

Public Document Pack

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Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting

TO: EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

YOU ARE HEREBY SUMMONED TO ATTEND the Annual Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Desborough Suite - Town Hall** on **Tuesday, 24 May 2022 at 7.00 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Monday, 16 May 2022



Duncan Sharkey
Chief Executive

*Rev Drake will say
prayers for the meeting*

A G E N D A

PART I

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest
(Pages 5 - 6)

3. **ELECTION OF MAYOR FOR THE 2022/23 MUNICIPAL YEAR**

For details of the order of proceedings please see page 7

4. **ELECTION OF DEPUTY MAYOR FOR THE 2022/23 MUNICIPAL YEAR**

For details of the order or proceedings please see page 7

5. POLITICAL BALANCE AND APPOINTMENT OF COMMITTEE/PANEL/FORUM
MEMBERSHIP AND CHAIRMEN/VICE CHAIRMEN FOR THE 2022/23
MUNICIPAL YEAR

To consider the above report
(Pages 9 - 50)

COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Secunder has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
 - Amendment must be seconded BEFORE any debate can take place on it

(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
 - Amendment debated (if required). Members who have spoken on the original motion are able to speak again in relation to the amendment only
 - Vote taken on Amendment
 - If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
 - If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).
- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
 - At the conclusion of the debate on the Motion, the Mayor shall call for a vote. Unless a named vote is requested, the Mayor will take the vote by a show of hands or if there is no dissent, by the affirmation of the meeting.
 - If requested by any **5** Members the mode of voting shall be via a named vote. The clerk will record the names and votes of those Members present and voting or abstaining and include them in the Minutes of the meeting.
 - Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting

(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)

Closure Motions

a) A Member who has not previously spoken in the debate may move, without comment, any of the following Motions at the end of a speech of another Member:

- i) to proceed to the next business;
- ii) that the question be now put to the vote;
- iii) to adjourn a debate; or
- iv) to adjourn a meeting.

b) If a Motion to proceed to next business is seconded, the Mayor will give the mover of the original Motion a right of reply and then put the procedural Motion to the vote.

c) If a Motion that the question be now put to vote is seconded, the Mayor will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

d) If a Motion to adjourn the debate or to adjourn the meeting is seconded, the Mayor will put the procedural Motion to the vote without giving the mover of the original Motion the right of reply

Point of order

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of the Council Rules of Procedure or the law. The Member must indicate the procedure rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

Personal explanation

A Member may make a personal explanation at any time with the permission of the Mayor. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the requirement of a personal explanation will be final.

MEMBERS' GUIDE TO DECLARING INTERESTS AT MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a Disclosable Pecuniary Interest (DPI) or Other Registerable Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

DPIs (relating to the Member or their partner) include:

- *Any employment, office, trade, profession or vocation carried on for profit or gain.*
- *Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses*
- *Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.*
- *Any beneficial interest in land within the area of the council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
 - a) *that body has a place of business or land in the area of the council, and*
 - b) *either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.*

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

Other Registerable Interests (relating to the Member or their partner):

You have an interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) any body*
 - (i) exercising functions of a public nature*
 - (ii) directed to charitable purposes or*

one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Disclosure of Non- Registerable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer, you do not have to disclose the nature of the interest.

Other declarations

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

Royal Borough of Windsor and Maidenhead

Annual Council Meeting - 24 May 2022

Order of Proceedings

6.58 pm

1. Led by the Mace Bearer, the Mayor, Members and Directors will enter the Desborough Suite.
2. Prayers will be said by Reverend Jon Drake.
3. The Mayor will announce apologies for absence and invite Members to declare any interests on items to be considered at the meeting.
4. The Mayor will address the meeting.
5. The Mayor will invite nominations for the office of Mayor for the ensuing year.
6. It will be moved and seconded that Councillor Christine Bateson be elected Mayor.
7. In the absence of any other nominations, the Mayor will put the motion to the Council and Members will vote.
8. The Chief Executive will declare the successful nominee duly elected.
9. Led by the Mace Bearer, the new Mayor and Mayor's Consort, accompanied by the Immediate Past Mayor, the Immediate Past Mayoress and the Chief Executive will retire and the new Mayor will put on the apparel and Chain of Office of Mayor.
10. The party will return and the new Mayor will make the Declaration of Acceptance of Office.
11. Councillor Story will hand to the new Mayor the Mace and will pass to her the Borough Seal and keys to the Mayor's Parlour.
12. The Mayor will address the meeting, following which she will present to Councillor Story and Mrs Barbara Story their Past Mayor's and Past Mayoress' badges respectively.
13. The Mayor will then invite nominations for the office of Deputy Mayor for the ensuing year.
14. It will be moved and seconded that Councillor Gary Muir be appointed Deputy Mayor.
15. In the absence of any other nominations, the Mayor will put the motion to the Council and Members will vote.
16. The Chief Executive will declare the successful nominee duly appointed Deputy Mayor for the ensuing year.

17. The Deputy Mayor will make the Declaration of Acceptance of Office.
18. The Deputy Mayor will address the meeting.
19. The Mayor will present Councillor Muir and Caron North with their Past Deputy Mayor's and Past Deputy Mayoress's badges respectively.
20. The Mayor will then conduct the remainder of the agenda as follows.
21. The Mayor will invite Members to approve the membership and chairmanship of the various Council committees and panels.
22. The Mayor will close the meeting.

All invited guests are asked to vacate the Desborough Suite for approximately 15 minutes to allow the room to be prepared for the serving of refreshments.

Report Title:	Political Balance and Appointment of Committee/Panel/Forum Membership and Chairmen/Vice Chairmen for the 2022/23 Municipal Year
Contains Confidential or Exempt Information	No - Part I
Meeting and Date:	Annual Council – 24 May 2022
Responsible Officer(s):	Emma Duncan, Deputy Director Law and Strategy and Monitoring Officer / Karen Shepherd, Head of Governance
Wards affected:	All

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REPORT SUMMARY

At its Annual meeting, the council has a duty under the Local Government and Housing Act 1989 to review and determine the representation of the different political groups on bodies appointed by the council.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Full Council notes the report and:

- i) Notes the political balance of the council detailed in Table 1.**
- ii) Considers the recommendation of the Constitution Working Group to amend the terms of reference for Overview and Scrutiny Panels as detailed in Appendix B and delegates authority to the Monitoring Officer to update the constitution appropriately.**
- iii) Approves the membership of the committees, panels and forums for the Municipal Year as detailed in Appendix C.**
- iv) Appoints the Chairmen and Vice-Chairmen for the Municipal Year as detailed in Appendix C.**
- v) Delegates authority to the Head of Governance to amend/make further appointments on the nomination of the relevant Group Leader.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

- 2.1 The council has a duty under the Local Government and Housing Act 1989 to review and determine the representation of the different political groups on bodies appointed by the council for the 2022/23 Municipal Year.
- 2.2 Paragraphs 2.3-2.8 below set out the process for determining political balance and, at Table 1, details the current political balance. There have been no changes to political group memberships since the last time full Council considered the political balance (Annual Council May 2021).
- 2.3 In June 2021, full Council agreed to amend the Development Management Committee structure, returning to a two-committee structure that had existed

prior to the introduction of virtual meetings during the pandemic; this is reflected in Table 1.

2.4 A proposed change to the structures of Overview and Scrutiny Panels is also reflected in Table 1. The Constitution Working Group met on 3 May 2022 to consider a new Panel structure, in light of the recommendations from the Corporate Peer Challenge.

2.5 The Local Government Association (LGA) Corporate Peer Challenge (CPC) took place from 24 – 27 January 2022. The Royal Borough invited the LGA into the council to conduct the review, in order to provide an external assessment of its progress and recommendations for further improvement. In March 2021, Cabinet considered the officer recommendations as to whether to accept the CPC recommendations in whole or in part. Recommendation 5 as detailed below, was accepted:

<p>Review the current model of scrutiny committees.</p> <p>There are currently 4 scrutiny panels and one county-wide health scrutiny. It may be better for the committees to be more closely aligned to the priorities in the Corporate Plan and service delivery arrangements covering people, place and corporate functions.</p>	<p>Officer recommendation – accept, and move to three Scrutiny Panels, to align with the ‘Thriving Communities’, ‘Inspiring Places’ and ‘Council Trusted to Deliver’ objectives set out in the Corporate Plan.</p>
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2.6 The Working Group therefore agreed to recommend to full Council a move to a three-Panel structure, more closely aligned with the Directorate structure of the Council. The proposed structure will ensure that a lead Executive Director is clearly identified for each Panel, to support the Members in work programming (including development of scoping documents) and appropriate use of officer resource. It will also provide greater clarity for all parties (Members, residents, partner organisations, community groups etc) on which Panel is responsible for scrutinising which service area:

- Corporate O&S Panel – Membership of 11 – to cover services identified in the Panel terms of reference (see Appendix B) which align with the vast majority of the targets under the Corporate Plan objective ‘Council Trusted to Deliver’. The Panel would utilise the meeting dates already agreed for the Corporate O&S Panel for the 2022/23 municipal year; the Panel has the ability to call additional meetings if required.
- Place O&S Panel – Membership of 11 - to cover services identified in the Panel terms of reference (see Appendix B) which align with the vast majority of the targets under the Corporate Plan objective ‘Inspiring Places’. The Panel would utilise the meeting dates already agreed for the Infrastructure O&S Panel for the 2022/23 municipal year; the Panel has the ability to call additional meetings if required.
- People O&S Panel – Membership of 11 - to cover services identified in the Panel terms of reference (see Appendix B) which align with the vast majority of the targets under the Corporate Plan objective ‘Thriving Communities’.

The Panel would utilise the meeting dates already agreed for the Adults, Children & Health O&S Panel for the 2022/23 municipal year; the Panel has the ability to call additional meetings if required.

2.7 Appendix B sets out the recommended amendments to the constitution to reflect a three-panel structure.

2.8 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, Councillors have given notice to the Managing Director of their wish to be regarded as members of political groups. The number of seats currently held on the council is therefore as follows:

- Conservative: 22 seats
- Liberal Democrat: 10 seats
- Local Independents: 7 seats

2.9 A political group for this purpose is a group of two or more Members. Councillors Larcombe (National Flood Prevention Party) and Wisdom Da Costa (West Windsor Residents Association) are the only councillors who are not members of a political group.

2.10 The Council has a duty to review and determine the allocation of seats to political groups. This is determined by applying the political balance rules prescribed by Sections 15 and 16 of the Local Government and Housing Act 1989 and supplemented by the Local Government (Committees and Political Groups) Regulations 1990:

Seats on relevant committees must be allocated to different political groups so far as reasonably practicable in accordance with the following four principles:

(a) that not all the seats on the body are allocated to the same political group;

(b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;

(c) subject to paragraphs (a) and (b) above, that each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the Council that belong to that group; and

(d) subject to paragraphs (a) to (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the Council that belong to that group

2.11 The Council's overriding duty to comply with (a) and (b) above takes precedence over achieving a mathematically balanced distribution of seats as described in (c) and (d). Applying the rules, Table 1 sets out the overall allocation of seats on ordinary committees; Table 2 demonstrates how this applies to individual panels, committees and forums:

Table 1: Overall allocation of seats

	Political composition- percentage of members out of 39	Proposed allocation of actual seats on ordinary committees out of 70 seats	Percentage outcome of allocation of 70 seats
Conservative Group	56.41%	41	58.6%
Liberal Democrat Group	25.64%	18	25.7%
Local Independents Group	17.95%	11	15.7%
Total	100%	70	100%

Table 2: Allocation of seats on individual Panels, Committees and Forums

	Seats	Conservative	Liberal Democrat	Local Independent
Ordinary committees				
Appeals Panel	5	3	1	1
Berkshire Pension Fund Committee	5	3	1	1
Windsor and Ascot Development Management Committee	9			
Member Standards Panel	8	5	2	1
Licensing Panel	11	6	3	2
Appointment Committee	5	3	1	1
Maidenhead Development Management Committee	9	5	3	1
Audit and Governance Committee	5	3	1	1
Rights of Way & Highway Licensing Panel	8	5	2	1
Statutory Officer Panel	5	3	1	1
Other relevant bodies				
People O&S Panel	11	6	3	2
Corporate O&S Panel	11	6	3	2
Place O&S Panel	11	6	3	2
Maidenhead Town Forum	11	6	3	2
Windsor Town Forum	11	6	3	2
Aviation Forum	5	3	1	1
Corporate Parenting Forum	5	3	1	1
Grants Panel	5	3	1	1
School Improvement Forum	3	2	1	0
East Berkshire Joint Health O&S Committee	3	2	0	1
Joint East Berkshire Health O&S Committee with Buckinghamshire CC	3	2	1	0
Berkshire Fire and Rescue Authority	3	2	1	0
<i>Ad hoc bodies whose membership is drawn from the parent body, recognising political balance: Licensing and PSPO Sub Committee, Member Standards Sub Committee, Employment Appeals Sub Committee</i>				

- 2.12 The rules are designed to ensure that the political composition of the council's panels, committees and forums as far as possible replicates the political composition of groups in the Full Council.
- 2.13 Council could, if it so resolved by a resolution with no Member voting against the resolution, depart from the proportionality rules as detailed above.
- 2.14 Members are asked to approve the memberships and Chairman/Vice Chairman appointments for the 2022/2023 Municipal Year as detailed in Appendix C. Chairman and Vice Chairman of Overview and Scrutiny Panels are appointed by the respective Panel rather than full Council; these appointments will take place at the first meeting of the Municipal Year for each respective panel, scheduled for June 2022.
- 2.15

Table 3: Options arising from this report

Option	Comments
To approve the changes to the constitution to reflect the proposed structure for O&S Panels and, based on the current political balance, approve the membership and relevant chairmanships of the committees, panels and forums for the 2022/23 Municipal Year, as detailed in Appendix C This is the recommended option	This would comply with the rules of political balance
To not approve the changes to the constitution to reflect the proposed structure for O&S Panels	This would not align with the recommendation of the LGA Corporate Peer Challenge
To not approve the membership and relevant chairmanships of the committees, panels and forums for the 2022/23 Municipal Year, as detailed in Appendix C	This would not comply with the rules of political balance, unless Council resolved to depart from the proportionality rules by a unanimous vote

3. KEY IMPLICATIONS

3.1

Table 4: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Panel, committee and forum memberships in place	Appointments not made to all panels, committees and forums	Appointments made to all panels, committees and forums	n/a	n/a	24 May 2022 onwards

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no direct financial implications arising from this report.

5. LEGAL IMPLICATIONS

- 5.1 The recommendations within this report comply with the requirements of the Local Government and Housing Act 1989 supplemented by the Local Government (Committees and Political Groups) Regulations 1990.

6. RISK MANAGEMENT

6.1

Table 5: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Council fails to comply with political balance rules, undermining governance and transparency	Medium	Political balance in place for all appropriate bodies	Low

7. POTENTIAL IMPACTS

- 7.1 Equalities. No impacts have been identified; a screening form is available as Appendix A.
- 7.2 Climate change/sustainability. No impacts have been identified.
- 7.3 Data Protection/GDPR. No impacts have been identified.

8. CONSULTATION

- 8.1 The cross-party Constitution Working Group considered amendments to the Overview and Scrutiny Panel structure at its meeting on 3 May 2022. The Group's recommendations have been incorporated into the proposals in this report. Group Leaders have been given the opportunity to nominate the panel, committee and forum memberships for their respective Groups.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The full implementation stages are set out in Table 6.

Table 6: Implementation timetable

Date	Details
24/5/22	Council considers recommendations
25/5/22	Panel structure and memberships in place; council website and constitution updated as required

10. APPENDICES

- 10.1 This report is supported by three appendices:

- Appendix A – EQIA
- Appendix B – Proposed amendments to Overview and Scrutiny Panel Terms of Reference
- Appendix C - RBWM Committee/Panel/Forum Membership 2022/23

11. BACKGROUND DOCUMENTS

11.1 This report is supported by one background document:

- [Council constitution](#)

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory: Statutory Officers (or deputies)</i>			
Adele Taylor	Executive Director of Resources/S151 Officer	5/5/22	9/5/22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	29/5/22	5/5/22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	5/5/22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	5/5/22	
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	29/5/22	3/5/22
Andrew Durrant	Executive Director of Place	5/5/22	
Kevin McDaniel	Executive Director of Children's Services	5/5/22	
Hilary Hall	Executive Director of Adults, Health and Housing	5/5/22	9/5/22
<i>Heads of Service (where relevant)</i>			
Lynne Lidster	Head of Commissioning – People	5/5/22	5/5/22
Nikki Craig	Head of HR, Corporate Projects and IT	5/5/22	5/5/22
<i>External (where relevant)</i>			
	N/A		

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

Report Author: Karen Shepherd, Head of Governance, 01628 796529

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA: Panel Memberships

Essential information

Items to be assessed: (please mark 'x')

Strategy		Policy		Plan		Project		Service/Procedure	X
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Responsible officer	Karen Shepherd	Service area	Governance	Directorate	Law and Strategy
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Stage 1: EqIA Screening (mandatory)	Date created: 29/4/22	Stage 2 : Full assessment (if applicable)	Date created : N/A
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Approved by Head of Service / Overseeing group/body / Project Sponsor:

"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): K. Shepherd

Dated: 29/4/22

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqlA: Panel Memberships

Guidance notes

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqlA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

What are the "protected characteristics" under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
EQUALITY IMPACT ASSESSMENT

EqlA: Panel Memberships

Stage 1 : Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?

The overall aim of the proposal is to confirm the Panel Memberships for the 2022/23 municipal year in line with the political balance

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as “Not Relevant”.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA: Panel Memberships

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age				All councillors (subject to political balance and within their respective groups) can be nominated to sit on the various panels, committees and forums
Disability				
Gender re-assignment				
Marriage/civil partnership				
Pregnancy and maternity				
Race				
Religion and belief				
Sex				
Sexual orientation				

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT

EqIA: Panel Memberships

Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No			
Does the strategy, policy, plan etc require amendment to have a positive impact?	No			

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered "No" or "Not at this Stage" to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

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PART 1 – THE CONSTITUTION

A - SUMMARY AND EXPLANATION

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4. OVERVIEW AND SCRUTINY

- |
- 4.1 The ~~four~~three Overview and Scrutiny Panels support the work of the Cabinet and the Council as a whole. They allow residents to have a greater say in Council matters by holding public inquiries into matters of local concern. They may make reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery.
 - 4.2 The Overview and Scrutiny Panels also monitor the decisions of the Cabinet. They can 'call-in' a decision which has been made by the Cabinet but not yet implemented. This enables the Panel to consider whether the decision is appropriate. It may recommend that the Cabinet reconsider the decision. They may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.
 - 4.3 Overview and Scrutiny Panels can receive requests to consider issues through local Councillors (Councillor Calls for Action). The Overview and Scrutiny Panels have the power to set up sub-panels to look into specific issues if required.

PART 1 – THE CONSTITUTION

B - ARTICLES OF THE CONSTITUTION

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Article 10 – Overview and Scrutiny Panels

10.1 Introduction

The Council has established three⁴ Overview and Scrutiny Panels which meet in public, subject to the Access to Information rules, to discuss and make recommendations on the development of the plans and strategies set out in Article 4 and on reports going to Cabinet and hold the Cabinet to account for its actions. The Overview and Scrutiny Panels also have a key role in considering other matters of local concern not necessarily just within the Council's areas of responsibility but affecting the Royal Borough and its communities.

10.2 Terms of reference

The Overview and Scrutiny Panels will together and singly discharge the functions conferred by Section 21 of the Local Government Act 2000 or regulations under Section 32 of the Local Government Act 2000. The Overview and Scrutiny Panels may appoint such sub-panels as they consider necessary or appropriate to carry out, effectively, its functions. Each sub-panel will be politically balanced, will produce Terms of Reference for agreement by the relevant Overview and Scrutiny Panel, including the period during which the sub-Panel shall meet, its membership and its proposals for investigation and reporting.

10.3 Role, Scope and Membership

10.3.1 Within its terms of reference, the Overview and Scrutiny Panels may:

- i) Review and/or scrutinise decisions to be made by Cabinet and made by it or actions taken in connection with the discharge of any of the Council's functions.
- ii) Make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions.
- iii) Consider any matter affecting the area or its inhabitants.
- iv) Exercise the right to call-in, for reconsideration, decisions made in respect of which no steps have been taken to implement the decision.

10.3.2 The role, scope and membership of the individual Overview and Scrutiny Panels are described in Part 4B – Terms of Reference for Overview and Scrutiny:

10.3.3 The members of any Overview and Scrutiny Panel or any sub-panels shall not include the Mayor or any members of Cabinet.

10.4 Specific functions

a) **Policy development and review.**

The Overview and Scrutiny Panel may:

- i) Assist the Council and the Cabinet in the development of its budget and analysis of the draft plans to be submitted to Council under Article 4.
- ii) Conduct such necessary research and investigation in the analysis of the policy issues and the possible options for the plans to be submitted to Council as above.
- iii) Question relevant members of Cabinet and the relevant Director(s) about issues and proposals affecting the area.
- iv) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by collaborative working.

b) **Scrutiny.**

The Overview and Scrutiny Panels may:

- i) Review and scrutinise the decisions to be made by Cabinet and which have been made by the Cabinet and Council officers both in relation to individual decisions and over time.
- ii) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas.
- iii) Question members of the Cabinet and Directors about their decisions, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.
- iv) Make recommendations to the Cabinet and/or Council arising from the outcome of the Scrutiny process.
- v) Review and scrutinise the performance of the relevant bodies in the area and invite reports from them to address an Overview and Scrutiny Panel and local people about their activities and performance.
- vi) Question and gather evidence from any person or organisation (with that person/organisation's consent).
- vii) Consider any petitions to hold an Officer to account and to hear an appeal in relation to a petition.

c) **Finance.**

In carrying out its activities, the Overview and Scrutiny Panels will operate within such budget and allocation of officer time as the Council shall provide.

(d) Annual report.

The Overview and Scrutiny Panels will report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

10.5 Proceedings of the Panels

The Overview and Scrutiny Panels will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

10.6 Scrutiny Officer

As required by Law, the Council has designated a statutory "Scrutiny Officer" whose functions are to promote the role of the Council's Overview and Scrutiny Panels, to provide support to them and their members and provide support and guidance to Council Members and Officers generally about the functions of the Overview and Scrutiny Panels.

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PART 4 - OVERVIEW AND SCRUTINY

A - Purpose and Procedure Rules for Overview and Scrutiny

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A1 ARRANGEMENTS FOR OVERVIEW AND SCRUTINY

In accordance with the Local Government Act 2000 the Council must have at least one Overview and Scrutiny Committee.

The Council has established ~~four~~three Overview and Scrutiny Panels. The Terms of Reference for all Panels are specified in Part 4B.

Any Overview and Scrutiny Panel may appoint such sub-Panels as it considers necessary or appropriate to carry out, effectively, its functions. Each sub-Panel will be politically balanced, will produce Terms of Reference for agreement by the relevant Overview and Scrutiny Panel, including the period during which the sub-Panel shall meet, its membership and its proposals for investigation and reporting.

Any reference to an Overview and Scrutiny Panel in this Part shall mean any single Panel or a sub-Panel as appropriate. A reference to a Chairman shall mean any Vice Chairman when the Chairman is unavailable.

The three Overview and Scrutiny Panels meet in public, subject to the Access to Information rules, to discuss and make recommendations on the development of the Council's various plans and strategies, and on reports going to Cabinet and holds the Cabinet to account for its actions.

The Overview and Scrutiny Panels also have a key role in considering other matters of local concern not necessarily just within the Council's areas of responsibility but affecting the Royal Borough and its communities. Where included in the terms of reference the Overview and Scrutiny Panels also hold partner organisations to account.

In undertaking their role, the Overview and Scrutiny Panels will have the power to 'call-in' decisions of the Cabinet or any body or individual exercising executive powers.

The Corporate Overview and Scrutiny Panel will have responsibility for monitoring the budget allocated to Overview and Scrutiny each year.

Any Member of the Council may attend meetings of the Overview and Scrutiny Panels. Cabinet Members and Directors will be expected to attend when their Cabinet reports/proposals are being considered and will be entitled to participate (in a non-voting capacity) at the invitation of the Chairman.

At other times Cabinet Members will only be required to answer questions put by the Panel or to respond to call-in of a decision within their area of responsibility.

A2 WHO MAY SIT ON THE OVERVIEW AND SCRUTINY PANELS?

Any Member, except Members of the Cabinet and the Mayor, may be a member of the Overview and Scrutiny Panels. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

A Member:

~~a) Cannot sit on more than 2 Overview & Scrutiny Panels (as a full Panel Member or substitute).~~

b) a) Can only hold the position of Chairman or Vice-Chairman of one Panel.

A3 CO-OPTEEES

a) General

The Overview and Scrutiny Panels shall be entitled to appoint a number of people as non-voting co-optees.

b) Education Representatives

The ~~Adults, Children and Health~~ People Overview and Scrutiny Panel, when dealing with education matters, shall include in its membership the following voting representatives:

a) one Church of England diocese representative;

b) one Roman Catholic diocese representative;

c) two parent governor representatives (One to represent the primary phase and one to represent the secondary phase).

d) one representative from the Regional Schools Commissioner

This will apply when the ~~Adults, Children and Health~~ People Overview and Scrutiny Panel or a sub-Panel of it, being part of the local education authority, and where the Panel's functions relate wholly or in part to any education functions which are the responsibility of the Cabinet. If the Panel deals with other matters, these representatives shall not speak or vote on those other matters, except so far as the Protocol on public speaking may apply to them.

Each education representative may appoint a substitute equivalent to their qualification criteria, who may attend meetings in that capacity only:

- i) To take the place of the ordinary co-opted representative;
- ii) Where the ordinary education representative will be absent for the whole of the meeting; if the ordinary education representative arrives after the meeting has started, the appointed substitute representative shall continue and the ordinary education representative shall be present as a non-member of that body.
- iii) After notifying the Head of Governance by 12.00 noon on the day of the meeting of the intended substitution.

c) Crime and Disorder

The ~~Communities-Place~~ Overview and Scrutiny Panel may, in accordance with The Crime and Disorder (Overview and Scrutiny) regulations 2009 co-opt additional members to serve on the Panel subject to:-

- i) the person co-opted to serve shall not be entitled to vote on any particular matter, unless the Panel so determines.
- ii) the co-opted person's membership may be limited to the exercise of the Panel's powers in relation to Crime & Disorder.

The co-opted person shall not be a member of the Cabinet of the Council.

d) Parish Council representation on ~~Communities-Place~~ Overview & Scrutiny

The ~~Communities-Place~~ Overview and Scrutiny Panel shall include two further co-opted members when considering a matters of Crime and Disorder. These shall be one parish councillor representing each of the northern and southern parishes.

Co-optees and substitutes for either the northern or southern Parish Councils shall be appointed as follows:

- i. Vacancies are notified to each Parish Council by the Council
- ii. Parish Councils must submit in writing their nominations within 28 days of notification. Each Parish Council can only nominate one co-optee.
- iii. Each nomination shall include details of the proposed co-optee with a maximum 100 word supporting statement
- iv. Where more than one nomination is received then each Parish Council (in either the northern or southern Parishes) is then entitled to vote on the nominated candidates. The votes must be received within 28 days of notification.
- v. The nominee with the greatest number of votes shall be elected to the Panel as the co-optee. The nominee with the next highest number of votes shall be the substitute. In the event of a tie for either position the Chairman of the Panel shall select the nominee to be appointed as co-optee to the Panel.

- vi. If only one nomination is received for either the northern or the southern parishes, the nominee will automatically be appointed as co-optee

The Panel shall be permitted to change the process of appointment as it sees fits and decide the exact methodology.

Each co-optee and substitute shall remain on the Panel for a maximum period of 4 years (providing Council re-appoints at each Annual Council meeting). In the event the co-optee is absent from 2 or more meetings in any one year then the Panel may pass a resolution to remove the co-optee from the Panel.

Where a co-optee resigns then the substitute shall take the place as the co-optee on the Panel for the remainder of the term if the Panel resolves to accept the substitute. Where the substitute elects not to take up the position on the Panel, then the Panel shall seek further nominations from the Parish Councils and steps a. to f. above shall be followed. Where a substitute position is vacant then the Parish Councils shall be requested to nominate further substitutes and the process in points i to vi shall be followed.

The parish council representatives to be required to liaise with relevant parishes on a regular basis.

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PART 4 - OVERVIEW AND SCRUTINY

B - Terms of Reference for Overview and Scrutiny

B. Terms of Reference for Overview and Scrutiny Panels

B1 Terms of Reference

The Council will appoint ~~four~~ three Overview and Scrutiny Panels which will together and singly discharge the functions conferred by Section 21 of the Local Government Act 2000, regulations under Section 32 of the Local Government Act 2000 and subsequent amendments, Section 244 of the NHS Act 2006 the Police and Justices Act 2006, Local Government and Public Involvement in Health Act 2007 and the Local Democracy, Economic Development and Construction Act 2009.

Each Panel and any sub-panels shall be politically balanced in accordance with section 15 of the Local Government Act 2000.

B2 General role

The Overview and Scrutiny Panels may:

- i) Review and/or scrutinise decisions to be made by Cabinet and made by it or actions taken in connection with the discharge of any of the Council's functions.
- ii) Make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions.
- iii) Consider any matter affecting the area or its inhabitants that falls within the remit of the council.
- iv) Exercise the right to call-in, for reconsideration, executive decisions made in respect of which no steps have been taken to implement the decision.
- v) Assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of the draft plans and policy issues to be submitted to Council.
- vi) Conduct such necessary research and investigation in the analysis of the policy issues and the possible options for the plans to be submitted to Council as above.
- vii) Question relevant Members of Cabinet and the relevant Chief Officers about issues and proposals affecting the area.
- viii) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by collaborative working.
- ix) Review and scrutinise the decisions to be made by Cabinet and which have been made by the Cabinet and Council officers both in relation to individual decisions and over time.
- x) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas.
- xi) Question Members of the Cabinet and Directors about their decisions, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.
- xii) Make recommendations to the Cabinet and/or Council arising from the outcome of the Scrutiny process.

- xiii) Review and scrutinise the performance of the relevant bodies in the area and invite reports from them to address an Overview and Scrutiny Panel and local people about their activities and performance.
- xiv) Question and gather evidence from any person or organisation (with that person/organisation's consent).
- xv) Consider any petitions referred to the Panel in accordance with the Council Petitions Protocol.
- xvi) Work to ensure that communities are engaged in the scrutiny process; and consider and implement mechanisms to encourage and enhance community participation in the development of policy options.

B3. Finance.

In carrying out its activities, the Overview and Scrutiny Panels will operate within such budget and allocation of officer time as the Council shall provide.

B4. Annual report.

The Overview and Scrutiny Panels will report annually to full Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.

B5 Proceedings of the Panels

The Overview and Scrutiny Panels will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4A of this Constitution.

B6. Membership & Roles of Responsibility

The membership of the Panels is as set out in the following table. The Role and Scope of each Overview and Scrutiny Panel is set out in general terms within Article 10 of this Constitution. The specific role of scope for each relevant panel is as follows:

Committee and Membership	Role and Scope
<p>Adults, Children & Health People O&S Panel (511 members) Co-Optees - 2 voting church and parent governor representatives</p>	<p><u>The Panel will consider the following service areas:</u></p> <ul style="list-style-type: none"> • <u>Adult Services</u> • <u>Children's Services</u> • <u>Environmental Health</u> • <u>Housing</u> • <u>Public Health</u> <p>The Adults, Children and Health Overview & Scrutiny Panel shall have powers to deal with routine matters within the functions relating to Adult Social Care, Adult Services general and Public Health Services. The Panel</p>

Committee and Membership	Role and Scope
for education matters only	<p>shall have the enhanced review and scrutiny powers in line with provisions in Health and Social Care Act 2012, including power of referral to the Secretary of State for Health. In the event of a proposed referral to the Secretary of State for Health, a report shall be submitted to Council for information, prior to submission.</p> <p>All matters relating to Children’s Services, Schools and Education generally.</p> <p>In addition to the Panel’s broad terms of reference, the Panel will be responsible for ensuring the local authority fulfils its safeguarding responsibilities, including child sexual exploitation. This needs to include children’s social care and education provision.</p> <p>The Panel will be responsible for the overview and scrutiny of the following within the remit of the Panel:</p> <ol style="list-style-type: none"> 1 To consider the Council <u>Corporate</u> Plan and Key Decisions and to monitor performance against these plans 2 To deal with petitions when referred to Overview & Scrutiny in accordance with the Council’s Petition Protocol 3 To consider the Council’s annual budget 4 To assist the Cabinet in the development of the Council’s annual budget and to review and scrutinise budgetary management 5 To prepare the annual report to Council. 6 To issue the invite for scrutiny suggestions to the residents, members and the Cabinet. 7 To determine the Overview and Scrutiny Work Programme 8 The effective reporting and control of Council activities

Committee and Membership	Role and Scope
<p><u>Communities Place O&S Panel</u> (115 members)</p> <p>Co-Optees – 2 non voting representatives from the north and south parishes for Crime and Disorder matters only</p>	<p><u>The Panel will consider the following service areas:</u></p> <ul style="list-style-type: none"> • <u>Planning</u> • <u>Neighbourhoods</u> • <u>Infrastructure, Sustainability and Economic Growth</u> • <u>Health Partnerships and Community Development</u> <p>All matters relating to the culture, environment, communities and crime & disorder within the Borough.</p> <p>In addition, when considering matters of crime and disorder the Panel's main objective is to ensure that the Community Safety Partnership is held accountable for the discharge of its executive functions, to enable the voice and concerns of the public and its communities to be heard and drive improvement in public services. In addition to the Panel's broad terms of reference as detailed above, the Panel will be responsible for the overview and scrutiny of the following:</p> <ul style="list-style-type: none"> • to consider the effectiveness of actions undertaken by the responsible authorities on the Community Safety Partnership ('CSP'); • make reports or recommendations to Cabinet/Council with regard to those policies developed by the CSP and the effectiveness of the functions managed through the CSP. • to consider a number of issues in consultation with the relevant partners on the CSP which reflect local community need and make recommendations to Cabinet <p>The Panel will be responsible for the overview and scrutiny of the following within the remit of the Panel:</p> <ol style="list-style-type: none"> 1 To consider the <u>Council-Corporate</u> Plan and Key Decisions and to monitor performance against these plans 2 To deal with petitions when referred to Overview & Scrutiny in accordance with the Council's Petition Protocol

Committee and Membership	Role and Scope
	<ol style="list-style-type: none"> 3 To consider the Council's annual budget 4 To assist the Cabinet in the development of the Council's annual budget and to review and scrutinise budgetary management 5 To prepare the annual report to Council. 6 To issue the invite for scrutiny suggestions to the residents, members and the Cabinet. 7 To determine the Overview and Scrutiny Work Programme 8 The effective reporting and control of Council activities
<p>Infrastructure O&S Panel (5 members)</p>	<p>All matters relating to the provision of infrastructure, planning, housing, highways and transportation within the Borough.</p> <p>The Panel will be responsible for the overview and scrutiny of the following within the remit of the Panel:</p> <ol style="list-style-type: none"> 1 To consider the Council Plan and Key Decisions and to monitor performance against these plans 2 To deal with petitions when referred to Overview & Scrutiny in accordance with the Council's Petition Protocol 3 To consider the Council's annual budget 4 To assist the Cabinet in the development of the Council's annual budget and to review and scrutinise budgetary management 5 To prepare the annual report to Council. 6 To issue the invite for scrutiny suggestions to the residents, members and the Cabinet. 7 To determine the Overview and Scrutiny Work Programme

Committee and Membership	Role and Scope
	8 The effective reporting and control of Council activities
Corporate O&S Panel (5 <u>11</u> members)	<p><u>The Panel will consider the following service areas:</u></p> <ul style="list-style-type: none"> • <u>Finance</u> • <u>Revenues and Benefits</u> • <u>Library and Resident Services</u> • <u>Human Resources</u> • <u>Information Technology</u> • <u>Legal Services</u> • <u>Governance</u> • <u>Strategy</u> • <u>Communications</u> • <u>Transformation</u> • <u>Commissioning and Procurement</u> <p><u>Corporate Overview</u></p> <p>The Panel will be responsible for the overall corporate overview and scrutiny of the following:</p> <ul style="list-style-type: none"> • To consider the Council<u>Corporate</u> Plan and Key Decisions and to monitor performance against these plans • To deal with petitions when referred to Overview & Scrutiny in accordance with the Council's Petition Protocol • To consider the Council's annual budget • To assist the Cabinet in the development of the Council's annual budget and to review and scrutinise budgetary management • To prepare the Panel's annual report to Council. • To issue the Panel's invite for scrutiny suggestions to the residents, members and the Cabinet.

Committee and Membership	Role and Scope
	<ul style="list-style-type: none"> • To determine the Panel's Overview and Scrutiny Work Programme • The effective reporting and control of Council activities • Key projects and their planning, implementation and delivery (where such projects do not relate to the remit of another Overview and Scrutiny Panel) <p><u>Performance Overview</u></p> <p>(a) To monitor the performance of the Council as a whole and in respect of particular services as the Panel or Cabinet may from time to time identify for service improvement.</p> <p>(b) To monitor the Council's performance in respect of</p> <ul style="list-style-type: none"> (i) such national and local performance indicators as the Panel considers appropriate (ii) delivery of outcome improvement plans in respect of reviews undertaken and make recommendations on areas requiring service improvement and on setting targets to deliver such improvements (iii) the effectiveness of performance reporting to enable the Directors and Heads of Service, the Cabinet and the Overview and Scrutiny Panels to perform their management, governance and overview and scrutiny roles respectively <p>and make recommendations on areas requiring service improvement and on setting targets to deliver such improvements.</p> <p>(c) To consider and make recommendations in respect of external reviews and inspections of Council Services.</p> <p>(d) To monitor the partnership arrangements in which the Council is involved including but not restricted to:</p> <ul style="list-style-type: none"> - Governance arrangements - any inspections or reviews undertaken in respect of partnership arrangements

Committee and Membership	Role and Scope
	<ul style="list-style-type: none"> • To receive and consider reports on the Council's negotiations to agree Local Area Agreements (LAA) and to monitor performance towards achieving the agreed targets.

B7 Responsibilities of Members in Overview and Scrutiny

B7.1 Chairmen of Relevant Scrutiny Panels

Chairmen of Overview and Scrutiny Panels will:

1. Chair meetings of the relevant Overview and Scrutiny Panel;
2. provide strong, fair leadership and clear guidance to Members and officers in relation to Scrutiny functions;
3. have overall responsibility for the direction of scrutiny in the Council in their area of responsibility, and for ensuring that an appropriate annual scrutiny Work Programme is set;
4. continuously monitor and evaluate the relevance of the annual Scrutiny Work Programme;
5. review, challenge and question the implementation of agreed policy and service delivery, and make recommendations to the Cabinet and Council to improve policy, performance and service delivery;
6. develop a clear understanding of the terms of reference of their Panel, the scope and range of the areas for which it is responsible, and the Council policies in respect of those areas;
7. ensure the work of their panel contributes to the delivery of continuous improvement in services and implementation of best practice;
8. review all agendas for scrutiny panel meetings, to take a lead in developing a forward agenda, and to ensuring it is adhered to;
9. meet on a regular basis and consult with relevant Members to advise them of progress in the work of their Overview and Scrutiny Panel, discuss issues arising from the scrutiny process, and note action being taken by the relevant Cabinet Members to address the concerns of their Overview and Scrutiny Panel;
10. seek to involve all Overview and Scrutiny Panel Members in the work of their Panel;
11. lead on the preparation of the Panel's annual report and present the Panel's final report to full Council, and if required the Cabinet.

12. ensure that Scrutiny fulfils its review function;
13. ensure that Cabinet Members are briefed at the appropriate time on significant issues, that is those that may
 - (a) impact on established policy.
 - (b) have major resource implications
 - (c) be contentious

B7.3 Overview and Scrutiny Panel Members

All Members of the Overview and Scrutiny Panels will:

14. regularly attend meetings of the Overview and Scrutiny Panel or its Sub-Panels as appropriate;
15. play a major role in policy development and review;
16. hold the Cabinet to account as appropriate, to ensure continuous improvement in services by:
 - (i) reviewing and scrutinising the decisions made by and performance of the Cabinet and/or committees and Council Officers;
 - (ii) reviewing and scrutinising the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas; monitoring performance against strategy;
17. scrutinise the effectiveness and performance of partnerships;
18. scrutinise the performance as appropriate of the third sector (voluntary and community) as a service provider;
19. respond to community calls for action where required;
20. contribute to regional scrutiny arrangements as appropriate, such as NHS, regional agencies;
21. to evaluate whether the policies, strategies and plans the Council has adopted are, over time, actually delivering the outcomes intended for local people;
22. to actively engage with the community and local organisations to obtain their views on issues or proposals affecting the area, and if appropriate encourage their attendance at Overview and Scrutiny meetings;
23. to ensure that the Scrutiny process contributes to the promotion of community well-being and that public services are responsive to the needs of the people;

24. to review and scrutinise the performance of external agencies, by developing a partnership approach through collaborative scrutiny methods;
25. to identify areas of policy or under-performance in need of improvement, seek expert support, and provide evidence, advice, recommendations and proposals for consideration by the Council or Cabinet;
26. any other related duties, as assigned by the Chairman of the Overview and Scrutiny Panel.

APPENDIX C

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
COMMITTEE/PANEL/FORUM MEMBERSHIP 2022/23

COMMITTEE/PANEL/FORUM	Membership
<p>Appeals Panel (3 or 5 Members)</p> <p><i>Called on an 'as required' basis, maintaining political balance where possible.</i></p>	
<p>Audit and Governance Committee (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p>Chairman: Cllr L. Jones (LI) Vice Chairman: Cllr Sharpe Cllrs Bhangra, Bowden (C), Bond (LD),</p> <p>Subs: Cllrs G. Jones, Shelim, Story (C), Werner (LD), Knowles (LI)</p>
<p>Berkshire Pension Fund Committee (5 Members)</p> <p>(3C, 1LD, 1LI)</p>	<p>Chairman: Cllr Sharpe Vice Chairman: Cllr Hilton Cllrs Shelim (C), Bond (LD), W. Da Costa (Ind. in a LI seat)</p> <p>Subs: Cllrs Clark, Coppinger, Johnson (C), Werner (LD), Hill (LI)</p>
<p>Member Standards Panel (8 Members)</p> <p>(5C, 2LD, 1 LI)</p>	<p>Chairman: Cllr Rayner Vice Chairman: Cllr Shelim Cllrs Coppinger, Johnson, Story (C), Reynolds, Werner (LD), L. Jones (LI)</p> <p>Subs: Cllrs Cannon, Carroll, Haseler, Hilton, Sharpe (C), Baldwin, Del Campo (LD), Hill (LI)</p>
<p>Member Standards Sub Committee (3 Members)</p> <p><i>2 selected from the existing Members (including substitutes) of the Member Standards Panel (politically balanced wherever possible) and one of the Council's Independent Persons acting as Chairman, established on an 'as required' basis.</i></p> <p><i>If the complaint relates to a Town or Parish Councillor then a co-opted Town or Parish Councillor may also be an additional member, but will have no voting rights.</i></p>	
<p>Appointment Committee (5 Members)</p> <p><i>5 Members (politically balanced) to include Leader of the Council (Chairman), Deputy Leader of the Council (Vice Chairman) and relevant Cabinet Member if appropriate, established on an 'as required' basis.</i></p>	

APPENDIX C

COMMITTEE/PANEL/FORUM	Membership
<p>Employment Appeals Sub Committee (3 Members)</p> <p><i>3 Members (including substitutes) of the Appointment Committee called on an 'as required' basis, maintaining political balance where possible.</i></p>	
<p>Licensing Panel (11 Members)</p> <p>(6C, 3LD, 2LI)</p>	<p>Chairman: Cllr Bhangra Vice Chairman: Cllr Hilton Cllrs Bowden, Cannon, Haseler, Luxton (C), Baldwin, Brar, Davies (LD), Davey, Hill (LI)</p> <p>Sub: Cllrs Hunt, McWilliams, Sharpe, Shelim, Muir, Stimson (C), Baskerville, Bond, Del Campo (LD), Knowles, Taylor (LI)</p>
<p>Licensing and Public Space Protection Order (PSPO) Sub Committee (3 Members)</p> <p><i>3 Members of the Licensing Panel (not substitutes) called on an 'as required' basis, maintaining political balance where possible</i></p>	
<p>Maidenhead Development Management Committee (9 Members)</p> <p>(5C, 3LD, 1LI)</p> <p><i>Members will be drawn from Members representing the following wards:</i></p> <p><i>Hurley & Walthams; Cox Green; Oldfield; Boyn Hill; St Mary's; Belmont; Riverside; Furze Platt; Pinkneys Green; Bisham & Cookham; Bray</i></p> <p><i>Substitutes can be drawn from any ward</i></p>	<p>Chairman: Hunt Vice Chairman: Walters Bhangra, Clark, Coppinger (C), Baldwin, Brar, Reynolds (LD) Hill (LI)</p> <p>Subs: Carroll, Johnson, G. Jones, Stimson, Targowski (C), Baskerville, Del Campo, Singh (LD) Taylor (LI)</p>
<p>Windsor and Ascot Development Management Committee (9 Members)</p> <p>(5C, 3LD, 1LI)</p> <p><i>Members will be drawn from Members representing the following wards:</i></p> <p><i>Sunningdale & Cheapside; Ascot & Sunninghill; Old Windsor; Datchet, Horton & Wraysbury; Eton & Castle; Clewer East; Clewer & Dedworth West; Clewer & Dedworth East</i></p> <p><i>Substitutes can be drawn from any ward</i></p>	<p>Chairman: Cannon Vice Chairman: Bowden Hilton, Luxton, Sharpe (C), Tisi (LD) W. Da Costa (Ind. in a LD seat) Knowles (LI in a LD seat) Davey (LI)</p> <p>Subs: Bateson, Muir, Rayner, Shelim, Story (C), Davies (LD) C. Da Costa, L Jones (LI in a LD seat) Price (LI)</p>

APPENDIX C

COMMITTEE/PANEL/FORUM	Membership
<p>Rights of Way and Highway Licensing Panel (8 Members)</p> <p>(5C, 2LD, 1LI)</p>	<p>Chairman: Cllr Hunt Vice Chairman: Cllr Muir Cllrs Cannon, Haseler, Rayner (C), Baldwin, Brar (LD), Baskerville (LD in a LI seat)</p> <p>Subs: Cllrs Bateson, Bhangra, Clark, Luxton, Shelim (C), Davies, Werner (LD) Knowles (LI)</p>
<p>People Overview & Scrutiny Panel (11 Members)</p> <p><i>A Member can only hold the position of Chairman or Vice-Chairman of 1 O&S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&S Panel.</i></p> <p>(6C, 3LD, 2LI)</p> <p>Co-optees: Mark Jervis (Academy Governor), Derek Moss (Primary Governor), Catherine Hobbs (Portsmouth Diocese), Tony Wilson (Oxford Diocese)</p>	<p>Cllrs: Clark, Hunt, Muir, Luxton, Sharpe, Story, (C), Baskerville, Del Campo, Tisi (LD), C. Da Costa, Knowles (LI)</p> <p>Subs: Bhangra, Bowden, G. Jones, Shelim, Targowski, Walters (C), Bond, Reynolds, Werner (LD), L. Jones, Taylor (LI)</p>
<p>Corporate Overview & Scrutiny Panel (11 Members)</p> <p><i>A Member can only hold the position of Chairman or Vice-Chairman of 1 O&S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&S Panel.</i></p> <p>(6C, 3LD, 2LI)</p>	<p>Cllrs: Clark, G. Jones, Sharpe, Shelim, Story, Walters (C), Bond, Davies, Werner (LD), L. Jones, Price (LI)</p> <p>Subs: Bhangra, Bowden, Hunt, Luxton, Muir, Targowski (C), Del Campo, Reynolds, Tisi (LD), Hill, Knowles (LI)</p>
<p>Place Overview & Scrutiny Panel (11 Members)</p> <p><i>A Member can only hold the position of Chairman or Vice-Chairman of 1 O&S Panel.</i></p> <p><i>The Mayor and Members of the Cabinet cannot be Members of an O&S Panel.</i></p> <p>(6C, 3LD, 2LI)</p>	<p>Cllrs: Bhangra, Bowden, G. Jones, Luxton, Shelim, Walters (C), Baldwin, Brar, Singh (LD), Davey, Taylor (LI)</p> <p>Subs: Clark, Hunt, Muir, Sharpe, Story, Targowski (C), Reynolds, Tisi, Werner (LD), Hill, Price (LI)</p>
<p>Maidenhead Town Forum (11 Members)</p> <p>(6C, 3LD, 2LI)</p> <p><i>The Area Forums will be politically balanced wherever possible and the Members should represent a Ward within the areas of responsibility:</i></p> <ul style="list-style-type: none"> ➤ Belmont ➤ Boyn Hill ➤ Furze Platt 	<p>Chairman: Cllr Coppinger Vice Chairman: Cllr Taylor (LI) Cllrs Bhangra, Clark, G. Jones, McWilliams, Targowski (C), Baldwin, Baskerville, Singh (LD), Hill (LI)</p> <p>Subs: Cllrs Cannon, Carroll, Haseler, Hunt, Johnson, Stimson (C), Bond, Del Campo, Reynolds (LD), Knowles, Davey (LI)</p>

APPENDIX C

COMMITTEE/PANEL/FORUM	Membership
<ul style="list-style-type: none"> ➤ Riverside ➤ Oldfield ➤ Pinkneys Green ➤ St Mary's 	
<p>Windsor Town Forum (11 Members) (6C, 3LD, 2LI)</p> <p><i>The Area Forums will be politically balanced wherever possible and the Members should represent a Ward within the areas of responsibility:</i></p> <ul style="list-style-type: none"> ➤ Clewer & Dedworth East ➤ Clewer & Dedworth West ➤ Clewer East ➤ Eton & Castle ➤ Old Windsor 	<p>Chairman: Cllr Bowden Vice Chairman: Cllr Rayner Cllrs Cannon, Hilton, Muir, Shelim, (C), Davies, Tisi (LD) and Knowles (LI in a LD seat), Davey, Price (LI)</p> <p>Subs: Cllrs Bateson, Coppinger, Hunt, Luxton, Sharpe, Walters (C), Del Campo, Singh (LD) and L. Jones (LI in a LD seat), C. Da Costa (LI) and W. Da Costa (Ind. in a LI seat)</p>
<p>Aviation Forum (5 Members) (3C, 1LD, 1LI)</p>	<p>Chairman: Cllr Bowden Vice Chairman: Cllr Hilton Cllrs Clark (C), Davies (LD), Knowles (LI)</p> <p>Subs: Cllrs Cannon, Muir, Shelim (C), Tisi (LD), Taylor (LI)</p>
<p>Corporate Parenting Forum (5 Members) (3C, 1LD, 1LI)</p>	<p>Chairman: Cllr Carroll Vice Chairman: Cllr Tisi (LD) Cllrs Clark, Story (C), C. Da Costa (LI)</p> <p>Subs: Cllrs Luxton, Rayner, Sharpe (C), Bond (LD), Taylor (LI)</p>
<p>Grants Panel (5 Members) (3C, 1LD, 1LI)</p>	<p>Chairman: Cllr Hilton Vice Chairman: Cllr Story Cllrs Bowden (C), Baskerville (LD), Davey (LI)</p> <p>Subs: Cllrs Clark, Hunt, Rayner (C), Reynolds (LD), Price (LI)</p>
<p>School Improvement Forum (3 Members)</p> <p><i>Cabinet Member for Children's Services, Opposition Spokesperson for Children's Services and one other Member from the ruling group.</i></p> <p>(2C, 1LD)</p>	<p>Chairman: Cllr Carroll Vice-Chairman: Cllr Coppinger Cllr Del Campo (LD)</p> <p>Subs: Cllrs Hilton, Luxton (C), Tisi (LD)</p>
<p>Statutory Officer Panel (5 Members, plus two Independent Persons)</p> <p><i>Called on an 'as required' basis, maintaining political balance where possible.</i></p>	

APPENDIX C

COMMITTEE/PANEL/FORUM	Membership
<p>Berkshire Fire and Rescue Authority</p> <p><i>3 RBWM Members appointed to the 20 Member Berkshire Authority</i></p> <p>(2C, 1LD)</p>	<p>Cllrs Bateson, Cannon (C), Werner (LD)</p>
<p>East Berkshire Joint Health Overview and Scrutiny Committee</p> <p><i>3 RBWM Members appointed to the 9 Member East Berkshire Committee</i></p> <p><i>The three authorities have agreed to waive the requirement for the committee as a whole to have proportional political representation. However, each local authority may decide whether to maintain political proportionality for its seats on the committee or not.</i></p> <p><i>As per the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218 (Regulation 30) no Member of the executive can be a Member of this body.</i></p> <p>(2C, 1LD)</p>	<p>Cllrs Bhangra, G. Jones (C), Taylor (LI)</p> <p>Subs: Cllrs Bowden, Hunt (C), C. Da Costa (LI)</p>
<p>Joint East Berkshire Health Overview and Scrutiny Committee with Buckinghamshire Council</p> <p><i>3 RBWM Members appointed to the 12 Member East Berks/Bucks Committee</i></p> <p><i>The four authorities are asked to waive the requirement for the committee as a whole to have proportional political representation</i></p> <p><i>As per the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218 (Regulation 30) no Member of the executive can be a Member of this body.</i></p> <p>(2C, 1LD)</p>	<p>Cllrs Bhangra, G. Jones (C), Bond (LD)</p> <p>Subs: Cllrs Bowden, Hunt (C), Werner (LD)</p>
<p>Health and Wellbeing Board</p> <p><i>3 RBWM Members appointed to the wider Board to include Cabinet Member(s) with responsibility for Adult and Children's Services.</i></p> <p><i>The Board is not subject to political balance under regulation 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.</i></p>	<p>Chairman: Cllr Carroll</p> <p>Cllrs Coppinger, Stimpson (C)</p>

APPENDIX C

COMMITTEE/PANEL/FORUM	Membership
Independent Remuneration Panel	Mr Karnail Pannu, Mr Chris Stevens and Mr Andrew Vallance (<i>N.B. no relation to RBWM Head of Finance</i>) (Chairman)

C – Conservative

LD – Liberal Democrats

LI – Local Independents