Committees and Political Groups) Regulations 1990).
13. The total number of seats on the proposed Committees which are subject to the political balance requirements (as set out in paragraph 9 above) is 146. Based on the current composition of the Council (as of 15 May 2015), the proportional allocation of seats on Ordinary Committees and Scrutiny Committees is as set out in Table A below:

TABLE A

Groups	Number of Councillors	Proportionality	Number of Committee seats
Labour	46	61.33%	86
Liberal Democrat	15	20%	28
Conservative	7	9.33%	13
Independent	4	5.33%	7
Plaid Cymru	2	2.67%	4
Ungrouped **	1	1.33	(1)

**One Independent Member not a Member of a Group

14. The proportional allocation of seats, as set out in Table A above, has been discussed with all Party Group Whips at a meeting on 11 May 2015. The Plaid Group has indicated that it does not wish to take up its allocation of Committee seats, and therefore, these have been distributed amongst the other Groups, as shown in Appendix B.
15. Under the rules on political balance, the Council may adopt an alternative arrangement to strict political proportionality for the allocation of seats on Committees and distribute seats on a different basis provided that notice of such proposal is given in the Council Summons, and the alternative arrangement is approved by Council, without any Member voting against the arrangement (referred to as a '*nem con*' vote).
16. Notice has been given on the Council Summons to effect the alternative arrangement for the distribution of seats on Committees as detailed in Appendix B.

Legal Implications

17. Sections 15 to 17 of the Local Government and Housing Act 1989 ("the 1989 Act") and the Local Government (Committees and Political Groups) Regulations 1990 ("the 1990 Regulations") lay down requirements designed to ensure that there is political balance on Committees (this requirement does not apply to the Standards and Ethics Committee).
18. At its Annual Meeting, the Council is required to review the political make up of its Committees in accordance with the principles set out in Section 15 of 1989 Act, those principles being:
 - (a) not all seats on a Committee should be allocated to the same political group;
 - (b) the majority group on the Council should form the majority on the Committee;
 - (c) subject to (a) and (b), that the proportion of seats allocated to each political group on the total of all Committees should be the same as the proportion of Council Members who belong to that group; and

- (d) subject to (a)–(c), that the proportion of seats allocated to each political group on each Committee should be the same as the proportion of Council Members who belong to that group.
19. Where a local authority has determined the allocation of political groups on a Committee, it is under a duty to give effect to the wishes of those groups with regard to the identities of the persons who are to represent that group on the Committee (pursuant to Section 16 of the 1989 Act). Regulation 15 of the 1990 Regulations contains a residual power for the Council to make appointments if the political groups fail to do so. (The 1990 Regulations also make provision for identifying political groups and their members for these purposes). However, the allocation of seats based on the political proportionality principles set out in Section 15 of the 1989 Act (please see paragraph 18 above) may be varied (pursuant to Section 17 of the 1989 Act) if alternative arrangements are approved by the Council, subject to:
- i. Notice being given to all Members of the proposal to adopt the alternative arrangements for the allocation of seats – this is met by the express reference made in the Council Summons (Regulation 20 of the 1990 Regulations); and
 - ii. The alternative arrangements must be approved by the Council without dissent (a “nem con” vote).
This report recommends the approval of alternative arrangements for the allocation of seats on Committees in accordance with section 17 of the 1989 Act.

Standards and Ethics Committee

20. Standards Committees in Wales must consist of not less than five and not more than nine members, and independent members must comprise at least half of all members. The Committee must include at least one ‘Community Committee member’ (i.e. a member of a community council within the authority’s area) as the Standards Committee discharges functions in relation to Community Councils. Regulations specifically prohibit anyone other than a member of the Council, an independent member or a ‘Community Committee’ Member from being a member of the Committee. The Leader is prohibited from being a member of the Standards Committee, and no more than one member of the Cabinet may be a member of the Committee. The political balance requirements of the 1989 Act do not apply.
21. The Council’s Constitution (Article 9) provides that the Standards & Ethics Committee will be composed of 9 members comprising 5 ‘independent’ members, 3 Cardiff County Councillors and 1 Community Councillor.
22. The terms of office of the 5 independent members have not expired and so no further appointments of independent members are presently required. However, the term of office of the current Chairperson is due

to expire on 23/09/15, so a report on this appointment will be brought to a subsequent meeting of Council.

23. The term of office for a Councillor sitting on the Standards Committee can be no more than four years or the period until the next ordinary Local Government Elections (whichever is the shorter).

Democratic Services Committee

24. The Statutory Guidance issued by Welsh Government under Section 6(1) of the Local Government (Wales) Measure 2011 states that the Democratic Services Committee cannot include more than one member of the Cabinet who must not be the Leader.

Audit Committee

25. The Council must decide how many non-councillors should be appointed to the Audit Committee, and all Members of the Committee should display independence of thinking and unbiased attitudes, and must recognise and understand the value of the audit function. Statutory Guidance recommends that the balance of members of the Committee is at least as favourable to non-executive groups as would be achieved by the political balance rules and that the Committee has the appearance of independence from the leadership. There must be at least one lay member on the Audit Committee or up to a third of the total membership.
26. The current composition of the Audit Committee, as approved at Annual Council in May 2014, includes four non - councillor 'Independent Members' and 8 Councillors. The proportion of Independent Members is one third of the Committee members, which is the maximum permitted by law.
27. All decisions taken by or on behalf the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers of behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Council Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances

Financial Implications

33. Assuming that the number of Committees and their size remains unchanged there are no additional financial implications arising from this report that have not been included within the Council's budget for 2015/16.

RECOMMENDATIONS

That the Council

- (1) approves its Committee structure and the size and terms of reference of each Committee for the 2015/15 Municipal Year as set out in paragraph 9 and Appendix A of this report;
- (2) approves 'alternative arrangements' for the allocation of seats on each Committee as set out in Appendix B and agreed by Party Group Whips on 11 May 2015.

MARIE ROSENTHAL

County Clerk & Monitoring Officer

15 May 2015

Appendix A – Committee Terms of Reference

Appendix B - Political Balance and Allocation of seats 2015/16

Planning Committee

- (a) Those functions listed in Section A of Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3(2) to (4) of the Regulations.
- (b) Those functions listed in paragraphs 3 and 4 of Section I of Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3(2) to (4) of the Regulations.

Licensing Committee

To be the Council's Licensing Committee as required by the Licensing Act 2003 and Gambling Act 2005 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under those Acts.

Public Protection Committee

- (a) Those functions listed in Sections B and C and Paragraph 10 of Section I of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions & Responsibilities) (Wales) Regulations 2007 (the Regulations), any amendments thereto and any matters ancillary thereto as defined in Regulation 3(2) to (4) of the Regulations, except to the extent that such matters fall to the Licensing Committee by virtue of Section 7 of the Licensing Act 2003 or the Gambling Act 2005.
- (b) In relation to those functions acting as Appeal Committee where appropriate.
- (c) The discharge of any function relating to the control of pollution or the management of air quality.
- (d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.
- (e) Any function relating to contaminated land.
- (f) The service of an abatement notice in respect of a statutory nuisance.
- (g) Any function under a local Act of a licensing or regulatory nature.
- (h) Any function in relation to the making of an Alcohol Consumption in Designated Public Places Order under the provisions of the Criminal Justices & Police Act 2001.

Audit Committee

Governance, Risk & Control

- To consider the Council's corporate governance arrangements against the good governance framework by way of the process of compiling the Annual Governance Statement.
- To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account the internal audit opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk and internal control.
- To consider the Council's framework of assurance and ensure that it adequately addresses the risk and priorities of the Council.
- To monitor and scrutinise the effective development and operation of the risk management arrangements within the Council.
- To oversee progress in addressing risk-related issues reported to the Committee, such as the Corporate Risk Register.
- To consider any Anti-Fraud strategies, policies or procedures.

Internal Audit

- To approve the Internal Audit Strategy comprising the risk-based internal audit plan, containing the internal audit resources (resources include; Audit, Investigations, Risk & Governance and Programme and Project Assurance Teams).
- To approve significant changes to the risk-based internal audit plan and resource requirements.
- To consider reports from the Audit Manager on Internal Audit's performance during the year e.g. progress reports.
- To consider the Audit Manager's Annual Report, including the statement of conformance with the Public Sector Internal Audit Standards 2013 and the results of the Quality Assurance and Improvement Programme that supports the statement. Fundamental to the annual report is the overall opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and internal control together with a summary of the work supporting the opinion.
- To receive summaries of specific internal audit reports in accordance with agreed protocols.
- To receive reports on fraud prevention and detection initiatives and updates to any related policies and strategies.
- To receive reports of any significant incidents of fraud or financial impropriety and actions taken to enhance controls where this is considered necessary.

External Audit

- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- To consider specific reports as agreed with the external auditors.
- To comment on the scope and depth of external audit work and to ensure it gives value for money.

Financial Reporting

- To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- To seek assurances that the Council has complied with the Treasury Management Strategy and Practices by demonstrating effective control of the associated risks and pursuing optimum performance consistent with those risks.

Accountability Arrangements

- To report to Council on the Committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of the governance, risk management and internal control frameworks.
- To raise the profile of probity generally within the Council and to report on matters of concern to the individual Cabinet Member, relevant Scrutiny Committee, Cabinet or to Council as necessary and appropriate.
- To work in synergy with the five Scrutiny Committees of the Council and liaise with other Council Committees as and when appropriate to avoid duplication in work programmes.

Training & Development

- To attend relevant training session in accordance with the Member Development Programme including specialist training tailored for Members of the Audit Committee e.g. treasury management.

Corporate Parenting Advisory Committee

1. To oversee the development and effective implementation of Cardiff Council's Corporate Parenting Strategy.
2. To monitor the way in which services that have a responsibility to Looked After Children and Care Leavers fulfil their responsibilities and to raise matters of concern about the delivery of services that arise at meetings of the Board.
3. To promote the joining up of key strategies, policies and local planning arrangements where this will increase their effectiveness and support a holistic approach to improving the life changes and overall outcomes of looked after children and care leavers in line with their peers.

4. To raise the profile of the needs of looked after children and care leavers through a range of activities which will include consideration of performance information, meetings with looked after children, care leavers, parents, foster carers, staff and visits to children's services and resources, including children's homes.
5. To ensure that children and young people have information about what they can expect from Cardiff Council as their corporate parent.
6. To promote meaningful consultation and participation and ensure that the view of children, young people, their families and carers are listened to and taken into account through the Panel/Board and by the Council as a whole.
7. To ensure that the achievements of looked after children, care leavers, foster carers and staff are celebrated and rewarded.
8. To ensure that systems are in place to ensure children who are looked after can be confident that their individual interests will receive full and fair consideration including when these may be in conflict with aspects of the policies and procedures of the Council.
9. To make recommendations to others in respect of the corporate parenting of looked after children as consistent with the role and purpose of the panel.

Constitution Committee

To review the Council's Constitution, and to recommend to Council and/or Cabinet any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies;
- (b) Updating to reflect legislative changes and matters of record;
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).

Council Appeals Committee

To hear and determine appeals (other than those appeals which are within the terms of reference of any other committee) from determinations and decisions of the Authority where there is a statutory requirement for there to be an appeal to Members of the Council or where such appeal is allowed for in any policy or procedure approved by the Council.

On hearing an appeal the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, within the range of decisions permissible at law.

The Committee, when sitting to hear an appeal, shall not include any Members of the Cabinet, or Members of any Committee principally concerned with the service by which the decision or determination has been made, or Members who have been concerned in any previous consideration of the matter, which has given rise to or from which the appeal arises.

At each sitting of the Committee to hear an appeal, the Committee shall, firstly, ensure that the appeal has been properly made and, secondly, that the appellant has been afforded the opportunity of being represented at the hearing of his/her appeal by such friend, lawyer or other representative as he/she may choose.

In hearing an appeal the Committee shall conform to the rules of natural justice.

Democratic Services Committee

- To carry out the local authority's function of designating the Head of Democratic Services;
- To keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services in order to ensure that it is adequate for the responsibilities of the post;
- To make reports, at least annually, to the full Council in relation to these matters

Family Absence Appeals Panel

To be the Appeals Panel required pursuant to Regulation 36(1) of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 and any amendment thereof; and to discharge all functions of the Panel pursuant to those Regulations.

Employment Conditions Committee

- (a) To consider and determine policy and issues arising from the organisation, terms and conditions of individual employees at Chief Officer/Assistant Director level and above (together with any other category of employee specified in Regulation from time to time) where this is necessary;
- (b) To decide requests for re-grading of posts at Chief Officer level and above (together with any other category of employee specified in Regulation from time to time) whether by way of appeal by an employee against a decision to refuse a re-grading application or to decide applications for re-grading which are supported.

Standards & Ethics Committee

- (a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services and to report to the Council on any matters of concern.
- (b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate.
- (c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application.
- (d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee.
- (e) To oversee and monitor the Council's Whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints.
- (f) To grant or refuse requests for dispensations in respect of Members' interests under the Members' Code of Conduct in accordance with the relevant statutory provisions.
- (g) To undertake those functions in relation to Community Councils situated in the area of the Council and members of those Community Councils which are required by law.
- (h) To recommend to Council and the Cabinet any additional guidance on issues of probity.
- (i) To hear and determine any complaints of misconduct by Members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise.
- (j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties

Local Authority Governor Panel

For School Governing Bodies constituted under The Government of Maintained Schools (Wales) Regulations 2005 to advise the council on appointments and removal of governors to those places allocated to the Local Authority;

To consider and make decisions relating to the recruitment, training and vetting of potential governors and any other matters that may be referred to the Panel by the Cabinet or the Constitution Committee.

SCRUTINY COMMITTEES

Children and Young People Scrutiny Committee

- To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of children and young people, including :
 - School Improvement
 - Schools Organisation
 - School Support Services
 - Education Welfare & Inclusion
 - Early Years Development
 - Special Educational needs
 - Governor Services
 - Children's Social Services
 - Youth Services and Justice
 - Children's Play Services
- To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, Welsh Government Sponsored Public Bodies, joint local government services and quasi-departmental non governmental bodies on the effectiveness of Council service delivery.
- To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

Community and Adult Services Scrutiny Committee

- To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:
 - Public and Private Housing
 - Disabled Facilities Grants
 - Community Safety
 - Neighbourhood Renewal and Communities First
 - Advice & Benefits
 - Consumer Protection
 - Older Persons Strategy
 - Adult Social Care
 - Community Care Services
 - Mental Health & Physical Impairment
 - Commissioning Strategy
 - Health Partnership
 - Cardiff Partnership Board

- To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non governmental bodies on the effectiveness of Council service delivery.
- To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.
- To be the Council's Crime and Disorder Committee as required by the Police and Justice Act 2006 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under that Act.

Economy and Culture Scrutiny Committee

- To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of economic regeneration.
 - Cardiff Business Council
 - Inward Investment and the marketing of Cardiff
 - South East Wales Economic Forum
 - Economic Strategy & Employment
 - European Funding & Investment
 - Small to Medium Enterprise Support
 - Cardiff Harbour Authority
 - Lifelong Learning
 - Leisure Centres
 - Sports Development
 - Parks & Green Spaces
 - Libraries, Arts & Culture
 - Civic Buildings
 - Events & Tourism
 - Strategic Projects
 - Innovation & Technology Centres
 - Local Training & Enterprise
- To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non governmental bodies on the effectiveness of Council service delivery.
- To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance or service delivery in this area.

Environmental Scrutiny Committee

- To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of environmental sustainability, including:
 - Strategic Planning Policy
 - Sustainability Policy
 - Environmental Health Policy
 - Public Protection Policy
 - Licensing Policy
 - Waste Management
 - Strategic Waste Projects
 - Street Cleansing
 - Cycling and Walking
 - Streetscape
 - Strategic Transportation Partnership
 - South East Wales Transport Alliance
 - Transport Policy and Development
 - Intelligent Transport Solutions
 - Public Transport
 - Parking Management
- To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non governmental bodies on the effectiveness of Council service delivery.
- To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

Policy Review and Performance Scrutiny Committee

- To scrutinise, monitor and review the overall operation of the Cardiff Programme for Improvement and the effectiveness of the general implementation of the Council's policies, aims and objectives, including:
 - Council Business Management and Constitutional Issues
 - Cardiff Council Corporate Plan
 - Strategic Policy Development
 - Strategic Programmes
 - Community Planning & vision Forum
 - Voluntary Sector Relations
 - Citizen Engagement & Consultation
 - Corporate Communications
 - Contact Centre Services and Service Access
 - International Policy
 - Cardiff Local Development Plan
 - Equalities

- Finance and Corporate Grants
 - Organisational Development
 - Cardiff Efficiencies Programme
 - E-Government
 - Information and Communication Technology
 - Council Property
 - Commissioning and Procurement
 - Carbon Management
 - Legal Services
- To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources.
 - To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental non governmental bodies on the effectiveness of Council service delivery.
 - To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

OTHER COMMITTEES AND PANELS

Bilingual Cardiff Working Group

Aim

To take a lead role in developing a truly bilingual Cardiff where citizens and staff of the City of Cardiff Council can access services and support in either language equally through improved partnership working.

Objectives and Roles

- To ensure compliance with the Council's Welsh Language Scheme and the standards set by the Welsh Language Commissioner.
- To monitor the Council's performance against Welsh language legislation including investigating breaches of policy.
- To request evidence and/or presentations from officers within their respective areas in relation to specific Welsh language matters.
- To feed back on any issues relating to the Welsh language from Service Users or Service Providers to the forum, and vice versa if necessary.
- To review and contribute to the Council's final response for the Annual Monitoring Report with Bilingual Cardiff team prior to consideration by Cabinet/Council.
- To receive feedback from the Welsh Language Coordinators Meeting and work with Welsh Language Champions (O.M level and above) to further embed the awareness of Welsh within the Council's corporate culture.

- To contribute to responses on behalf of the Council on Welsh language consultation issues e.g. to the Welsh Language Commissioner
- To act as a reference group for Welsh language related issues and provide a voice for service users and providers.
- To have an advisory role and report to Cabinet every six months.

Appointments Committee

To discharge the functions of the authority in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), in accordance with the Employment Procedure Rules and any other relevant Council policies and procedures.

Disciplinary & Grievance Appeals Committee

To hear and determine:

- (a) all appeals by employees of the Council who may have a right to appeal to Councillors in accordance with disciplinary and grievance procedures approved by the Council;
- (b) all other appeals from disciplinary actions which may be referred to it, whether by the Council or a Committee;
- (c) grievances by and against the Chief Executive in accordance with grievance procedures approved by the Council; and, with a differently constituted membership, appeals following decisions on such grievances; and
- (d) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against any officer at Chief Officer/Assistant Director level and above; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings.

On hearing each case the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, except where retirement or redundancy is contemplated, when consultation with the Cabinet will take place prior to determination of the matter.

The Committee, when sitting to hear an individual case, shall comprise not less than three no more than five members. From the members appointed to serve on the Committee, those who are to sit to hear any particular matter shall be chosen by rota following consultation with the Group Whips, subject to the exclusion of any member who:

- (i) is a member of the Cabinet or of a Committee principally concerned with the service in which the employee concerned is employed; or

- (ii) has been concerned in any previous consideration of the matter which has given rise to the disciplinary action, grievance, or decision from which an appeal arises.

At each sitting of the Committee to hear a disciplinary matter or appeal, the Committee shall, firstly, ensure that the matter of complaint has been clearly put to the employee and, secondly, that the employee has been afforded the opportunity of being represented at the hearing by such friend, trade union officer, lawyer or other representative as he/she may choose.

In any hearing the Committee shall conform to the rules of natural justice.

Health and Safety Advisory Group

- to promote corporate and strategic health and safety issues;
- to address specific health and safety issues which have not been resolved elsewhere in the organisation through normal administrative machinery, joint consultative arrangements or Service Area Health and Safety Committees;
- to consider reactive and active performance measures in respect of health and safety;
- to consider other health and safety issues as appropriate, whether raised by the Council or the trade unions;
- to make recommendations.

Works Council

- (1) to consider any relevant matter referred to it by the Council; the Employment Conditions Committee; the Executive; the Chief Executive; or trade union representatives providing that: -
- (a) the matter has been raised previously by the representatives with the Chief Executive, Chief Operating Officer, Corporate Chief Officer as appropriate and/or Chief Officer/Head of Service and the trade unions are dissatisfied with the response; or
 - (b) there has been no response on the matter raised to the trade union representatives within a reasonable period of time.
- (2) to make recommendations.

Political Balance and Allocated Seats 2015/16 Municipal Year

APPENDIX B

Committee	Number of Seats	Labour	Lib Dem	Cons	Ind Group	Plaid	**Heath Ind	Total
<u>Committees subject to Political Balance</u>								
	No of Seats	46/75	15/75	7/75	4/75	2/75	1/75	75
	Percentage	61.33%	20%	9.33%	5.33%	2.67%	1.33%	99.99%
	GROUP ENTITLEMENT	146	90	29	14	8	4	(1)**
Ordinary Committees								
Planning	12	7	3	1	1			12
Licensing	12	8	3	1				12
Public Protection	12	8	3	1				12
Audit Committee	8	5	1	1	1			8
Constitution Committee	12	7	3	1	1			12
Corporate Parenting Advisory Committee	9	6	2		1			9
Council Appeals	9	6	2	1				9
Democratic Services Committee	12	7	3	1	1			12
Employment Conditions	8	5	2	1				8
Local Authority Governor Panel	7	3	1	1	1			
	No of Seats	101	62	23	10	6	0	101
	Percentage	61.38%	22.77%	9.9%	5.94%			100%
Scrutiny Committees								
Children & Young People	9	6	2	1				9
Community & Adult	9	5	2	1	1			9
Economic & Culture	9	6	2	1				9
Environment	9	6	2	1				9
Policy Review & Performance	9	5	2	1	1			9
	No of Seats	45	28	10	5	2	0	45
	Percentage	62.23%	22.22%	11.11%	4.44%			100%
	TOTAL NO OF SEATS	146	90	33	15	8	0	146
	Percentage	61.65%	22.6%	10.27%	5.48%			100%

Note: the calculation must incorporate 100% of the Members of the Council irrespective of whether they are in a group

**One Independent Member not a Member of a Group

<u>Political Balance not required</u>								
Standards & Ethics Committee	3	1	1	1				
Bilingual Cardiff Working Group	12	5	2	1	1	1		
Works Council	5	3	1	1				
Health & Safety Advisory Group	5	3	1	1				
<u>Joint Committees</u>								
Glamorgan Archives Joint Committee	5	3			2			
Prosiect Gwyrdd Joint Committee	2	2						
Shared Regulatory Services Joint Committee	2	2						
Central South Consortium Joint Education Service Joint Committee	1	1						