

- (ii) the final adjustments of seats to ensure that each group has the required number of seats overall in comparison to the total number of seats available on all committees to reflect their composition on the Council as a whole; and
 - (iii) the appointment of Members to committees to reflect the wishes of the political groups in accordance with the schedule to be circulated at the meeting and including substitutes where appropriate; and
- (5) Agrees that the terms of reference of the Committees in 2018/19 be as currently set out in the Constitution, subject to the incorporation of the revised terms of reference for the Health and Wellbeing Board (appended to this report), and authorises consequential amendments to be made to the Constitution accordingly.

Background Papers: Constitution of Sheffield City Council

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
YES – Cleared by Paul Foster
Legal implications
YES – Cleared by Gillian Duckworth
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
NO
Human Rights implications
NO
Environmental and Sustainability implications
NO
Economic impact
NO
Community Safety implications
NO
Human Resources implications
NO
Property implications
NO
Area(s) affected
None
Relevant Scrutiny Committee if decision called in
N/A
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

Establishment of Council Committees in 2018-19 and Appointment of Members to Serve on those Committees

1. INTRODUCTION

- 1.1 This report outlines the requirements set out in the Local Government and Housing Act 1989 to allocate seats on Council Committees to political groups on a politically proportionate basis. It provides details of the updated political composition of the Council, following the result of the Municipal elections held on 3rd May 2018, and sets out the political proportionality framework and proportional seat allocations for 2018/19. It also asks Council to agree that the existing terms of reference of all Committees/Sub-Committees and other bodies, as specified in the Council's Constitution, remain unchanged for 2018/19, except for the incorporation of revised terms of reference for the Sheffield Health and Wellbeing Board which were approved by the Board at its meeting held on 27th July 2017.
- 1.2 Alternative arrangements in not applying strict political proportionality can be put in place provided Council gives unanimous support without any Member dissenting from that approach.

2. POLITICAL BALANCE

- 2.1 The political balance requirements of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 apply, with some limited exceptions, to any committees and sub-committees established under the Constitution. They also apply to the Scrutiny and Policy Development Committees, which are treated as committees for the purposes of the Local Government Act 2000. The allocation of seats on committees must be in the same proportion as the number of members of the group bears to the membership of the Authority as a whole. The political balance rules do not apply to the Executive (Cabinet) or the Shadow Cabinet, nor the Licensing Committee (although past and existing practice has ensured that it is politically balanced). In addition, any formal Area Committees established under the Local Government Act 2000 are similarly exempted.
- 2.2 The Council has a duty when allocating or reviewing the allocation of seats on committees to give effect, so far as is reasonably practicable, to the following four principles:-
- (i) all the seats are not allocated to the same political group;
 - (ii) the majority of the seats go to the political group in the majority on the full Council;
 - (iii) subject to the above two principles, the total number of seats on the ordinary committees of the Authority are allocated to each political

group in the same proportion as the group's representation on the full Council; and

- (iv) subject to the above three principles, the number of seats on each committee are allocated to each political group in the same proportion as the group's representation on the Council.

2.3 Following the Municipal Elections held on 3rd May, 2018, and on the assumption that all the newly elected Councillors will formally join their respective political group on the Council, the Council will continue to have 4 political groups. The Labour Group has 53 Members (which includes 1 Labour and Co-operative Party Member), the Liberal Democrat Group has 22 Members, the Green Group has 6 Members, and the UKIP Group has 3 Members. The total number of Members on the Council is 84.

2.4 This means that the percentage allocation is as follows:-

Labour:	$53 \div 84 \times 100 = 63.10\%$
Liberal Democrat:	$22 \div 84 \times 100 = 26.19\%$
Greens:	$6 \div 84 \times 100 = 7.14\%$
UKIP:	$3 \div 84 \times 100 = 3.57\%$

2.5 The number of main committee seats are allocated in the same proportion as the group's representation on the Council. For example, on a committee with 15 seats available for allocation this would be calculated as follows:-

Divide the number of seats available on the committee between the groups in the same proportion as the number of seats a group has on the Council:-

Labour	$53 \div 84 \times 15 = 9.46$
Liberal Democrat	$22 \div 84 \times 15 = 3.92$
Greens	$6 \div 84 \times 15 = 1.07$
UKIP	$3 \div 84 \times 15 = 0.53$

This shows that 13 whole seats are allocated - 9 to the Labour Group, 3 to the Liberal Democrat Group and 1 to the Green Group. 2 seats remains for allocation and are awarded on the highest part percentage claim, i.e. to the Liberal Democrat Group (0.92) and the UKIP Group (0.53), giving an overall allocation of 9 : 4 : 1 : 1 seats (Labour : Liberal Democrat : Green : UKIP), being the total of 15 available for allocation.

2.6 This approach is replicated for each individual committee and Appendix 1 shows an illustrative example of the overall allocation across all politically proportionate committees based on the committee sizes in 2017/18, but with:-

- the Overview and Scrutiny Management Committee being decreased from 14 seats to 13 seats. The original size of this Committee is 12 seats, but in the past two years the percentage allocation on a committee size of 12 seats gave an improper seat allocation, resulting in the size of the Committee being adjusted in both years. The latest percentage allocation on a committee size of 12 seats,

shown in Appendix 2 (Calculation of Proportional Seat Allocation of Committees) is 7.57 : 3.14 : 0.86 : 0.43, which results in a seat allocation of 8:3:1:0. Although this is no longer an improper seat allocation, it does not provide at least one seat to each of the four political groups on the Council, hence the recommendation to establish the Committee with 13 seats in 2018/19, as this size does provide at least one seat for each group (8:3:1:1);

- the 4 Scrutiny and Policy Development Committees remaining at 15 seats, rather than reverting back to their original committee sizes of 13 seats. The sizes of these Committees had been adjusted (to 15 seats) in the past three Municipal Years for the reason that the percentage allocations in those three years on a committee size of 13 seats gave an improper seat allocation of 14 seats (i.e. 9:3:1:1). Although the latest percentage allocation on a committee size of 13 seats no longer gives an improper seat allocation, reverting back to their original size of 13 seats would not provide sufficient seats across the Council's scrutiny, planning and licensing committees to enable each member of the Liberal Democrat Group to be appointed to one of those committees, having regard to the fact that the three seats allocated to the Group on the Overview and Scrutiny Management Committee are expected to be taken by three of the four members of the Group who will be appointed to the positions of Deputy Chair of the other four Scrutiny and Policy Development Committees; and
- the Planning and Highways Committee reverting back to its original committee size of 13 seats. The size of this Committee had been adjusted (to 15 seats) in the past three Municipal Years for the reason that the percentage allocations in those three years on a committee size of 13 seats gave an improper seat allocation of 14 seats (i.e. 9:3:1:1). The latest percentage allocation on a committee size of 13 seats no longer gives an improper seat allocation, enabling the Committee to be established with its original size of 13 seats in 2018/19.

2.7 This illustration also shows that the total number of seats across all politically proportionate Committees is 145 (compared with the final position of 148 in 2017/18, a decrease of 3 seats). The sizes of any of the Committees is, however, at the discretion of the Council to vary should it so choose, providing there are sufficient seats across the Council's scrutiny, planning and licensing committees to enable each non-executive member of the Council to be appointed to one of those committees in accordance with Council Procedure Rule 25.4 which specifies that every Member of the Council, except those appointed to the Cabinet, shall be appointed a member of at least one Scrutiny and Policy Development Committee or one Regulatory Committee. The basis of the mathematical calculation on differing sized Committees is shown at Appendix 2.

2.8 Applying each group's percentage allocation (set out in paragraph 2.4) to the total number of seats on Committees (145), gives the following results:-

Labour	145 x 63.10%	= 91.49
Liberal Democrat	145 x 26.19%	= 37.97
Greens	145 x 7.14%	= 10.35
UKIP	145 x 3.57%	= 5.17

This shows that 143 whole seats are allocated - 91 to the Labour Group, 37 to the Liberal Democrat Group, 10 to the Green Group and 5 to the UKIP Group. 2 seats remain for allocation and are awarded on the highest part fraction claims – in this instance, to the Liberal Democrat Group (0.97) and the Labour Group (0.49).

- 2.9 The closest practical distribution to political groups (after rounding) is therefore 92 : 38 : 10 : 5 (Labour : Liberal Democrat : Green : UKIP).
- 2.10 There is no requirement for the Cabinet or any Cabinet Committee, Shadow Cabinet or Area Committees to be politically balanced. Neither do the political balance rules apply to the Licensing Committee, but the Council chooses to apply the rules to this Committee. Taking into account the allocation detailed in the table in Appendix 1, a number of adjustments (5 seats) are required to ensure political balance on the overall number of seats across all Committees available to each political group. This illustrates that the Labour Group has an under allocation of 5 seats; the Green Group has an over allocation of 1 seat, and the UKIP Group has an over allocation of 4 seats, and final adjustment is required. The practical arrangements for making the required adjustments are outlined at the end of Appendix 1. A schedule of nominations from each of the political groups to occupy the requisite number of allocated seats, will be tabled at the meeting.

3. THE ESTABLISHMENT OF COMMITTEES/SUB-COMMITTEES UNDER THE CONSTITUTION

3.1 Scrutiny Committees

- 3.1.1 The Council's Constitution provides for the appointment of Scrutiny Committees and they are subject to the rules on political proportionality. In 2017/18, there were 4 Scrutiny and Policy Development Committees (each containing 15 Members – increased from their original size of 13 Members for the reasons referred to in paragraph 2.6), plus the Overview and Scrutiny Management Committee containing 14 Members (increased from its original size of 12 Members for the reasons referred to in paragraph 2.6) and with its membership including the Chairs of the 4 Committees, as specified in the Scrutiny Procedure Rules within the Constitution. The membership of the Children, Young People and Family Support Scrutiny and Policy Development Committee also includes provision for at least 2 (but no more than 5) voting co-opted parent governor representatives and 2 voting co-opted members nominated by each of the local Church of England and Roman Catholic Diocesan Boards. An overview and scrutiny committee of a local authority, or a sub-committee of such a committee, may not include any member of the authority's executive.

3.1.2 The terms of reference and remits of the Overview and Scrutiny Management Committee and the 4 Scrutiny and Policy Development Committees are set out in Part 3 of the Constitution. The Healthier Communities and Adult Social Care Scrutiny and Policy Development Committee has the responsibility for the review and scrutiny of local health services, including the power of referral to the Secretary of State for Health, under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. The Safer and Stronger Communities Scrutiny and Policy Development Committee is the Council's Crime and Disorder Committee and exercises the functions under Section 19 of the Police and Justice Act 2006. It is proposed that existing arrangements be continued, but with:-

- the Overview and Scrutiny Management Committee being established with 13 seats (a decrease of 1 seat from its revised size in 2017/18, and an increase of 1 seat from its original size of 12 seats) for the reason set out in paragraph 2.6 above, to provide sufficient seats to accommodate the appointment to the Committee of the Chairs of the other 4 Scrutiny and Policy Development Committees, and at least one seat to each political group on the Council; and
- the four Scrutiny and Policy Development Committees remaining at 15 seats, rather than reverting back to their original committee sizes of 13 seats, for the reason set out in paragraph 2.6 above, to ensure that sufficient seats (together with those seats to be made available on the planning and licensing committees) are made available to enable each member of the Liberal Democrat Group (22) to be appointed to one of those committees in accordance with Council Procedure Rule 25.4 (see paragraph 2.6 above and also paragraphs 2 and 3 on page 15 regarding the adjustments required to be made under the illustrative example).

3.2 Regulatory and Other Council Committees

3.2.1 The Constitution allows for Council side functions to be delegated to Committees, with terms of reference set out in Part 3 of the Constitution. In 2017/18, these Committees (and their membership sizes) were as follows:

Planning and Highways Committee	(15)
Licensing Committee	(15)
Audit & Standards Committee	(7)
<i>(comprising 7 non-Executive Members of the Council, plus a maximum of 3 non-voting co-opted members)</i>	
Admissions Committee	(7)
Senior Officer Employment Committee	(15)
Appeals and Collective Disputes Committee	(15)

It is proposed to retain all these Committees (and their sizes) in 2018/19, except for the Planning and Highways Committee, which (as outlined in paragraph 2.6 above) can now be established at its original size of 13 seats in 2018/19.

- 3.2.2 The Licensing Committee, set up under the Licensing Act 2003, can have a minimum of 10 and no more than 15 members under the legislation. Whilst technically this Committee is not required to be politically balanced, past practice has ensured that it is. It is proposed that this approach is continued, having a membership of 15.

The appointment of Licensing Sub-Committees to review cases under Section 10 of the Licensing Act 2003, is a statutory function reserved by the Act to the statutory Licensing Committee. Accordingly, it is a matter for the Licensing Committee to appoint these Sub-Committees and the custom and practice has been for any 3 Members of the Committee to be called to hear individual cases. It is proposed that existing arrangements be continued.

- 3.2.3 The Senior Officer Employment Committee and the Appeals and Collective Disputes Committee, with terms of reference set out in Part 3 of the Constitution, are established as politically proportionate committees of 15 Members. However, built into the terms of reference of both Committees is the facility to establish Sub-Committees to undertake their functions. The custom has been to disapply proportionality to these Sub-Committees and for any 3 Members of the parent Committee to be called to hear individual matters. It is proposed that this approach be continued.

3.3 Health and Wellbeing Board

- 3.3.1 The Council has established, as a statutory committee, a Sheffield Health and Wellbeing Board under the Health and Social Care Act 2012. The membership and powers and responsibilities of the Board are set out in Article 9 of the Constitution and its terms of reference are set out in Part 3 of the Constitution. The political balance rules do not apply to the Board.

The new terms of reference will then be incorporated in the Council's Constitution when the Constitution is next updated. It is proposed that existing arrangements be continued, pending the outcome of the review.

- 3.3.2 During 2016 and 2017, a review of the Board was conducted, considering the Board's scope, functions, methods, membership, and relationships with other partnership bodies. Following completion of this review, revised terms of reference for the Board were approved at the meeting of the Board held on 27th July 2017, with the major changes as follows:-

- A clear statement that the Board is to be concerned with all the determinants of health & wellbeing, and health inequalities, not just the commissioning of services across the NHS and Council;
- Adjustments to its membership to reflect this, including reductions in Sheffield City Council and NHS Clinical Commissioning Group (CCG) membership, and new places for a range of providers from other sectors;
- Changes in chairing arrangements, with co-chairs now being the Cabinet Member for Health & Social Care and the Chair of the CCG Governing Body;
- Changes to quoracy to reflect the revised membership while retaining

- primacy of commissioners in decision-making;
- Changes to meeting arrangements to allow for more ad-hoc engagement with the public that more directly influences the Board's work; and
- A section that clearly sets out what is required of Health & Wellbeing Board members.

3.3.3 The revised terms of reference approved by the Board are attached to this report (Appendix 3). It is proposed that existing arrangements for the Board be continued and that the revised terms of reference be incorporated in Part 3 of the Constitution and authority given for consequential amendments to be made to the Constitution accordingly.

3.4 Area Committees

3.4.1 The Council did not establish any Area Committees in 2017/18 and has no plans to do so in 2018/19.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct financial implications contained within this report.

4.2 However, the posts of Chair of Scrutiny and Policy Development Committee, Chair of Planning and Highways Committee, and Chair and Deputy Chair of Licensing Committee all attract Special Responsibility Allowances (SRAs) under the Council's Members' Allowances Scheme. Therefore, any structural or operational changes made in respect of those particular Committees do have the potential to impact on the SRAs associated with those Committees.

4.3 The Council's Revenue Budget for 2018/19, approved by the Council at its special meeting held on 7th March 2018, recognised budget pressures totalling £22k - £9k for the two additional Special Responsibility Allowances for Cabinet Advisers added in 2017/18 and £13k in relation to pay inflation. Actions will be required to achieve equivalent savings from within the Members Allowances budget during 2018/19 to offset these. The Members' Allowances Scheme for 2018/19 approved by the Council at the same meeting, made no changes to either the roles for which Special Responsibility Allowances are paid, or the amounts of those Allowances. On the basis that the Council retains all its existing Committees/Sub-Committees and makes no changes to their operation such that it impacts on any of their associated SRAs, then there will be no new financial implications.

4.4 The financial implications of the appointments of Members to positions of Special Responsibility in the Municipal Year 2018/19, will be outlined at the Council's annual meeting.

5. LEGAL IMPLICATIONS

The legal implications are set out in the body of this report.

6. RECOMMENDATIONS

That the Council:-

- (1) Notes the political proportionality framework and the illustrative example of how this might be applied, as set out in the report;
- (2) Considers how it wishes to allocate seats on committees in light of this illustrative approach;
- (3) Determines whether to continue to disapply proportionality to the Senior Officer Employment Sub-Committees and the Appeals and Collective Disputes Sub-Committees (for the reasons set out in paragraph 3.2.3 of the report);
- (4) Agrees:
 - (i) the sizes of individual committees to be subject to proportional balance and the initial allocation of seats to political groups on individual committees before final adjustment;
 - (ii) the final adjustments of seats to ensure that each group has the required number of seats overall in comparison to the total number of seats available on all committees to reflect their composition on the Council as a whole; and
 - (iii) the appointment of Members to committees to reflect the wishes of the political groups in accordance with the schedule to be circulated at the meeting and including substitutes where appropriate; and
- (5) Agrees that the terms of reference of the Committees in 2018/19 be as currently set out in the Constitution, subject to the incorporation of the revised terms of reference for the Health and Wellbeing Board (appended to this report), and authorises consequential amendments to be made to the Constitution accordingly.

John Mothersole
Chief Executive

**MEMBERSHIP OF NON POLITICALLY PROPORTIONATE
COUNCIL BODIES 2018/19
(Schedule of named Councillor appointees to be tabled at the meeting)**

Executive (Cabinet) (10 Members in 2017/18)

Portfolios are at the Leader's discretion and could be subject to change.

The Leader

Executive Members and their Portfolios:

- Business and Investment
- Children, Young People and Families
- Culture, Parks and Leisure
- Environment and Streetscene
- Finance
- Health and Social Care
- Neighbourhoods and Community Safety
- Planning and Development
- Transport and Sustainability

Cabinet Highways Committee (4 Member in 2017/18)

Comprises 4 Members of the Executive and remaining Executive Members act as substitutes.

Shadow Cabinet (10 Members in 2018/19)

Portfolios are at the Opposition Leader's discretion and could be subject to change.

- Leader
- Business and Investment
- Children, Young People and Families
- Culture, Parks and Leisure
- Environment and Streetscene
- Finance
- Health and Social Care
- Neighbourhoods and Community Safety
- Planning and Development
- Transport and Sustainability

Health and Wellbeing Board

Comprises 2 Members of the Executive (the Cabinet Member for Health and Social Care and the Cabinet Member for Children, Young People and Families), plus additional membership as set out in its terms of reference approved in July 2017

(attached as Appendix 3 - and to be incorporated in Part 3 of the Council's Constitution).

Licensing Sub-Committees

Pool of 3 Members drawn from the Licensing Committee which is proportionally balanced.

Senior Officer Employment Sub-Committees

Pool of 3 Members drawn from the Senior Officer Employment Committee which is proportionally balanced.

Appeals and Collective Disputes Sub-Committees

Pool of 3 Members drawn from the Appeals and Collective Disputes Committee which is proportionally balanced.

PROPOSED MEMBERSHIP OF POLITICALLY PROPORTIONATE COUNCIL BODIES 2018/19

Scrutiny and Policy Development Committees

Overview & Scrutiny Management Committee (13) *(includes the Chairs of the 4 Scrutiny Committees)*

Children, Young People & Family Support S&PD Cttee (15)

Economic & Environmental Well-being S&PD Cttee (15)

Healthier Communities & Adult Social Care S&PD Cttee (15)

Safer & Stronger Communities S&PD Cttee (15)

Pool of Scrutiny
Committee
Substitutes

Regulatory and Other Council Committees

Planning and Highways Committee (13)

Pool of Planning
Committee Substitutes

Licensing Committee (15)

Audit and Standards Committee (7)

Admissions Committee (7)

Pool of Admissions
Committee Substitutes
(Drawn from any
Member of the Council)

Senior Officer Employment Committee (15)

Appeals and Collective Disputes Committee (15)

Proposed Proportional Seat Allocations to Political Groups in 2018/19

Committee	Labour	Lib Dem	Green	UKIP	Total
Overview and Scrutiny Management Committee	8	3	1	1	13
CYP&FS Scrutiny Cttee	9	4	1	1	15
E&EW Scrutiny Cttee	9	4	1	1	15
HC&ASC Scrutiny Cttee	9	4	1	1	15
S&SC Scrutiny Cttee	9	4	1	1	15
Planning and Highways Cttee	8	3	1	1	13
Licensing Cttee	9	4	1	1	15
Audit & Standards Cttee	4	2	1	0	7
Admissions Cttee	4	2	1	0	7
Senior Officer Employment Cttee	9	4	1	1	15
Appeals and Collective Disputes Cttee	9	4	1	1	15
Total Initial Allocation	87	38	11	9	145
Overall Political Balance Requirement	92	38	10	5	145
Adjustments Required	+5	0	-1	-4	

NB: O&SMC established at 13 seats (not reverting back to its original size of 12 seats) in order to provide at least one seat for each political group on the Council; Planning & Highways Committee reverting back to its original size of 13 seats; the 4 Scrutiny Committees remaining at 15 seats to provide sufficient places across the Scrutiny, Planning and Licensing Committees for all 22 Members of the Liberal Democrat Group.

Total of 145 seats - 3 seats less than in 17/18

Labour	145 x 63.10%	= 91.49	(91)	+1	= 92
Liberal Democrat	145 x 26.19%	= 37.97	(37)	+1	= 38
Greens	145 x 7.14%	= 10.35	(10)		= 10
UKIP	145 x 3.57%	= 5.17	(5)		= 5
			(143)		(145)

Adjustments Required Under this Illustrative Example

1. The Labour Group has an under allocation of 5 seats; the Liberal Democrat Group has the correct allocation of seats; the Green Group has an over allocation of 1 seat, and the UKIP Group has an over allocation of 4 seats.
2. The Council is required to ensure that there are sufficient seats across the Council's scrutiny, planning and licensing committees to enable each non-executive member of the Council to be appointed to one of those committees, in accordance with Council Procedure Rule 25.4 which specifies that every Member of the Council, except those appointed to the Cabinet, shall be appointed a member of at least one Scrutiny and Policy Development Committee or one Regulatory Committee. This also ensures that every opposition Councillor either plays a role in holding the Executive to account through the overview and scrutiny process, or participates in a regulatory function, and thereby is represented on committees that meet on a regular basis.
3. There are 22 members of the Liberal Democrat Group, 6 members of the Green Group and 3 members of the UKIP Group, and in the illustrative example there are 26 seats allocated across those Committees to the Liberal Democrat Group and 7 seats allocated to both the Green Group and the UKIP Group. The three seats allocated to the Liberal Democrat Group on the Overview and Scrutiny Management Committee are expected to be taken by three of the four members of the Group who will be appointed to the positions of Deputy Chair of the other four Scrutiny and Policy Development Committees. These three members therefore take six of those 26 seats, leaving 20 seats available for the remaining 19 members of the Group. This means that, in the illustrative example, all three opposition groups have been allocated sufficient seats across those Committees.
4. The Green Group is required to make one adjustment and the UKIP Group is required to make four adjustments, with all five of those seats being required to be allocated to the Labour Group. The five seats need to be taken from five separate committees (in order to comply, as far as is possible, with the fourth principle set out in paragraph 2.2 of the report, i.e. the number of seats on each committee are allocated to each political group in the same proportion as the group's representation on the Council). The seats are not to be taken from the Overview and Scrutiny Management Committee in order to ensure at least one seat is available to each political group on the Council.
5. The one seat to be given up by the Green Group should be from either the Audit & Standards, Admissions, Senior Officer Employment, or Appeals and Collective Disputes Committee, in order to retain seven seats across the scrutiny, planning and licensing committees for the six members of the Group, assuming that a member of one of the Scrutiny and Policy Development Committees will also serve on the Overview and Scrutiny Management Committee.
6. The four seats to be given up by the UKIP Group should not be from the Overview and Scrutiny Management Committee, nor the same Committee

from which a seat is to be relinquished by the Green Group. At least four seats should be retained across the scrutiny, planning and licensing committees for the three members of the Group, assuming that a member of one of the Scrutiny and Policy Development Committees will also serve on the Overview and Scrutiny Management Committee.

In Summary

- Labour Group : to receive five seats, one from the Green Group and four from the UKIP Group, on five different Committees;
- Liberal Democrat Group : no adjustment required.
- Green Group : one seat to be given up - from either the Audit & Standards, Admissions, Senior Officer Employment, or Appeals and Collective Disputes Committee; with the seat to be allocated to the Labour Group; and
- UKIP Group : four seats to be given up - one seat from any four Committees other than the Committee from which a seat is to be relinquished by the Green Group, or from the Overview and Scrutiny Management Committee, and with at least four seats being retained across the scrutiny, planning and licensing committees; with all four seats to be allocated to the Labour Group.

**CALCULATION OF PROPORTIONAL SEAT ALLOCATION
OF COMMITTEES**

% Share of Council	63.10%	26.19%	7.14%	3.57%
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Number on Committee	Labour	Liberal Democrat	Green	UKIP
3	1.89	0.79	0.21	0.11
4	2.52	1.05	0.29	0.14
5	3.15	1.31	0.36	0.18
6	3.79	1.57	0.43	0.21
7	4.42	1.83	0.50	0.25
8	5.05	2.09	0.57	0.29
9	5.68	2.36	0.64	0.32
10	6.31	2.62	0.71	0.36
11	6.94	2.88	0.79	0.39
12	7.57	3.14	0.86	0.43
13	8.20	3.41	0.93	0.46
14	8.83	3.67	1.00	0.50
15	9.46	3.93	1.07	0.54
16	10.10	4.19	1.14	0.57
17	10.73	4.45	1.21	0.61
18	11.36	4.71	1.29	0.64
19	11.99	4.97	1.36	0.68
20	12.62	5.24	1.43	0.71
21	13.25	5.50	1.50	0.75
22	13.88	5.76	1.57	0.79
23	14.51	6.03	1.64	0.82
24	15.14	6.29	1.71	0.86
25	15.78	6.55	1.78	0.89

	<u>Seats</u>	<u>%</u>
Labour	53	63.10
Lib Dem	22	26.19
Greens	6	7.14
UKIP	3	3.57
	<hr/>	
	84	100%

Sheffield Health and Wellbeing Board

Terms of Reference

Approved on 27 July 2017

1. Role and Function of the Health and Wellbeing Board

- 1.1 The Sheffield Health and Wellbeing Board (the Board) is established under the Health and Social Care Act 2012 as a statutory committee of Sheffield City Council (the Council) from 1 April 2013. However, it will operate as a multi-agency board of equal partners.
- 1.2 The Board will develop and maintain a vision for a city free from inequalities in health and wellbeing, taking a view of the whole population from pre-birth to end of life.
- 1.3 The Board will be the system leader for health & wellbeing, acting as a strong and effective partnership to improve the commissioning and delivery of services across the NHS and the Council, leading in turn to improved health and wellbeing outcomes and reduced health inequalities for the people of Sheffield.
- 1.4 In doing this, the Board will take an interest in all the determinants of health and wellbeing in Sheffield and will work across organisational boundaries in pursuit of this.
- 1.5 The Board will be ambitious for Sheffield and hold organisations in Sheffield to account for the delivery of the Board's vision for the city. It should enable organisations to work in an integrated way, for the purpose of advancing the health and wellbeing of people in Sheffield.
- 1.6 The Board is statutorily required to carry out the following functions:
 - To undertake a Joint Strategic Needs Assessment (JSNA)¹;
 - To undertake a Pharmaceutical Needs Assessment (PNA)²;
 - To develop and publish a Joint Health and Wellbeing Strategy (JHWS) for Sheffield³
 - To provide an opinion on whether the Council is discharging its duty to have regard to the JSNA, and the JHWS, in the exercise of its functions⁴;

¹ Section 116 Local Government and Public Involvement in Health Act 2007 (the LGPIHA 2007)

² Section 128A National Health Service Act 2006 (the NHA 2006).

³ Under Section 116A LGPIHA 2007

⁴ Under Section 116B LGPIHA 2007

- To review the extent to which the Clinical Commissioning Group (CCG) has contributed to the delivery of the JHWS⁵; to provide an opinion to the CCG on whether their draft commissioning plan takes proper account of the JHWS⁶; and, to provide an opinion to NHS England on whether a commissioning plan published by the CCG takes proper account of the JHWS⁷;
- To support joint commissioning and encourage integrated working and pooled budget arrangements⁸ in relation to arrangements for providing health, health-related or social care services;
- To discharge all functions relating to the Better Care Fund that are required or permitted by law to be exercised by the Board; and
- To receive and approve any other plans or strategies that are required either as a matter of law or policy to be approved by the Board.

1.7 In addition to these the Board will also take an interest in how all organisations in Sheffield function together to deliver on the Joint Health & Wellbeing Strategy.

1.8 The Board will own and oversee strategic planning for the health and care system in Sheffield, hold all organisations to account for delivering against it and take an interest in all associated strategies and plans.

2. Membership

2.1 The membership of the Board is as follows:

- Sheffield City Council:
 - Cabinet Member for Health & Social Care
 - Cabinet Member for Children, Young People & Families
 - Chief Executive
 - Director of Adult Social Services
 - Director of Children’s Services
- Sheffield NHS Clinical Commissioning Group
 - Governing Body Chair
 - One other Governing Body GP
 - Accountable Officer
 - Medical Director
 - Director of Strategy
- Other Commissioners
 - Senior Representative from NHS England

⁵ Under Section 14Z15(3) and Section 14Z16 NHA 2006

⁶ Section 14Z13(5) NHA 2006

⁷ Section 14Z14 NHA 2006

⁸ In accordance with Section 195 Health and Social Care Act 2012. This includes encouraging arrangements under Section 75 NHA 2006.

- Providers
 - NHS Provider – Clinical Representative
 - NHS Provider – Non-Executive Representative
 - VCF Provider
 - Blue Light Service
 - Housing Association
 - Independent Voice
 - Chair of Healthwatch Sheffield
 - Director of Public Health
 - Academic
- 2.2 Other representatives from the wider health and wellbeing community in Sheffield may be invited to attend the Board from time to time to contribute to discussion of specific issues.
- 2.3 Any changes to personnel will be approved through Full Council on an annual basis.

3. Governance

- 3.1 **Chair:** The Board will be co-chaired by the Council Cabinet Member for Health & Social Care and the Chair of the CCG, with chairing of meetings generally alternating between them.
- 3.2 **Attendance at meetings and deputies:** In order to maintain consistency it is assumed that Board members will attend all meetings. Each member may name 1 deputy, one of whom may attend a meeting and vote in place of the member in exceptional circumstances.
- 3.3 **Quorum:** 1 Elected Member of the Council & 1 other Council Representative, 1 CCG Governing Body GP and 1 other CCG Representative, 1 Provider Representative, and 1 Independent Voice Representative, with an in-meeting majority for Commissioners.
- 3.4 **Decision-making and voting:** The Board will operate on a consensus basis. Where consensus cannot be achieved the matter will be put to a vote. Decisions will be made by simple majority: the Chair for the meeting at which the vote is taken will have the casting vote. All votes shall be taken by a show of hands unless decided otherwise by the Chair.
- 3.5 **Authority of representatives:** It is accepted that some decisions and/or representations will need to be made in accordance with the governance procedures of the organisations represented on the Board: however, representatives should have sufficient authority to speak for their organisations and make decisions within their own delegations

- 3.6 **Accountability and scrutiny:** As a Council committee, the Board will be formally accountable to the Council. Its work may be subject to scrutiny by any of the Council's relevant scrutiny committees
- 3.7 **Relationship to other groups:** The Board has formally agreed a protocol with the city's Safeguarding Boards and will develop relationships with other bodies in the city such as the Council's scrutiny committees, and other partnership and commissioning boards.

4. Meetings, agendas and papers

- 4.1 The Board will normally meet every six months in public, interspersed with engagement events and private strategy development meetings. There will be no fewer than 2 meetings per financial year, with a maximum of 32 weeks between meetings.
- 4.2 Dates, venues, agendas and papers for public meetings will be published in advance on the Council's website.
- 4.3 The co-Chairs will agree the agenda for each meeting, supported by an officer subgroup
- 4.4 Agendas and papers will be circulated to all members and be available on the Council's website 7 days in advance of the meeting
- 4.5 Minutes will be circulated to all members, and published on the Council's website as soon as possible after the meeting
- 4.6 It is expected that those who write papers will work collaboratively with others to provide a city-wide perspective on any given issue.

5. Role of a Health and Wellbeing Board member

- 5.1 All members of the Board, as a statutory committee of the Council, must observe the Council's code of conduct for members and co-opted members. Other responsibilities include:
- Attending Board meetings and fully and positively contributing to discussions, reading and digesting any documents and information provided prior to meetings
 - The membership of the Health & Wellbeing Board is constructed to provide a broad range of perspectives on the development of strategy. With this in mind, members are asked to bring the insight, knowledge, perspective and strategic capacity they have as a consequence of their everyday role, but

must not act simply as a representative of their organisation, but with the interests of the whole city and its residents at heart.

- Fully and effectively communicating outcomes and key decisions of the Board to their own organisations, acting as ambassadors for the work of the Board, and participating where appropriate in communications/marketing and stakeholder engagement activity to support the objectives of the Board, including working with the media
- Contributing to the development of the JSNA and JHWS
- Ensuring that commissioning is in line with the requirements of the JHWS and working to deliver improvements in performance against measures within the public health, NHS and adult social care outcomes frameworks
- Declaring any conflict of interest, particularly in the event of a vote being required and in relation to the providing of services
- Acting in a respectful, inclusive and open manner with all colleagues to encourage debate and challenge.

6. Engagement with the public and providers

6.1 Healthwatch Sheffield is the Board's lead for involving Sheffield people in decision-making around health and social care. It is expected that the Healthwatch Sheffield representative(s) will clearly ensure Sheffield people's views are included in all Board discussions, with Elected Members, and other Independent Voice members also having a role in this regard.

6.2 Formal public meetings will be held twice a year and will be preceded/followed by a discussion forum on a particular issue. In addition, members of the public are invited to ask questions at the formal public meetings. An answer may take the form of:

- An oral answer
- A written answer to the member of the public, circulated to the Board and placed on the Council's website
- Where the desired information is contained in a publication, a reference to that publication.

The Board's chairs retain the right to restrict the length of time given to answering public questions at any meetings held.

6.3 The Board will hold a range of engagement events every year, open to the public and/or providers. These events will be in addition to the formal, public meetings of the Board and will be a means of:

- Providing an avenue for members of the public to impact on the Board's discussions and work;

- Engaging the public and/or providers in the development of the JHWS;
- Developing the Board's understanding of local people's and providers' experiences and priorities for health and wellbeing;
- Communicating the work of the Board in shaping health and wellbeing in Sheffield;
- Developing a shared perspective of the ways in which providers can contribute to the Board's delivery.

6.4 The Board will maintain a website with up-to-date information about its work and send out regular newsletters.

7. Review

7.1 These Terms of Reference will be reviewed annually.

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