

APPENDIX D

Lincolnshire County Council

CONSTITUTION

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Part 1

A SUMMARY OF THE LINCOLNSHIRE COUNTY COUNCIL CONSTITUTION



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1 Introduction

- 1a By law, we must have a formal constitution in place. The constitution sets out how we operate and how we make decisions.
- 1b This summary is to help council members, officers and the public and is not a substitute for the constitution itself. If you are in any doubt, you should always refer to the constitution or speak to the monitoring officer.
- 1c How we act towards members, officers and the public is important. There is a set of values (**PERFORMS**) which are based on Nolan's seven principles of public life.

Putting customers first
Encouraging innovation
Results matter
Focus on the community
Openness and honesty
Respect everyone
Making a difference
Striving to improve

Lincolnshire County Council – working better for you

What we want to achieve

- Building on our strengths
- Protecting your lifestyle
- Working towards a better future

How we plan to do it

- Making the best use of all our resources
- Investing in current services and providing new services
- Providing you with what you need
- Promoting community wellbeing and strength
- Influencing, coordinating and helping other organisations that contribute to Lincolnshire

- 1d The constitution promises that we will:
- talk and listen to all the people of Lincolnshire;
 - provide clear leadership;
 - work effectively with members of the public, businesses and other organisations;
 - provide improving services which meet the needs and goals of all the people of Lincolnshire; and

- contribute to promoting or improving the economic, social and environmental well-being of Lincolnshire.

2 **The Full Council**

- 2a The Full Council is made up of 77 members, and all members play a part in the running of the Council.
- 2b The Council's role is to approve our main policies and the annual budget (which we refer to as the Budget and Policy Framework). It also decides on other matters and these are set out in article 4 of the constitution.
- 2c In most cases, the Executive (see section 3) makes decisions and all our members are told about these.
- 2d The Full Council may also get reports from our other committees, and recommendations and reports from the Overview and Scrutiny Committees.
- 2e All decisions taken must be made within the Budget and Policy Framework.
- 2f We run Full Council meetings in line with procedure rules (see part 4 of the constitution). These rules set out how Full Council meetings are carried out.
- 2g Our meetings are open to the public, unless we are considering personal, sensitive or private matters.

3 **The Executive**

- 3a The Executive is made up of a leader and up to nine other councillors, who the leader appoints. When the Executive makes or discusses major decisions, these are published in the Executive's 'Forward Plan'. The meetings are normally open to the public, unless private matters are being discussed. The Executive has to make decisions which are in line with our Policy and Budget Framework. If the Executive wants to make a decision outside the framework, it must first refer it to full council to decide.
- 3b All members of the Executive have a portfolio, which is a particular area of responsibility. The portfolios are as follows.
- Governance, Communications and Commissioning
 - Adult Care and Health Services, Children's Services
 - Economic Development, Environment, Planning, Tourism
 - Highways, Transport, IT
 - Finance, Property

- Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity
- Waste, Recycling
- NHS Liaison, Community Engagement
- Libraries, Heritage, Culture, Registration and Coroners Service
- Crime Reduction, People Management, Legal

3c The Executive takes decisions as a group, though individual Executive Councillors also have powers to take decisions on behalf of the Executive.

4 The Forward Plan

4a The purpose of the Forward Plan is to let the public and elected members (councillors) know when important decisions are to be taken so that they can raise matters of concern with their division councillors or with the members of the Executive.

5 Calling in Executive Decisions

5a 'Calling in' is the process which allows Non-Executive Councillors to challenge Executive, Executive Councillor and Chief Officer decisions.

6 Overview and Scrutiny

6a Overview and Scrutiny means reviewing and questioning decisions. Our Overview and Scrutiny Management Board is supported by the following Overview and Scrutiny Committees.

- Adult Care and Public Health Scrutiny Committee
- Children and Young People Scrutiny Committee
- Communities & Public Protection Scrutiny Committee
- Environment ~~Economy-Waste~~ and Transport [~~Environment and Waste~~]
Scrutiny Committee
- Flood and Water Management Scrutiny Committee
- ~~Health~~ Scrutiny Committee for Lincolnshire
- ~~Highways~~ [~~Transport~~] and Economy Scrutiny Committee

Comment [DC1]: If Transport is included with Highways and Economy

Comment [DC2]: If Transport is included with Highways and Economy

6b Councillor Call for Action (CCfA) can be used by any Councillor to raise a problem that affects a significant number of local residents and has not been dealt with in the other ways available.

7 Non-Executive Committees

7a By law, the Executive cannot deal with some matters (mainly planning, licensing and regulatory matters and issues the Full Council deals with).

7b We currently run the following Non-Executive Committees

- Pensions Committee
- Planning and Regulation Committee
- Definitive Map and Statement of Public Rights of Way Sub-Committee
- Appointments Committee
- Pay Policy Sub-Committee
- Audit Committee
- Health and Wellbeing Board

7c The Pensions Committee is responsible for overseeing the Local Government Pension Scheme.

7d The Planning and Regulation Committee is responsible for determining all the planning applications that cannot be decided under delegated powers (decisions which officers can take) and other matters to do with highways, transportation and rights of way.

7e The Definitive Map and Statement of Public Rights of Way Sub-Committee is responsible for any changes made to the definitive map.

7f The Appointments Committee is responsible for recruitment and employment relating to chief officers.

7g The Pay Policy Sub-Committee is responsible for carrying out a yearly review of Chief Officer Salaries.

7h The Audit Committee is responsible for approving the Annual Statement of Accounts, monitoring our financial methods of working (including risk management), reviewing all audit activity, promoting financial best practice and overseeing the Council's Ethical Framework including the Members' Code of Conduct.

7i The Health and Wellbeing Board is responsible for preparing and publishing a Joint Strategic Needs Assessment and a Joint Health and Wellbeing Strategy and for promoting integrated working including joint commissioning.

8 **The Scheme of Delegation – Officers**

8a We ask our officers to make sure our services are provided effectively each day. Part 3 of the constitution includes the details of the various officers and their area of responsibility.

9 **Monitoring what we do**

9a We must appoint a Head of Paid Service, Chief Financial Officer, a Monitoring Officer, a Statutory Scrutiny Officer, (acting jointly with the Secretary of State) a Director of Public Health, and a Director of Children's Services and of Adult Social Care. Each of these officers has specific responsibilities but together they are responsible for making sure we put in place effective, efficient and well-designed arrangements for overseeing what we do.

9b **Head of Paid Service**

9b1 The Chief Executive is our appointed Head of Paid Service. He or she is responsible for managing the workforce and has overall responsibility for how we carry out our services.

9b2 The Head of Paid Service may not be the Monitoring Officer but may hold the position of Section 151 Officer (see 9d).

9c **Monitoring Officer**

9c1 The Monitoring Officer is responsible for:

- advising us about our powers and responsibilities;
- making sure our decisions are fair and keep to the law;
- updating and advising us on the constitution;
- supporting and promoting high standards of behaviour among our councillors and officers; and
- making sure we know Executive decisions are kept within our Budget and Policy Framework.

9d **Section 151 Officer**

9d1 The 151 Officer is responsible for:

- looking after our financial affairs;
- making sure (with the Monitoring Officer) our financial dealings keep to the law;
- providing professional financial advice; and
- supporting and advising our councillors on the budgetary framework.

10 **Access to Information**

10a All Full Council, Executive and Overview and Scrutiny meetings and the Non-Executive committees are open to the public unless private or sensitive matters are being discussed. The Access to Information Procedure Rules are set out in part 4 of the constitution and list the rights of elected members and members of the public to see our agenda, reports and minutes.

11 **Our Ethical Framework**

11a Code of Conduct for members

11a1 All our members must keep to a code of conduct. The code includes specific responsibilities, for example, to do with:

- declaring interests at meetings;
- registering financial and other interests; and
- general standards of conduct and behaviour.

12 **Member and Officer Rules**

12a We have rules in place for members and officers. These rules set out the roles and responsibilities of elected members and officers.

12b The rules include guidance on:

- the general responsibilities of elected members;
- the relationship between members and officers;
- officer relationships with political groups;
- members' information access rights;
- complaints about officers;
- member roles; and
- media relations.

13 **Petitions**

13a We have adopted a petitions scheme, which is set out in part 5, section D6 of the constitution.

13b We have an 'e-petition' scheme, where anyone who lives, works or studies in the local authority area can sign or organise a petition which they can then send to us by e-mail.

14 **Contract Regulations**

14a The contract regulations form the framework within which we can buy goods, works and services.

15 **The Financial Framework**

15a We must put in place a financial framework that makes sure we use public money properly. The financial procedure rules, the contract procedure rules and the scheme of delegation are all part of the financial framework.

PART 2

ARTICLES

ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEES

6.01 Appointment of Overview and Scrutiny Committees

The County Council will appoint the following Overview and Scrutiny Committees: -

- Overview and Scrutiny Management Board
- Adult Care and Public Health Scrutiny Committee
- Children and Young People Scrutiny Committee
- Communities and Public Protection Scrutiny Committee
- Environment ~~Economy-Waste~~ and Transport [~~Environment and Waste~~]
Scrutiny Committee
- Flood and Water Management Scrutiny Committee
- Health Scrutiny Committee for Lincolnshire
- ~~Highways [Transport]~~ and ~~Economy Scrutiny Committee~~

Comment [DC3]: If Transport is included with Highways and Economy

Comment [DC4]: If Transport is included with Highways and Economy

Each Overview and Scrutiny Committee will undertake its role in accordance with the provisions in this Article, in addition to legislative requirements, relevant regulations, statutory guidance and the provisions specified throughout the Constitution.

All Councillors except Executive Councillors may be members of an Overview and Scrutiny Committee. No Councillor may be involved in scrutinising a decision in which he/she has been directly involved. Executive Support Councillors may not be members of an Overview and Scrutiny Committee relating to their portfolio area.

There will be two standing Scrutiny Panels (Scrutiny Panel A and Scrutiny Panel B) whose role will be to conduct in-depth scrutiny reviews on behalf of Overview and Scrutiny Committees. Each Scrutiny Panel will have a Chairman and Vice-Chairman appointed by the Council. Membership of each Scrutiny Panel (apart from the Chairman and Vice-Chairman) will be appointed by the Overview and Scrutiny Management Board as and when the Scrutiny Panel is convened in respect of a particular review. All Councillors except Executive Councillors may be members of a Scrutiny Panel. No Councillor may be involved in scrutinising a decision in which he/she has been directly involved. Executive Support Councillors may not be members of a Scrutiny Panel when it is conducting a review relating to their portfolio area.

In addition to the Overview and Scrutiny Committees and Scrutiny Panels, the following sub groups will be appointed to complement the activities of the overview and scrutiny committees:

- Corporate Parenting Sub-Group

- Safeguarding Boards Scrutiny Sub-Group

The Scrutiny Panels and Sub-Groups, while being part of the Council's Overview and Scrutiny arrangements are not committees of the Council.

6.02 Overview and Scrutiny Management Board

Membership

The County Council will determine the number of members of the Council who will serve on the Overview and Scrutiny Management Board. The Overview and Scrutiny Management Board will also include the church and parent governor representatives as members as set out in Annex A to these Articles. Church and parent governor representatives are entitled to participate at meetings of the Board, but may only vote when an education matter is to be determined.

Terms of Reference

The Overview and Scrutiny Management Board may exercise the following functions: -

- To review and scrutinise the following services and their outcomes:
 - Information management and technology;
 - Corporate property;
 - People management;
 - Legal services;
 - Commercial services including procurement and contract management;
 - Business support to the Council's activities; and
 - Finance and treasury management.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Board.
- To review and scrutinise the Council's overall budget (including revenue budget and capital programme) and performance against the Council's Business Plan.
- To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
- To consider and respond to any proposals from the Executive as part of the development of the budget and policy framework.
- To approve the Overview and Scrutiny Annual Report, prior to its submission to the County Council.
- To prepare the Overview and Scrutiny Annual Work Programme for submission to full Council for approval.
- To agree and monitor the ongoing Overview and Scrutiny work programme, in particular holding the Chairmen and/or Vice-Chairmen to account for their Committee's work programme, on a quarterly basis.

- To monitor and guide the activities of the other Overview and Scrutiny Committees.
- To consider any decision which has been made by the Executive or any Executive Councillor or any key decision made by an officer and which have been called in. (This will be undertaken in accordance with Overview and Scrutiny Procedure Rule 15).
- To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer.
- To consider any proposals for Scrutiny Reviews from the Overview and Scrutiny Committees and determine the work programme of the Scrutiny Panels by utilising the Prioritisation Toolkit.
- To approve any changes to the focus or duration of the Scrutiny Reviews undertaken by the Scrutiny Panels.
- To consider and determine requests from Councillors submitted under the Councillor Call for Action procedure, except for requests submitted by Councillors relating to crime and disorder.
- To monitor any Working Group activity initiated by any of the Overview and Scrutiny Committees and to approve any extension to the duration of a Working Group.
- To scrutinise any significant, cross cutting issue affecting more than one of the other scrutiny committees including performance or pre-decision scrutiny.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

6.03 Adult Care and Public Health Scrutiny Committee

Membership

The County Council will determine the number of members of the Council who will serve on the Adult Care and Public Health Scrutiny Committee.

Terms of Reference

The Adult Care and Public Health Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
 - adult care services for frailty, people with long term conditions; for older people; for people with physical disabilities and for people with sensory impairment;
 - adult care services for people with learning disabilities; for people with autism; and for people with mental health needs, including dementia;

- adult care services for carers;
 - adult safeguarding and the protection of adults at risk including observance of the Mental Capacity Act;
 - statutory public health services; and
 - wellbeing services, including health improvement, prevention and self-management; mental health; sexual health; housing-related support; and the prevention, treatment and recovery elements of substance misuse services.
- To review and scrutinise activities arising from integration and joint agreements with the NHS, which support or are incidental to the provision of services related to adult care and public health.
 - To review and scrutinise any joint funding arrangements or agreements developed in partnership with the local NHS.
 - To consider the Annual Report of the Director of Public Health on the Health of the People of Lincolnshire, using the report to inform the Committee's work programme.
 - To review and scrutinise publications such as the market position statement or local account and the provision of information and advice by Adult Care and Public Health.
 - To review and scrutinise quality and contract compliance in the care market.
 - To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
 - To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
 - To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
 - To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
 - To submit requests to the Overview and Scrutiny Management Board for in-depth reviews, in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
 - To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the Executive, Executive Councillor or the County Council, or other decision maker.
 - To consider and respond to any proposals from the Executive as part of the development of the policy framework.
 - To make reports and recommendations to the County Council, the

Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

- To appoint working groups in accordance with the provisions in the Overview and Scrutiny Procedure Rules.
- To liaise as required with Healthwatch Lincolnshire in relation to adult care matters, to consider any referrals made to the Committee by Healthwatch Lincolnshire and to agree a protocol for working with Healthwatch Lincolnshire.
- To manage the work of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group in co-ordination with the Children and Young People Scrutiny Committee.
- To have oversight of contemporary challenges which affect the Adult Care and Public Health functions under the remit of the Committee.

6.04 Children and Young People Scrutiny Committee

Membership

The County Council will determine the number of members of the Council who will serve on the Children and Young People Scrutiny Committee. The Children and Young People Scrutiny Committee will also include the church and parent governor representatives as members as set out in Annex A to these Articles. These members are entitled to participate at meetings of the Committee, but may only vote when education matters are to be determined.

Terms of Reference

The Children and Young People Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
 - Children's centres
 - Early education
 - School support services
 - School improvement
 - Special Educational Needs and Disabilities
 - Home to school/college transport
 - 14-19 education, training and apprenticeship
 - Careers service
 - Positive activities for young people
 - Teenage pregnancy
 - Supported accommodation and lodgings
 - Supported employment for young people
 - Lincolnshire Secure Unit
 - Youth Offending Service
 - Leaving care service

- School nursing
 - Healthy schools and healthy child
 - Child protection
 - Looked After Children
 - Targeted support – young people
 - Fostering and adoption
 - Residential homes for children
 - Child and Adolescent Mental Health Services (CAMHS)
 - Family support
- To maintain an overview of the activity of academy schools, colleges and universities in the County.
 - To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
 - To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
 - To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
 - To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
 - To submit requests to the Overview and Scrutiny Management Board for in-depth scrutiny reviews in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
 - To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the Executive, Executive Councillor or the County Council, or other decision maker.
 - To consider and respond to any proposals from the Executive as part of the development of the policy framework.
 - To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
 - To monitor the activity of the Council's Corporate Parenting Sub-Group.
 - To manage the work of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group in co-ordination with the Adult Care and Public Health Scrutiny Committee.

6.05 Communities and Public Protection Scrutiny Committee

Membership

The County Council will determine the number of members of the Council who will serve on the Communities and Public Protection Scrutiny Committee.

Terms of Reference

The Communities and Public Protection Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
 - Volunteering support
 - Adult education
 - Financial inclusion
 - Community engagement and development
 - Community hubs
 - Library services and archives
 - Heritage services
 - Preventing and reducing crime
 - Tackling domestic abuse
 - Fire and rescue and emergency response
 - Trading standards
 - Emergency planning
 - Road safety
 - Reducing anti-social behaviour
 - Registration, celebratory and coroner's services
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
- To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- To submit requests to the Overview and Scrutiny Management Board, for in-depth scrutiny reviews in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.

- To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the Executive, Executive Councillor or the County Council, or other decision maker.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
- To act as the Crime and Disorder Committee for the purposes of sections 19 and 20 of the Police and Justice Act 2006, including the power:
 - To co-opt additional members
 - To make reports or recommendations to a responsible authority or co-operating person or body
 - To consider and determine requests from Councillors submitted under the Councillor Call for Action procedure relating to Crime and Disorder
 - To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above

6.06 Environment ~~Economy-Waste~~ and Transport [Environment and Waste] Scrutiny Committee

Comment [DC5]: If Transport is included with Highways and Economy

Membership

The County Council will determine the number of members of the Council who will serve on the Environment, ~~Economy-Waste~~ and Transport [Environment and Waste] Scrutiny Committee.

Comment [DC6]: If Transport is included with Highways and Economy

Terms of Reference

The Environment, ~~Economy-Waste~~ and Transport [Environment and Waste] Scrutiny Committee is authorised to undertake the following activities: -

Comment [DC7]: If Transport is included with Highways and Economy

- To review and scrutinise the following services and their outcomes:
 - Transport services
 - ~~Highway network management and highways asset management~~
 - ~~New transport investments including highways improvements~~
 - ~~Economic development projects including broadband~~
 - ~~Heritage services~~
 - Environment and growth, including:
 - Carbon management
 - The natural and built environment
 - Sustainable planning and the historic environment
 - growth and access

Comment [DC8]: To be deleted if Transport is included with Highways and Economy

- Waste management, including waste recovery and recycling
- ~~Skills and employability~~
- ~~Support to business and growth sectors~~
- ~~Business investment~~
- ~~Attracting funding for Lincolnshire, including the Greater Lincolnshire Local Enterprise Partnership~~

- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
- To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- To submit requests to the Overview and Scrutiny Management Board for in-depth scrutiny reviews, in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
- To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the Executive, Executive Councillor or the County Council, or other decision maker.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

6.07 Flood and Water Management Scrutiny Committee

Membership

The Flood and Water Management Scrutiny Committee will comprise of the members appointed to the Environment, ~~Economy Waste~~ and Transport ~~[Environment and Waste]~~ Scrutiny Committee and seven co-opted non-executive district councillors, one to be nominated by each of Lincolnshire's seven district councils.

Comment [DC9]: If Transport is included with Highways and Economy

The seven co-opted district councillors will have full voting rights on the Committee and replacement members will be permitted, as set out in the scheme adopted by the County Council in accordance with paragraphs 11-13

of Schedule A1 of the Local Government Act 2000. (See below)

The Flood and Water Management Scrutiny Committee will meet as frequently as is required to perform its role.

Terms of Reference

The Flood and Water Management Committee will be authorised to consider the following:

- The development and delivery of the Local Flood Risk Management Strategy; including the delivery of the Lincolnshire Common Works Programme.
- The effectiveness of the Lincolnshire Flood Risk and Drainage Management Partnership and related partnership developments.
- Lincolnshire County Council's delivery of its local leadership role in relation to flood and water management.
- The work of all flood risk management authorities operating within Lincolnshire.
- The local implementation of the Environment Agency-led National Strategy for Flood Risk and Coastal Erosion.
- Action plans relating to all relevant plans and strategies, such as (but not exclusively) Shoreline Management Plans and Catchment Flood Management Plans (main rivers).
- All major strategic initiatives relating to water management.
- The Greater Lincolnshire Local Enterprise Partnership's Water Management Board, including the development and implementation of its Water Management Plan.
- Any other matter with particular relevance to flood risk and water management within Lincolnshire or likely to affect Lincolnshire.

Scheme for the Co-option of Voting Members on the County Council's Flood and Water Management Scrutiny Committee

1. Definitions

This scheme is made in accordance with Paragraphs 11-13 of Schedule A1 of the Local Government Act 2000.

The Council is Lincolnshire County Council.

The Flood and Water Management Scrutiny Committee is an overview and scrutiny committee appointed pursuant to Section 9FH of the Local Government Act 2000.

A Co-opted Member is a member of the Flood and Water Management Scrutiny Committee, who has been duly nominated and appointed by a district

council in Lincolnshire in accordance with this scheme.

2. Nomination and Appointment

The County Council will allow each district council in Lincolnshire to nominate a non-executive councillor, to serve as a member of the Council's Flood and Water Management Scrutiny Committee. Each district council may at any time nominate a replacement member to serve in place of the nominated member.

3. Voting

The county councillors and the seven co-opted district councillors on the Council's Flood and Water Management Scrutiny Committee will have full voting rights at meetings of the Flood and Water Management Scrutiny Committee.

4. Code of Conduct

Co-opted members, as district councillors, will be subject to the Member Code of Conduct.

5. Allowances

Co-opted members, as district councillors, will be entitled to allowances and expenses in accordance with the scheme adopted by the district council of which they are a member.

6.08 Health Scrutiny Committee for Lincolnshire

Membership

The Health Scrutiny Committee for Lincolnshire will comprise sixteen members appointed as follows: -

- eight members of the County Council, appointed in accordance with the political balance provisions of the Local Government and Housing Act 1989;
- one member appointed by each district council in Lincolnshire, appointed in accordance with the scheme adopted by the County Council in accordance with paragraphs 11-13 of Schedule A1 of the Local Government Act 2000; and
- one member (without voting rights) nominated by Healthwatch Lincolnshire.

Terms of Reference

The Health Scrutiny Committee for Lincolnshire is authorised to undertake the

following activities: -

- To review and scrutinise the following services and their outcomes:
 - NHS funded health care; and
 - Health and Well-Being Board, including in particular the Board's development of the Joint Strategic Needs Assessment, the Joint Health and Wellbeing Strategy, the Pharmaceutical Needs Assessment.
- To review and scrutinise any matters relating to the planning, provision and operation of health services which affect the residents of Lincolnshire except for those under the remit of the Adult Care and Public Health Scrutiny Committee and the Children and Young People Scrutiny Committee.
- To consider the Annual Report of the Director of Public Health on the Health of the People in Lincolnshire, using the report to inform the Committee's work programme.
- To consider and respond to any consultations by any responsible NHS commissioner which constitute a substantial development or substantial variation in the provision of health services in Lincolnshire, using the powers set out in the relevant health overview and scrutiny regulations and referring to any guidance issued by the Secretary of State for Health. Where there is a disagreement between the Committee and the responsible NHS commissioner which cannot be resolved after reasonable practicable steps and the Committee believe that
 - (a) the proposed substantial variation or development would not be in the interests of the health service in Lincolnshire; or
 - (b) the arrangements put in place by the responsible NHS commissioner for consultation have not been adequate in relation to content or time allowed; or
 - (c) the reasons given for not consulting by the responsible NHS commissioner are not adequate;

the Committee may determine whether to refer the matter to the Secretary of State, in accordance with the relevant health overview and scrutiny regulations and any guidance issued by the Secretary of State for Health, taking account of any protocol agreed between the Committee and the responsible NHS commissioner.

- To consider and respond to any other health consultations, which affect the residents of Lincolnshire.
- To submit requests to the Overview and Scrutiny Management Board, for in-depth scrutiny reviews in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
- To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for

submission to the relevant NHS organisation or other decision maker. Such reports and recommendations to include:-

- (a) an explanation of the matter reviewed or scrutinised;
 - (b) summary of the evidence considered;
 - (c) a list of participants involved in the review or scrutiny; and
 - (d) an explanation of any recommendations on the matter reviewed or scrutinised.
- To make reports and recommendations to any relevant NHS body, to any relevant health service provider, the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above. Such reports and recommendations to include:-
 - (a) an explanation of the matter reviewed or scrutinised;
 - (b) summary of the evidence considered;
 - (c) a list of participants involved in the review or scrutiny; and
 - (d) an explanation of any recommendations on the matter reviewed or scrutinised
- To liaise with Healthwatch Lincolnshire in relation to the health care element of Healthwatch Lincolnshire's work programme and to consider referrals from Healthwatch Lincolnshire in relation to health care.

Appointment of Chairman and Vice Chairman

The Health Scrutiny Committee for Lincolnshire will appoint its own Chairman and Vice-Chairman.

Scheme for the Co-option of Voting members on the County Council's Health Scrutiny Committee for Lincolnshire

1. Definitions

This scheme is made in accordance with Paragraphs 11 – 13 of Schedule A1 of the Local Government Act 2000.

The Council is Lincolnshire County Council.

The Health Scrutiny Committee for Lincolnshire is an overview and scrutiny committee appointed pursuant to Section 9FH of the Local Government Act 2000.

A Co-opted Member is a member of the Health Scrutiny Committee for Lincolnshire, who has been duly nominated and appointed by a district council in Lincolnshire in accordance with this scheme.

2. Nomination and Appointment

The County Council will allow each district council in Lincolnshire to nominate a non-executive councillor, to serve as a member of the Council's Health Scrutiny Committee for Lincolnshire. Each district council may at any time nominate a replacement member to serve in place of the nominated member.

3. Voting

The eight county councillors and seven co-opted district councillors on the Council's Health Scrutiny Committee for Lincolnshire will have full voting rights at meetings of the Health Scrutiny Committee for Lincolnshire.

4. Code of Conduct

Co-opted members, as district councillors, will be subject to the Member Code of Conduct.

5. Allowances

Co-opted members, as district councillors, will be entitled to allowances and expenses in accordance with the scheme adopted by the district council of which they are a member.

6.09 Highways [Transport] and Economy Scrutiny Committee

Comment [DC10]: If Transport is included with Highways and Economy

Membership

The County Council will determine the number of members of the Council who will serve on the Highways [Transport] and Economy Scrutiny Committee.

Comment [DC11]: If Transport is included with Highways and Economy

Terms of Reference

The Highways [Transport] and Economy Scrutiny Committee is authorised to undertake the following activities: -

Comment [DC12]: If Transport is included with Highways and Economy

• To review and scrutinise the following services and their outcomes:

- Transport services, including public transport
- Highway network management and highways asset management
- New transport investments including highways improvements
- Economic development projects including broadband
- Skills and employability
- Support to business and growth sectors
- Business investment
- Attracting funding for Lincolnshire, including the Greater Lincolnshire Local Enterprise Partnership
- Tourism operation and development

Comment [DC13]: If Transport is included with Highways and Economy

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- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
- To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- To submit requests to the Overview and Scrutiny Management Board for in-depth scrutiny reviews, in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
- To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the Executive, Executive Councillor or the County Council, or other decision maker.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

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6.0910 Scrutiny Panel A and Scrutiny Panel B

Scrutiny Panel A and Scrutiny Panel B will undertake in-depth scrutiny reviews in accordance with the terms of reference and timetable determined for each review by the Overview and Scrutiny Management Board.

Scrutiny Panel A and Scrutiny Panel B will conduct each review in accordance with the following principles:

- Meeting of Scrutiny Panels should generally be held in public, with decisions on whether meetings should be public or private being considered as part of the review process.
- Scrutiny Panels should aim to collect a broad range of evidence on the particular review, interviewing interested parties, and engaging local communities, where this is feasible.
- Scrutiny Panels should focus on developing realistic recommendations for improvement in relation to the topic under review.
- Scrutiny Panels will submit their draft reports to the relevant Overview and Scrutiny Committee for consideration, approval and onward referral as appropriate.

6.101 Corporate Parenting Sub-Group

Membership

The County Councillor membership of the Corporate Parenting Sub-Group will be determined by the County Council. Five additional members may also be appointed to the Sub-Group in the following categories:

- one Representative of the V4C the Children in Care Council
- one Lincolnshire Community Health Services NHS Trust representative
- one Lincolnshire Partnership NHS Foundation Trust representative
- two Foster Carers

Chairman and Vice-Chairman

At its first meeting in each municipal year, the Corporate Parenting Sub-Group will elect a Chairman and Vice-Chairman from the County Councillor membership of the Sub-Group.

Quorum

The quorum of the Corporate Parenting Sub-Group will be three, with at least one of the county council Corporate Parenting Sub-Group members in attendance.

Replacement

Replacement members will be permitted on the Corporate Parenting Sub-Group

Meetings

The Corporate Parenting Sub-Group will meet in private on a quarterly basis and as otherwise required.

Terms of Reference

The Corporate Parenting Sub-Group is authorised to undertake the following activities:-

- Ensure that all councillors and Lincolnshire County Council Directorates are fulfilling their roles and responsibilities as corporate parents proactively. This will involve the Corporate Parenting Sub-Group organising specific education and training events for all councillors to ensure they are equipped with the knowledge and skills to be corporate parents.
- Provide clear strategic and political direction in relation to corporate parenting.

- Investigate on behalf of all councillors ways in which the role of corporate parenting can be improved, using examples from other local authorities and countries.
- Ensure that councillors undertake their annual programme of visits to children's homes.
- Ensure that the needs of children and young people in public care and their carers are prioritised by councillors and officers.
- Receive quarterly reporting of key performance indicators relating to children and young people in public care.
- Receive regular and/or annual reports on the level and quality of services to children and young people in public care from the Children's Services Directorate, other Directorates and organisations.
- Monitor the performance, quality and outcomes of the Council's services in relation to children and young people in public care and identify any areas for improvement.
- Engage with children and young people who are in public care or have left care by inviting them to act as advisers to the Corporate Parenting Sub-Group.
- Listen to the views of children, young people and their carers and to involve them in the assessment and development of services.
- Champion the provision of Council based work placements and Apprenticeships for looked after young people.
- Promote achievement and acknowledge the aspirations of children and young people in public care by supporting celebration events.
- Meet with Ofsted inspectors where appropriate for their input into inspections.
- Participate as members of the adoption and fostering panels.
- Agree a work plan, reviewing progress, membership of the Panel and attainment of its role and terms of reference.
- Report back formally on these matters in writing to the Children and Young People Scrutiny Committee after each meeting of the Corporate Parenting Sub-Group.

6.142 Safeguarding Boards Scrutiny Sub-Group

Membership

The County Councillor Membership of the Scrutiny Sub-Group will be determined by the County Council. Five additional members may also be appointed to the Sub-Group in the following categories:

- one district councillor representative, representing the district councils in Lincolnshire;
- one parent governor representative;
- one foster carer representative;
- one representative appointed by local NHS organisations; and
- one representative appointed by the Police and Crime Commissioner.

Chairman and Vice-Chairman

At its first meeting in each municipal year, the Scrutiny Sub-Group will elect a Chairman and Vice-Chairman from the County Councillor membership of the Sub-Group.

Quorum

The quorum of the Scrutiny Sub-Group will be three, with at least one of the county council Scrutiny Sub-Group members in attendance.

Replacement Members

Replacement members will be permitted on the Scrutiny Sub-Group.

Meetings

The Scrutiny Sub-Group will meet in private on a quarterly basis and as otherwise required.

Terms of Reference

The Scrutiny Sub-Group is authorised to undertake the following activities:-

- To scrutinise the effectiveness of the Lincolnshire Safeguarding Adults Board's arrangements for ensuring agencies work together:
 - to protect adults at risk from abuse
 - to promote the wellbeing and safety of adults at risk and to reduce the risk of abuse occurring
 - to promote a community involvement in safeguarding adults and promoting their welfare by raising awareness through publicity and training
 - to develop and review policies and procedures
 - to ensure systems are in place to monitor the implementation of the lessons learnt from safeguarding adult reviews
 - to ensure the multi-agency and independent sector workforce is trained to safeguarding adults and improve safety
- To review and scrutinise the Lincolnshire Safeguarding Adults Board's strategy, business plan and annual report including any updates on progress with the implementation of the priorities in the business plan.
- To review and scrutinise the outcomes of any external inspection or peer review of the Lincolnshire Safeguarding Adults Board including any action plans arising from the inspection or peer review.
- To scrutinise the effectiveness of the Lincolnshire Safeguarding Children Board's arrangements for ensuring agencies work together:

- protect children from maltreatment and prevent impairment of children's health or development
 - to ensure that children grow up in circumstances consistent with the provision of safe effective care
 - to promote a community involvement in safeguarding children and promoting their welfare by raising awareness through publicity and training
 - to develop and review policies and procedures
 - to have the safest possible practices in relation to the recruitment and selection of all those who work with children in a statutory and voluntary capacity
 - to ensure systems are in place to monitor the implementation of the lessons learnt from serious case reviews
 - to ensure the multi-agency and independent sector workforce is trained to safeguard adults and improve safety
- To review and scrutinise the Lincolnshire Safeguarding Children Board's strategy, business plan and annual report including any updates on progress with the implementation of the priorities in the business plan.
 - To review and scrutinise the outcomes of any external inspection or peer review of the Lincolnshire Safeguarding Children Board including any action plans arising from the inspection or peer review.
 - To scrutinise and review reports on matters relating to activities of the objectives of the Lincolnshire Safeguarding Adults Board and the Lincolnshire Safeguarding Children Board.
 - To assist in the publication of materials which highlight issues relating to the wellbeing and safety of vulnerable adults and to the protection and safety of children.
 - To refer matters of concern to the Lincolnshire Safeguarding Adults Board or the Lincolnshire Safeguarding Children Board.
 - To report to the Adult Care and Public Health Scrutiny Committee and Children and Young People Scrutiny Committee after each meeting of the Scrutiny Sub-Group.
 - To nominate one member of the Sub-Group to attend as an observer at each meeting of the Lincolnshire Safeguarding Adults Board and each meeting of the Safeguarding Children Board Strategic Management Group.

ANNEX A

COMPOSITION OF COUNTY COUNCIL COMMITTEES AND SUB-COMMITTEES

Committees	Composition
Overview and Scrutiny Management Board	1145 Councillors (+ 4 added non-elected members for education matters) Politically balanced
Adult Care and Public Health Scrutiny Committee	119 Councillors – Politically balanced
Children and Young People Scrutiny Committee	1143 Councillors (+ 4 added non-elected members for education matters) Politically balanced
Communities and Public Protection Scrutiny Committee	119 Councillors – Politically balanced
Environment, Economy Waste and Transport [Environment and Waste] Scrutiny Committee	119 Councillors – Politically balanced
Flood and Water Management Scrutiny Committee	119 Councillors - Politically balanced (+7 other voting members each appointed by a District Council)
Health Scrutiny Committee for Lincolnshire	8 Councillors – Politically balanced (+ 7 other voting members each appointed by a District Council and a member of Healthwatch Lincolnshire (non-voting))
Highways [Transport] and Economy Scrutiny Committee	11 Councillors – Politically balanced
Audit Committee	7 Councillors – Politically balanced (+ 1 independent person who is not a Councillor or an officer of the Council)
Pensions Committee	8 Councillors – Politically balanced (+ 3 non-elected members)
Planning and Regulation Committee	15 Councillors – Politically balanced
Definitive Map and Statement of Public Rights of Way Sub-Committee	7 Councillors – Politically balanced
Appointments Committee	12 Councillors - Politically balanced
Pay Policy Sub-Committee	7 Councillors – Politically balanced
Health and Wellbeing Board	See Article 7.06
Bourne Town Hall Trust Management Committee	See Article 7.07
Relevant Officers Dismissals Advisory Panel	See Article 7.08

Comment [DC14]: If Transport is included with Highways and Economy

Comment [DC15]: If Transport is included with Highways and Economy

COMPOSITION OF OTHER GROUPS

Corporate Parenting Sub-Group	7 Councillors – Politically inclusive (+ 5 non-voting members as set out in Article 6.1 19)
Safeguarding Boards Scrutiny Sub-Group	7 Councillors – Politically inclusive (+ 5 non-voting members as set out in Article 6.1 24)
Scrutiny Panel A	2 Councillors as Chairman and Vice-Chairman A maximum of 6 additional members to be appointed by the Overview and Scrutiny Management Board
Scrutiny Panel B	2 Councillors as Chairman and Vice-Chairman A maximum of 6 additional members to be appointed by the Overview and Scrutiny Management Board

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