

REPORT OF THE
Chief Executive
PART I

CONSTITUTIONAL MATTERS

1. APPOINTMENT OF SCRUTINY OFFICER

1.1. The County Council is required to designate one of its officers to carry out the statutory duties of the Scrutiny Officer pursuant to Section 9FB of the Local Government Act 2000 ('the 2000 Act').

1.2. The functions of the Scrutiny Officer are:

- To promote the role of the County Council's Overview and Scrutiny Committees;
- To provide support to the County Council's Overview and Scrutiny Committees and the members of those Committees;
- To provide support and guidance to Members of the County Council, Members of the Executive of the County Council; and Officers of the County Council in relation to the functions of the County Council's Overview and Scrutiny Committees.

1.3. The County Council may not designate any of the following officers as the Scrutiny Officer:

- The Head of Paid Service;
- The Monitoring Officer;
- The Chief Financial Officer.

1.4. The designated Scrutiny Officer is currently the Deputy Head of Adults' Health and Care, previously also Director of Transformation and Governance, who has stepped down from this role in order to focus entirely on his role in Adults' Health and Care.

1.5. In consequence it is proposed that the Deputy Head of Governance and Head of Democratic and Member Services is appointed as Scrutiny Officer.

2. PENSION FUND PANEL AND BOARD TERMS OF REFERENCE

2.1. At its meeting on 26 March 2021, the Pension Fund Panel and Board resolved to recommend to the County Council some minor amendments to the Panel and Board's Terms of Reference, which appear in the Constitution at Part 1, Chapter 8.

2.2. The proposed changes are:

2.2.1. To amend the notice Substitute Members have to give when substituting for full member. Currently, 5 working days notice is required. This has proved impractical, as it does not allow for Substitute Members to attend where a Member becomes unavailable at shorter notice. It is also inconsistent with provision relating to Substitute Members under Standing Orders. The proposed amendment removes the need for Substitute Members to give 5 days notice and replaces it with a requirement that they notify "*Democratic and Member Services (on behalf of the Chief Executive) before the scheduled start of the Meeting of the Substitution*". A sentence has also been added to clarify that Substitute Members may attend to "observe" meetings when not formally substituting. This is important to ensure their knowledge and understanding of the Pension Fund and the business of the Panel and Board is maintained for when they do attend in a voting capacity as formal Substitutes.

2.2.2. The other minor change is to reduce the minimum attendance requirements from 4 meetings per year to 2 per year. This change is required because the number of meetings each year will be reduced from 7 to 4.

2.3. The Pension Fund Panel and Board's Terms of Reference incorporating the above amendments appears at Appendix 1.

RECOMMENDATIONS

- a) That the Deputy Head of Governance and Head of Democratic Services be appointed as the County Council's Scrutiny Officer.
- b) That the Monitoring Officer be authorised to make the necessary amendment to the County Council's Constitution consequential upon this appointment.
- c) That the County Council agrees the amended Terms of Reference for the Pension Fund Panel and Board at Appendix 1, for inclusion in the Constitution.