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Agenda and Reports
for the meeting of
THE COUNTY COUNCIL
to be held on
10 OCTOBER 2017

(i)

County Hall
Kingston upon Thames
Surrey

Monday, 2 October 2017

TO THE MEMBERS OF SURREY COUNTY COUNCIL

SUMMONS TO MEETING

You are hereby summoned to attend the meeting of the Council to be held in the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN, on Tuesday, 10 October 2017, beginning at 10.00 am, for the purpose of transacting the business specified in the Agenda set out overleaf.

JULIE FISHER
Interim Chief Executive

Note 1: *For those Members wishing to participate, Prayers will be said at 9.50am. Reverend Richard Abbott, St John the Baptist Church, Bisley, has kindly consented to officiate. If any Members wish to take time for reflection, meditation, alternative worship or other such practice prior to the start of the meeting, alternative space can be arranged on request by contacting Democratic Services.*

There will be a very short interval between the conclusion of Prayers and the start of the meeting to enable those Members and Officers who do not wish to take part in Prayers to enter the Council Chamber and join the meeting.

Note 2: *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting.

If you would like a copy of this agenda or the attached papers in another format, e.g. large print or braille, or another language please either call Democratic Services on 020 8541 9122, or write to Democratic Services, Surrey County Council at Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 9698, fax 020 8541 9009, or email angela.guest@surreycc.gov.uk

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Angela Guest on 020 8541 9075.

1 APOLOGIES FOR ABSENCE

The Chairman to report apologies for absence.

2 MINUTES

(Pages 1
- 16)

To confirm the minutes of the meeting of the Council held on 11 July 2017.

(Note: the Minutes, including the appendices, will be laid on the table half an hour before the start of the meeting).

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman to report.

4 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

5 LEADER'S STATEMENT

The Leader to make a statement.

There will be an opportunity for Members to ask questions.

6 MEMBERS' QUESTION TIME

1. The Leader of the Council or the appropriate Member of the Cabinet or the Chairman of a Committee to answer any questions on any matter relating to the powers and duties of the County Council, or which affects the county.

(Note: Notice of questions in respect of the above item on the agenda must be given in writing, preferably by e-mail, to Democratic Services by 12 noon on Wednesday 4 October 2017).

2. Cabinet Member Briefings on their portfolios

These will be circulated by email to all Members prior to the County Council meeting, together with the Members' questions and responses.

There will be an opportunity for Members to ask questions.

7 STATEMENTS BY MEMBERS

Any Member may make a statement at the meeting on a local issue of current or future concern.

(Note: Notice of statements must be given in writing, preferably by e-mail, to Democratic Services by 12 noon on Monday 9 October 2017).

8 ORIGINAL MOTIONS

Item 8(i)

Mrs Hazel Watson (Dorking Hills) to move under Standing Order 11 as follows:

This Council notes that:

- 1) Surrey County Council has invested £186m, as of 24.7.17, in purchasing commercial properties (such as warehouses, offices and retail premises) outside of Surrey via a wholly owned property company called Halsey Garton
- 2) There is a significant risk that Surrey County Council will lose money on these property investments as a result of the costs of maintenance, professional advisors, rates and other costs exceeding the income from rent, loss of rent as a result of voids and loss of value as buildings become outdated
- 3) That the County Council's stated intention is to invest up to £1bn by 2020/21, with a maximum return of only 2%
- 4) Surrey County Council owns a significant number of buildings across Surrey which have been left vacant for years, in some cases over a decade and that such vacant buildings constitute a waste of money as those assets are unutilised, deteriorating and thus losing value.

Council is concerned that:

The County Council has invested in a large property portfolio outside of Surrey despite its clear inability to properly utilise its own vacant buildings within Surrey.

Therefore, Council calls upon the Cabinet to:

- a) cease further commercial property investment outside of Surrey as it risks losing public money
- b) prioritise County Council owned vacant buildings to either be used

(v)

to provide services, or to be sold or let.

Item 8 (ii)

Mr Eber Kington (Ewell Court, Auriol & Cuddington) to move under Standing Order 11 as follows:

This Council notes:

- i. the challenging financial position faced by SCC
- ii. the savings made across several years to meet those challenges

However, this Council expresses its concern that in many areas the priorities for both spending and service reductions, and also new and increased expenditure, are unreasonable and do not reflect the priorities of residents.

This Council therefore calls upon the Leader and Cabinet to re-assess their spending and cost reduction plans through all-member and cross-political group discussions over the coming months to ensure that SCC has a set a priorities which will more closely reflect the concerns and aspirations of Surrey residents.

Item 8 (iii)

Mr David Harmer (Waverley Western Villages) to move under Standing Order 11 as follows:

That the wording of the Financial Framework for Members' Allocations, contained in Part 5 of the County Council's Constitution, be modified in the Section "What we cannot consider", point 5, to replace the word "core" with the word "statutory".

Item 8 (iv)

Mr Jonathan Essex (Redhill East) to move under Standing Order 11 as follows:

Council notes the widening gap in pay between the lowest and highest paid council employees in Surrey.

Council believes that a pay ratio policy in Surrey would be transparent, open and would increase employee participation and morale.

Surrey County Council therefore agrees that a pay ratio policy should be considered by the People, Performance and Development Committee at the earliest opportunity.

9 REPORT OF THE CABINET

(Pages
17 - 50)

To receive the report of the meeting of the Cabinet held on 18 July and 26 September 2017 and to agree one recommendation in respect of:

- the Annual Report of the Shareholder Board

- 10 SURREY COUNTY COUNCIL PROGRESS REPORT** (Pages 51 - 120)
To consider the report and matters which the Chief Executive draws to attention.
- 11 INDEPENDENT REMUNERATION PANEL REPORT** (Pages 121 - 142)
To receive the report of the Independent Remuneration Panel and any changes to the Members' Allowances Scheme.
- 12 UPDATES TO THE CONSTITUTION - ARTICLES REFRESH** (Pages 143 - 212)
Surrey County Council has a Constitution which is agreed by Members and sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that they are efficient, transparent and accountable to the residents of Surrey.

The Constitution contains Articles that set out the basic rules governing the Council's business and these have been updated to ensure that they are fit for purpose.

The County Council is asked to agree the updated Articles so that these can be implemented and published on the Council's website.
- 13 MINUTES OF CABINET MEETINGS** (Pages 213 - 230)
Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members upon notice being given to Democratic Services by 12 noon on Monday 9 October 2017.

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, County Hall has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that those attending the meeting can be made aware of any filming taking place.

Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

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MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD AT THE COUNCIL CHAMBER, COUNTY HALL, KINGSTON UPON THAMES, KT1 2DN ON 11 JULY 2017 COMMENCING AT 10.00 AM, THE COUNCIL BEING CONSTITUTED AS FOLLOWS:

Peter Martin (Chairman)
Tony Samuels (Vice-Chairman)

	Mary Angell		Julie Iles
	Ayesha Azad		Naz Islam
	John Beckett		Colin Kemp
*	Mike Bennison		Eber Kington
	Chris Botten		Graham Knight
	Liz Bowes		Rachael I Lake
	Natalie Bramhall		Yvonna Lay
	Mark Brett-Warburton		David Lee
*	Ben Carasco		Mary Lewis
	Bill Chapman		Andy MacLeod
	Helyn Clack		Ernest Mallett MBE
	Stephen Cooksey		David Mansfield
	Clare Curran	*	Jan Mason
	Nick Darby		Cameron McIntosh
	Paul Deach		Sinead Mooney
*	Graham Ellwood		Charlotte Morley
	Jonathan Essex		Marsha Moseley
	Robert Evans		Tina Mountain
	Tim Evans		Bernie Muir
	Mel Few	*	Mark Nuti
	Will Forster		John O'Reilly
	John Furey		Tim Oliver
	Matt Furniss		Andrew Povey
	Bob Gardner		Wyatt Ramsdale
	Mike Goodman		Mrs Penny Rivers
*	Angela Goodwin		Stephen Spence
	David Goodwin		Lesley Steeds
	Zully Grant-Duff		Peter Szanto
	Alison Griffiths		Keith Taylor
	Ken Gulati		Barbara Thomson
	Tim Hall		Rose Thorn
	Kay Hammond		Chris Townsend
	Richard Hampson		Denise Turner-Stewart
	David Harmer		Richard Walsh
	Jeffrey Harris		Hazel Watson
	Nick Harrison	*	Fiona White
	Edward Hawkins	*	Richard Wilson
	Marisa Heath		Keith Witham
	David Hodge CBE	*	Victoria Young
	Saj Hussain		

*absent

43/17 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mr Bennison, Mr Carasco, Mr Ellwood, Mrs Goodwin, Mrs Mason, Mr Nuti, Mrs White, Mr Wilson and Mrs Young.

44/17 MINUTES [Item 2]

The minutes of the meeting of the County Council held on 23 May 2017 were submitted, confirmed and signed.

45/17 CHAIRMAN'S ANNOUNCEMENTS [Item 3]

The Chairman made the following announcements:

- Her Majesty the Queen's Birthday Honours' List, the Queen's Award for Enterprise and the Queen's Award for Voluntary Service were set out in the agenda.
- Since becoming Chairman of Surrey County Council he had attended nearly 40 appointments, including five civic services throughout the county and also two royal visits.
- HRH The Princess Royal visited both the Queen Mary's Sailing Club in Ashford to celebrate 20 years of Sailability, and the prize day of the Royal School in Haslemere, where she was a patron.
- The month ahead would see further royal visits.
- The flag raising ceremony for Armed Forces Day was held at County Hall last month. It was well attended by officers and also by Deputy Lieutenant Martin Gerrard, numerous members of the Royal British Legion, including a 98 year old veteran, as well as military personnel.
- Sadly, we have had three recent acts of remembrance for the victims of the recent terrorism atrocities.
- Along with the Community Partnerships' team, he had hosted a reception for Surrey's Reservists at Guildford Fire Station, as a thank you for the tremendous work that they do to protect our country.
- That Surrey Fire and Rescue had assisted at the terrible Grenfell Tower fire and supplied the aerial platform ladder.
- That following representations from some Members, and in consultation with Group Leaders, item 11, the Amendments to the Constitution – Articles, will be withdrawn and the Vice-Chairman would meet with Group Leaders over the summer, with a view to bringing it back to Council for decision in October.
- Finally, he informed Members that Anne Gowing, from Democratic Services would be retiring in August and this was her last meeting.

46/17 DECLARATIONS OF INTEREST [Item 4]

There were none.

47/17 LEADER'S STATEMENT [Item 5]

The Leader made a detailed statement. A copy of the statement is attached as Appendix A.

Members raised the following topics:

- Whether the Green Belt would be protected in future housing strategy plans.

- Whether there was a timescale from Government, in relation to progressing fairer funding for Surrey.
- The new joint waste contract – there were issues, particularly in Elmbridge, which it was hoped would soon be resolved.

48/17 MEMBERS' QUESTION TIME [Item 6]

Notice of 22 questions had been received. The questions and replies were published as a supplementary agenda on 10 July 2017.

A number of supplementary questions were asked and a summary of the main points is set out below:

(Q2) Mr Robert Evans asked the Leader of the Council if he would release the content of the letter that he had written to the Chancellor. The Leader agreed to the request and also informed Members that he was still waiting for a response.

(Q3) Dr Povey did not consider that his question had been answered and asked what was the relative cost of a ton of recycling if the waste was put into wheelie bins or fly-tipped? The Cabinet Member for Environment and Transport agreed to provide the details outside the meeting. He also informed Members that there had been many changes to recycling in Waverley and reported that there had been a 40% reduction in fly-tipping incidents in that District.

Mr Essex raised both the issue of distance for residents to travel to recycling centres if four centres were closed and also that, as a result of the increased distances, recycling targets could decrease, which could result in financial loss to the Council. The Cabinet Member said that the proposals on the future of the Community Recycling Centres (CRCs) were still out for consultation. However, he informed Members that if the proposed closure of four CRCs went ahead, 95% of Surrey residents would still have a CRC within six miles of their home.

(Q5) Mrs Watson asked the Leader of the Council if he would be 'third time lucky' in his lobbying of Government for fairer funding for Surrey. The Leader considered that her supplementary question did not relate to her original question.

(Q7) Mr Forster said that the Woking Local Plan relied on local rail capacity and he was concerned that there was a lack of clarity from Government on their commitment to Crossrail 2 because there had not been any reference to it in the recent HM Queen's speech.

Mrs Muir, divisional Member for Epsom West, agreed that clarity on Crossrail 2 was also needed for her residents.

The Cabinet Member for Environment and Transport agreed that Crossrail 2 was desperately needed in Surrey to help alleviate overcrowded trains. He informed Council that he had written to Government asking whether Crossrail 2 would go ahead.

(Q8) Mr Botten asked if the Cabinet Members would agree that nearly 50% of the families who use the Beeches have yet to find alternative provision. The Cabinet Member for Children responded by stating that the Council had communicated extensively with the families over a long period of time, and that the social care team were working with those affected families to find the best solutions.

Dr Grant-Duff referred to the number of SEND children benefitting from short breaks in Surrey and asked what benefits the re-commissioning of this service would have for all SEND children and young people in Surrey. The Cabinet Member for Children said that for many SEND children, the re-provision of services would provide a better offer, and often closer to home, particularly in relation to play and leisure. Finally, she thanked Members for their interest in the Short Breaks provision in Surrey and reminded them that a report for decision would be presented to Cabinet on 18 July 2017.

Mr Harrison asked the Cabinet Member for Children to confirm whether the overnight provision at Applewood would be reduced and was advised that it would be unchanged.

(Q9) Mr Botten referred to a previous speech of the Leader of the Council in which he highlighted the high number of adults in Surrey with Learning Difficulties and the historical reasons behind it. He asked whether the funding for Housing Related Support should reflect this. The Cabinet Member for Adults said a funding decision would not be made until after the consultation.

(Q11) Mrs Rivers asked the Leader of the Council if the assistance provided by the Local Government Association (LGA) proved that membership of the LGA was good for Surrey taxpayers and whether SCC should continue to be a member.

Mr Robert Evans referred to the £20m that was invested in Icelandic Banks and asked the Leader of the Council if an internal investigation had been undertaken and whether there had been any resignations as a result of the incident. He also made reference to SCC's current investment strategies and asked if there were safeguards in place to prevent any future issues with investment.

Mr Townsend asked why SCC was leaving the LGA because he considered that it was a 'strong vehicle' for influencing Government.

The Leader of the Council expressed disappointment about Members asking questions about the LGA and said he had made it clear in February that the new Council would decide what organisations the Council would affiliate to.

(Q12) Mr Essex asked what impact the transfer of services to Surrey Choices had on the residents' experience. The Cabinet Member for Adults confirmed that complaints were monitored and that no adverse comments had been received about the service.

(Q14) Mr Robert Evans asked the Cabinet Member for Highways if the £9m reduction in the Medium Term Financial Plan for the road repairs budget would have an adverse effect on the condition of Surrey's roads. The Cabinet Member confirmed that the highways were constantly monitored in Surrey and therefore that should not happen.

(Q16) Mrs Watson asked the Leader of the Council if he would be proposing a 15% increase in council tax at next year's Budget meeting. The Leader responding by stating that the Budget was set by the full Council.

(Q17) Mr Forster questioned whether the £42 billion core budget for schools by 2019/20 would include the recently announced teachers' pay rise. The Leader of the Council suggested that he wrote to the Secretary of State for a response to this question.

(Q18) Mr Botten queried whether the Cabinet Member for Education was aware that the headteacher of a school in Dorking was considering moving to a four-day week and also would she consider making representations to Government in relation to the 1% pay rise announced for teachers. The Cabinet Member informed Members that the School Teachers Review Body had agreed the 1% increase and that she considered that it would be upto the Chancellor in his Autumn Budget review in November to present his views on public sector pay. On the issue of a four-day week, she said that she had attended a Faith Chairs Headteachers meeting recently and none of the schools had talked about moving to a four-day week.

(Q19) Mr Lee asked whether the Cabinet Member for Environment and Transport agreed with the Warringham Conservatives' statement and would he be opposing the Bond Road site closure? The Cabinet Member informed Members that the consultation was on going and nothing would be decided before the proposals had been to the scrutiny committee and then to Cabinet for decision. He said that, whilst the County Council did not want to close any Community Recycling Centres, it was facing severe budgetary pressures and that savings had to be made in the service.

(Q20) Mr Essex asked about the Capital Safety Defect Programme and whether another budget could fund the 'in between' work (namely funding local structural repair on all roads) now that the funding to local committees had been withdrawn. The Cabinet Member for Highways confirmed that would be the case.

Cabinet Member Briefings: these were also published with the supplementary agenda on 10 July 2017.

Members made the following comments:

Cabinet Member for Education: On improvements to the SEND provision and the issues of recruiting Educational Psychologists, plus the importance of supporting schools at the early intervention stage.

She was also asked about the new way of working as the schools-led improvement system developed and said that she considered that the Regional Schools Commissioner would play a significant role.

Cabinet Member for Environment and Transport was praised for the success of the local bus transport review and the savings delivered, whilst at the same time, improving services in some areas – this was a 'good news' story that should be publicised.

On the Air Quality Action Plan, it was requested whether the letter sent to Michael Gove MP could be made public. This was agreed.

Cabinet Member for Children was asked to expand on the comment in her statement relating to the inconsistency of practice and to explain to Members the work undertaken by the MASH (Multi-agency Safeguarding Hub). She said that her aim was to have a high quality of service disseminated across Surrey. She also informed Members that Ofsted would be visiting Surrey in the next month, to look specifically at the MASH.

Cabinet Member for Health: Members were pleased that health and care organisations had signed a devolution pledge with the Surrey Heartlands Sustainability and Transformation Partnership (STP). She was asked about plans to

monitor its progress and also for assurance about equality of service for all Surrey residents and not just for those in this area.

Cabinet Member for Environment and Transport on Community Recycling Centres and the consultation. Given the significant amount of interest and the large number of responses, he was asked if there could be an extension to the consultation. However, this request was rejected.

Additional item

The Chairman agreed that the Leader of the Council could make a statement.

The Leader informed Members that Mr David McNulty, the Chief Executive would be retiring at the end of September. He paid tribute to the significant contribution to Surrey that Mr McNulty had made since becoming Chief Executive in 2009.

49/17 STATEMENTS BY MEMBERS [Item 7]

Three Members made statements:

- (i) Mr Eber Kington read the poem – ‘Light versus Darkness’ relating to Epsom.
- (ii) Dr Andrew Povey in relation to the Cranleigh Community Recycling Centre.
- (iii) Mr John O’Reilly in relation to the bus services in his division, in particular, the improved service to Whiteley Village.

50/17 ORIGINAL MOTIONS [Item 8]

Item 8(i)

Under Standing Order 12.3 the Council agreed to debate this motion.
Under Standing Order 12.1 Mr Goodwin moved the motion, which was:

‘Council sends its deepest condolences to the family and friends of those killed, injured and missing in the Grenfell Tower tragedy in North Kensington.

Council recognises and thanks Surrey Fire & Rescue Service for the assistance they gave to the London Fire Brigade in tackling the blaze.

In view of the Grenfell Tower tragedy, this Council resolves:

- to ensure that Surrey Fire & Rescue Service is properly funded and resourced in order for it to keep the residents of Surrey safe;
- that fire safety audits are carried out in Surrey at least every 12 months on buildings with a communal entrance, including residential blocks, offices, shops and factories;
- that Surrey Fire & Rescue Service has the necessary equipment to reach the tallest buildings in the County, to ensure fires at all levels of buildings can be tackled effectively;
- that Surrey Fire & Rescue Service work closely with the districts and boroughs within the County to inspect housing blocks which are also at risk of a similar incident and to check any external cladding used on them and;
- to endorse the Fire Brigades Union and National Union of Teachers campaign that each new school built in England should be automatically fitted with a sprinkler system.’

Mr Goodwin made the following points:

- Paid tribute to those people who had lost their lives, their families and friends and acknowledged that support was needed to help people come to terms with the effect of the tragedy.
- Paid tribute to the Emergency Services, especially the Fire & Rescue Service who ran towards the fire.
- Considered that fire safety would now be higher priority for this Council.
- That there was no aerial ladder high enough to reach the top floors of the tower block.
- Everyone deserves to work and live in a safe environment and that changing nature of the London skyline.
- The importance of sprinklers, particularly in high buildings and that he would be supporting the Fire Brigades Union for sprinklers to be fitted in new buildings.
- The cladding issues were very frightening.
- All Surrey buildings needed regular audits.
- The importance of investing in the Surrey Fire and Rescue Service.

The motion was formally seconded by Mr Botten who reserved his right to speak.

Mrs Turner-Stewart moved an amendment which was tabled at the meeting. This was formerly seconded by Mr Kemp.

The amendment was as follows (with additional words underlined and deletions crossed through):

'Council sends its deepest condolences to the family and friends of those killed, injured and missing in the Grenfell Tower tragedy in North Kensington.

Council recognises and thanks Surrey Fire & Rescue Service for the assistance they gave to the London Fire Brigade in tackling the blaze **fire and for their support in subsequent days to provide officers, vehicles and equipment.**

In view of the Grenfell Tower tragedy, this Council resolves:

- to ensure that **continue to consider the funding for and resourcing of** Surrey Fire & Rescue Service ~~is properly funded and resourced~~ in order for it to keep the residents of Surrey safe. **The Council notes that Surrey Fire and Rescue Service officers are developing a comprehensive Integrated Risk Management Plan for consultation, setting out how they can continue to deliver efficient and effective prevention, protection and response with resilience into the future.**
- **to consider national guidance on fire safety audits and whether funding and resources allow and are necessary, for more regular** ~~that fire safety audits are carried out~~ in Surrey at least every 12 months on buildings with a communal entrance, including residential blocks, offices, shops and factories.
- that Surrey Fire & Rescue Service **to continue to effectively use** has the necessary equipment to reach the tallest buildings in the County, to ensure fires at all levels of buildings can be tackled effectively. This includes their

turntable ladder and aerial ladder platform, which at 42 metres high is the tallest in England and used at the recent Grenfell Tower fire.

- ~~that Surrey Fire & Rescue Service~~ to **continue to** work closely with the districts and boroughs **and other agencies** within the County to inspect housing blocks which are also at risk of a similar incident and to check any external cladding used on them **in accordance with Government guidance issued.** ~~and;~~
- to ~~endorse~~ **consider** the Fire Brigades Union and National Union of Teachers campaign that each new school built in England should be automatically fitted with a sprinkler system.'

Both Mr Goodwin and Mr Botten agreed to accept the amendment to this motion and therefore, it became the substantive motion.

Mr Robert Evans moved a further amendment, which was also tabled at the meeting. This was formerly seconded by Mr Essex.

His amendment proposed including the following additional wording at the end of the motion.

'Furthermore Council is deeply concerned that Surrey Fire Brigade Union (FBU) has passed a motion of no confidence in the Surrey fire authority, arguing that should 'these cuts go ahead, Surrey Fire and Rescue Service will no longer be able to perform its duty effectively'.

Council notes that by 2022 if the planned cuts are implemented, SFRS will have suffered a 69% drop in firefighter posts, since 2010.

Council therefore agrees to review all planned cuts to fire cover including their equality impact assessment, pending the outcome of the Grenfell public enquiry and to demand immediately additional money for fire safety from the government.'

Mr Robert Evans made the following points:

- Expressed disappointment with the amendment to the original motion.
- Extended his deep condolences to the residents of Grenfell Tower.
- The fear, shock and horror of the tragedy and that the firefighters went towards it without a care for their own safety.
- That he had visited Staines Fire Station to thank the crews that had assisted their London colleagues.
- The Council had a tremendous responsibility for Surrey Fire and Rescue and that was why he had included a reference to the Fire Brigade Union passing a motion of no confidence in the Surrey Fire Authority if further cuts went ahead.
- Concern about the reduction in the number of firefighter posts, particularly in the Spelthorne area if the number of fire stations was reduced from two to one, and the effect for fire safety in the locality, which included Heathrow airport and the M25.
- That the Council should agree to review all planned cuts to fire cover.

Nine Members spoke on the amendment to the substantive motion and made the following comments:

- The local Member for Farnham North has been contacted by firefighters at his local station who had expressed their concern about the proposed cuts to their service and the Council needed to pay attention to them.
- Reference to the Leader's statement in which he mentioned that this Council had made £500m cuts since 2010.
- The proposed cuts for fire cover were too severe and needed to be reviewed.
- That Cabinet were aware of the FBU views.
- Mrs Turner-Stewart's amendment to the original motion added in the development of the Integrated Risk Management Plan (IRMP) which would set out how the service would continue to deliver its services in the future.
- Mr Robert Evans' amendment could not be accepted because it asked the Council to wait for the outcome of the Grenfell Public inquiry which could take several years.
- SF&R did have some of the best equipment, including defibrillators in the country.
- The purpose of the IRMG (otherwise known as the Public Safety Plan) was to look at the risks for the whole county and nothing had changed since the last one was approved.
- There was an annual requirement to send a Statement of Assurance to Government in relation to the service's effective performance.
- That it was usual practice for firefighters to write their names on their hats and the person managing the entry to the fire to record their names.
- A belief that SF&R service was adequately funded – no one liked making cuts but the budget needed to balance.
- The Council should be concerned if the FBU had passed a motion of no confidence.
- That the Chief Fire Officer had already reviewed the planned cuts to the fire service.
- Was the 42 metre aerial platform (supplied by SF&R for the Grenfell Tower fire) high enough to reach the floors of all high rise blocks in Surrey.
- Delaying any review could be catastrophic
- This county had a well equipped fire service and tribute was paid to the efforts of Surrey firefighters at Grenfell Tower.
- The importance of regular audits and that points made by councillors in the debate should feed into the budget discussions for 2018/19.
- That this amendment was sensible, reasonable and that the Council should be concerned about comments from the FBU.
- Concern about further planned cuts.
- That all schools should be fitted with a sprinkler system and not just new schools, as proposed by the Government, but this would require additional funding.

Finally, Mr Robert Evans responded to the comments raised by Members and his amendment was put to the vote with 17 Members voting for and 55 Members voting against it. There were no abstentions.

Therefore, the amendment to the substantive motion was lost.

Returning to the substantive motion, there were two further speakers, who made the following comments:

- The importance of getting the correct tone of the motion and also not to make it too complacent. However, it needed to demonstrate humility.
- That there should be consensus across the Chamber.
- A need to bring all parties together including SF&R and FBU so that the best way forward could be achieved.
- That SCC had invested in equipment including breathing and cutting apparatus for SF&R and that this had been well used at the Grenfell tragedy.
- Confirmation that SCC had the necessary equipment for what is required in this county.
- Prevention was better than cure.
- SF&R already advised businesses in relation to safety.
- This Council needed to support firefighters – it was important to move forward with new ways of working such as co-responding.

The Leader of the Council then moved that:

‘the question be now put’

Ten Members stood in support of this motion and the Chairman accepted that there had been sufficient debate. He asked Mr Goodwin, as the proposer of the original motion to wind up the debate.

The substantive motion was put to the vote with 69 Members voting for and no Members voting against it. There were 2 abstentions.

Therefore it was:

RESOLVED:

That Council sends its deepest condolences to the family and friends of those killed, injured and missing in the Grenfell Tower tragedy in North Kensington.

That Council recognises and thanks Surrey Fire and Rescue Service for the assistance they gave to the London Fire Brigade in tackling the fire and for their support in subsequent days to provide officers, vehicles and equipment.

In view of the Grenfell Tower tragedy, this Council resolves:

- to continue to consider the funding for and resourcing of Surrey Fire and Rescue Service in order to keep the residents of Surrey safe. The Council notes that Surrey Fire and Rescue Service officers are developing a comprehensive Integrated Risk Management Plan for consultation, setting out how they can continue to deliver efficient and effective prevention, protection and response with resilience into the future.
- to consider national guidance on fire safety audits and whether funding and resources allow and are necessary, for more regular fire safety audits in Surrey on buildings with a communal entrance, including residential blocks, offices, shops and factories.

- to continue to effectively use the necessary equipment to reach the tallest buildings in the County, to ensure fires at all levels of buildings can be tackled effectively. This includes their turntable ladder and aerial ladder platform, which at 42 metres high is the tallest in England and used at the recent Grenfell Tower fire.
- to continue to work closely with the districts and boroughs and other agencies within the County to inspect housing blocks which are also at risk of a similar incident and to check any external cladding used on them in accordance with Government guidance issued.
- to consider the Fire Brigades Union and National Union of Teachers campaign that each new school built in England should be automatically fitted with a sprinkler system.

Item 8(ii)

Under Standing Order 12.3 the Council agreed to debate this motion.
Under Standing Order 12.1 Mr Essex moved the motion, which was:

“Council regrets the proposed closure of 4 Community Recycling Centres (CRCs) in Surrey, as well as the increase in charges and reduced opening hours at other sites, which will be detrimental to the environment.

Council notes that Surrey County Council previously consulted the public on closures and reduction of hours for CRCs but subsequently scaled back their plans in response to concerns raised by residents. Council further notes the high value residents place upon this service and their desire to retain and improve it.

Council calls upon the Cabinet Member for Environment and Transport to work with the Boroughs and Districts and Surrey Waste Management Ltd to explore alternatives before any closure plans for CRCs are finalised, in order to maintain these vital services for Surrey residents.’

Mr Essex made the following points:

- Referring back to the consultation in 2015 on proposed changes to CRCs, where some changes had been implemented but others had not.
- Also, a petition with 7000 signatures objecting to the changes had been received at that time.
- These 2017 changes had not been through the Scrutiny or Cabinet process yet, neither had an Equality Impact Assessment been completed so this motion provided an opportunity for public discussion.
- Proposing closure of four CRCs could affect up to 400,000 residents who would be expected to drive further to recycling centres, and if the remaining centres operated reduced opening hours, residents had a increased risk of turning up at CRCs when they were closed.
- The importance of achieving the 70% recycling target plus the need to encourage residents to increase their recycling.

The motion was formally seconded by Mr Robert Evans.

Mr Goodman moved an amendment which was tabled at the meeting.

The amendment was as follows (with additional words underlined and deletions crossed through):

'Council regrets **the need for the current consultation with Surrey residents on** ~~a~~ the proposed closure of four Community Recycling Centres (CRCs) in Surrey, as well as the increase in charges and reduced **and possible changes** to opening hours at other sites. ~~which will be detrimental to the environment.~~

Council notes that Surrey County Council previously consulted the public on closures and reduction of hours for CRCs but subsequently scaled back their plans in response to concerns raised by residents. Council further notes the high value residents place upon this service and their desire to ~~retain and improve it~~ **for these to remain in place.**

Council calls upon the Cabinet Member for Environment & Transport to work with **Members of Parliament**, the Boroughs and Districts, **Parishes, Joint Waste Solutions** and Surrey Waste Management Ltd **Partnership** to explore **and assess** alternatives before any closure plans for CRCs are finalised. ~~in order to maintain these vital services for Surrey residents.'~~

Both Mr Essex and Mr Robert Evans agreed to accept the amendment to this motion and therefore, it became the substantive motion.

Six Members spoke on the substantive motion and made the following comments:

- The significant financial challenges facing the Council.
- All Members regretted having to make proposed changes to CRCs but there were challenging savings targets to achieve in the service, including £1.8m from CRCs.
- Acknowledgement of Members' and residents' concerns. However, assurance was given that the County Council would work with partners to mitigate any changes to residents.
- Work was on-going to reduce costs.
- If, after the consultation four CRCs closed (Bagshot, Warlingham, Dorking and Cranleigh), 95% of Surrey residents would still have a CRC within six miles of their home.
- There was no evidence that fly tipping would increase. However, some Members remained concerned about it and considered that the Fly Tipping Strategy was fundamental. Also, there were no statistics on fly tipping on private land, such as National Trust land.
- There were several commercial companies that would collect waste.
- A need for more accurate data.
- A two day media campaign setting out the proposed changes would be launched in August.
- 20 years ago, there was practically no recycling so huge steps had been made to achieve the current percentage of recycling.
- Residents did not always think that they should recycle.
- Residents were urged to participate in the consultation.
- The CRCs were a success story with an 83% satisfaction rate.
- The Cabinet Member was asked if there was any flexibility to make changes as part of the consultation process, including exploring whether Districts / Boroughs could take over the responsibility for CRCs.

- An invite was extended to the Cabinet Member for Environment and Transport to visit Spelthorne Borough to observe the fly tipping issues in the area.
- It was hoped that the Cabinet Member would carefully consider views of residents before the final recommendations are considered by Cabinet.
- Concern that 'detrimental to the environment' and reference to increased charges had been deleted from the amendment.
- That the proposals should be scrutinised by the Environment and Infrastructure Select Committee.
- Finally, that there was money to be made from recycling and therefore there should be investment in the service and residents should be encouraged to recycle their unwanted goods free of charge.

The motion was put to the vote and received unanimous support.

Therefore, it was:

RESOLVED:

Council regrets the need for the current consultation with Surrey residents on a proposed closure of four Community Recycling Centres (CRCs) and possible changes to opening hours at other sites.

Council notes that Surrey County Council previously consulted the public on closures and reduction of hours for CRCs but subsequently scaled back their plans in response to concerns raised by residents. Council further notes the high value residents place upon this service and their desire for these to remain in place.

Council calls upon the Cabinet Member for Environment and Transport to work with Members of Parliament, the Boroughs and Districts, Parishes, Joint Waste Solutions and Surrey Waste Partnership to explore and assess alternatives before any closure plans for CRCs are finalised.

Item 8(iii)

Mr Robert Evans agreed to withdraw his motion because the Grenfell Tower disaster had been discussed in Motion 1.

Item 8(iv)

Under Standing Order 12.3 the Council agreed to debate this motion.
Under Standing Order 12.1 Mr Furey moved the motion, which was:

'This Council recognises the significant and growing contribution made by the county of Surrey to Her Majesty's exchequer.

This Council also believes in the paramount need for a system of fair funding for local government.

This Council notes the very significant additional funding being made available to people in Northern Ireland for schools, hospitals, infrastructure and public services. This Council believes that the need for investment in those areas is equally important in Surrey.

The Council mandates the Leader of Surrey County Council to use all endeavours to ensure that Government understands the need for further investment in Surrey.'

Mr Furey made the following points:

- A reference to the snapshot of the County in June 2015 which was carried out by AECOM consultants and carried out again this year.
- These five themes were addressed: (i) new homes required, (ii) incoming residents, (iii) required infrastructure, (iv) funding gap, (v) jobs created.
- 59,000 new jobs were created in Surrey between 2015-2017 but the new homes requirement was not met. Therefore, the large increase in new residents had increased pressure on housing, education and health services in the county.
- The infrastructure issues had deteriorated since 2015 - Surrey roads were more congested and required a high level of repair.
- No additional funding had been given to Surrey and there appeared to be a lack of sustainability caused by the Government perception that Surrey was a rich and successful county.
- Businesses needed both skilled and non-skilled people who required affordable housing and public transport at a reasonable price.
- The effect of congestion on Surrey's roads.
- That Surrey had the largest fiscal balance of revenue generated in the country.
- Comparison examples of other areas were given to illustrate the value of each resident / revenue contribution and the net contribution to the Treasury of each resident.
- The continued focus on city economies and the role of regional devolution by Government.
- Finally, that Government had provided a grant of several billion pounds to Northern Ireland in exchange for parliamentary support which was contrary to the growth agenda.

The motion was formally seconded by Mrs Lewis who made the following points:

- That this motion had built on much of what had been discussed in the Council Chamber today.
- The importance of making a compelling case to Government.
- The Conservative administration of Surrey County Council was not afraid to stand up to a Conservative Government.
- Surrey was a 'powerhouse' in the South East and the Government needed to support the county and therefore its 11 MPs would continue to be lobbied for a fairer funding deal for Surrey, so all Members were urged to support this motion.

Four Members spoke on the motion and made the following comments:

- Disappointment that the Leader had left the Local Government Association and that the County Council may withdraw from it but it was hoped that the Council would continue to work with the Association to achieve fairer funding for Surrey.
- That, to date, the Leader had not managed to obtain more funding for Surrey and that the business rate pilot was no longer going ahead.

- Some of the funding announced for Northern Ireland would have helped to alleviate Surrey's budgetary pressures.
- Surrey MPs were ineffectual and so far had not achieved a better funding deal for Surrey residents.
- All Members, regardless of party had been fighting hard for a fairer funding deal for Surrey.
- The difficulty of balancing the budget due to increased demand and therefore in order to help achieve this aim, services needed to be re-shaped.
- That the Government needed to reform the system for funding local Government.

The motion was put to the vote with 62 Members voting for and no Members voting against it. There were 5 abstentions.

Therefore, it was **RESOLVED** that:

This Council recognises the significant and growing contribution made by the county of Surrey to Her Majesty's exchequer.

This Council also believes in the paramount need for a system of fair funding for local government.

This Council notes the very significant additional funding being made available to people in Northern Ireland for schools, hospitals, infrastructure and public services. This Council believes that the need for investment in those areas is equally important in Surrey.

The Council mandates the Leader of Surrey County Council to use all endeavours to ensure that Government understands the need for further investment in Surrey

51/17 REPORT OF THE CABINET [Item 9]

The Leader presented the report of the Cabinet meetings held on 30 May 2017 and 27 June 2017.

Reports for Information / Discussion

- A) Quarterly Report On Decisions Taken Under Special Urgency Arrangements: 1 April – 30 June 2017

RESOLVED:

That the report of the Cabinet be agreed.

52/17 REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE [Item 10]

The Chairman of the Audit and Governance Committee introduced the report. He said that both updated strategies had been scrutinised by his committee and commended them: the Risk Management Strategy and Plan (Annex A to the submitted report), plus the updated Code of Corporate Governance (Annex B to the submitted report) to Members.

RESOLVED:

1. That the updated Risk Management Strategy and Plan, attached as Annex A to the submitted report, be approved for inclusion in the Constitution.
2. That the updated Code of Corporate Governance, attached as Annex B to the submitted report, be approved for inclusion in the Constitution.

53/17 AMENDMENTS TO THE CONSTITUTION - ARTICLES [Item 11]

These item was deferred and will be included on the County Council agenda for its 10 October 2017 meeting.

54/17 MINUTES OF THE MEETINGS OF THE CABINET [Item 12]

The minutes of the Cabinet meeting held on 27 June 2017 were published as a supplementary agenda on 4 July 2017.

No notification was received by the deadline from Members wishing to raise a question or make a statement on any matters in the minutes.

[Meeting ended at: 1.05pm]

Chairman

County Council Meeting – 10 October 2017

REPORT OF THE CABINET

The Cabinet met on 18 July and 26 September 2017.

In accordance with the Constitution, Members can ask questions of the appropriate Cabinet Member, seek clarification or make a statement on any of these issues without giving notice.

The minutes containing the individual decisions for 18 July meeting is included within the agenda at item 13. The minutes of the 26 September 2017 meeting will be circulated separately. Any Cabinet responses to Committee reports are included in or appended to the minutes. If any Member wishes to raise a question or make a statement on any of the matters in the minutes, notice must be given to Democratic Services by 12 noon on the last working day before the County Council meeting (Monday 9 October 2017).

For members of the public all non-confidential reports are available on the web site (www.surreycc.gov.uk) or on request from Democratic Services.

REPORTS FOR INFORMATION / DISCUSSION

A ANNUAL REPORT OF THE SHAREHOLDER BOARD

1. As part of its strategy to innovate in developing new models of delivery and to benefit from the freedoms introduced by the Localism Act, Surrey County Council had made investments and created trading companies to deliver income and efficiencies and in doing so has established a Shareholder Board, which reports annually to the Council. The purpose of the Board was to safeguard the council's interest as shareholder and to take decisions in matters that required the approval of the Council as owner of a company.

2. The Cabinet AGREED:

That the Annual Report of the Shareholder Board, Annex A to the submitted Cabinet report (and also attached as Annex A to this report) be endorsed and that the report be presented to Council at its meeting on 10 October 2017.

The Cabinet RECOMMENDS that the County Council notes the Annual Report of the Shareholder Board.

B QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS: 1 JULY – 30 SEPTEMBER 2017

1. The Cabinet is required under the Constitution to report to Council on a quarterly basis the details of decisions taken by the Cabinet and Cabinet Members under the special urgency arrangements set out in Article 6.05(f) of the Constitution. This occurs where a decision is required on a matter that is not contained within the Leader's Forward Plan (Notice of Decisions), nor available 5 clear days before the meeting. Where a decision on such matters could not reasonably be delayed, the agreement of the Chairman of the appropriate Scrutiny Board, or in his/her absence the Chairman of the Council, must be sought to enable the decision to be made.

There have been no urgent items in this quarter.

The Cabinet RECOMMENDS that the County Council notes that there have been no urgent items in this quarter.

**Mr David Hodge, Leader of the Council
28 September 2017**

Shareholder Board Annual Report

Financial Year 2016/17

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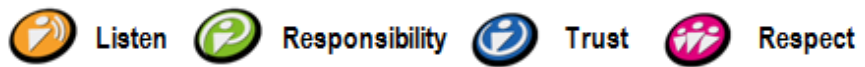
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Shareholder Board Terms of Reference Page 30

The council has created trading companies and made investments to enhance the financial resilience of the council



Our Corporate Strategy, Confident in Surrey's future



The council's strategic framework for innovation and investment is supporting the development of new ideas and approaches to enhance the financial resilience of the council. This increased emphasis on commercial activity has led to the creation of the Shareholder Board to monitor the council's trading activity and ensure satisfactory performance and effective risk management. The financial returns delivered by innovation and investment will help to ensure that we continue to deliver quality services to our residents.

The Shareholder Board is an example of best practice governance. It provides effective oversight and alignment with the strategic objectives and values of the council. The Board safeguards the council's interests and takes decisions in matters that require the approval of the council as owner or as a shareholder of a company.

The Annual Report of the Shareholder Board provides an overview of the progress we have made in developing new models of delivery and enhancing the financial resilience of the council.



David Hodge CBE
Leader of Surrey County Council

THE SHAREHOLDER BOARD

Governance

- The Shareholder Board was created in September 2013 following the report to Cabinet setting out the council's strategic approach to innovation and new models of delivery.
- The Board and its role is noted in the constitution of the council.
- The Board works in accordance with its Terms of Reference which are reviewed on an annual basis.
- Meetings take place at least quarterly.

The Shareholder Board is comprised of 3 members of the council's Cabinet and the Chief Executive. The board is supported by officers of the council, including the Section 151 Officer (Director of Finance) and the Monitoring Officer (Director of Legal, Democratic & Cultural Services).

Members

- Leader
- Deputy Leader
- Cabinet Member for Property & Business Services
- Chief Executive

Advisors

- Deputy Chief Executive
- Director of Finance (Section 151 Officer)
- Director of Legal, Democratic & Cultural Services (Monitoring Officer)
- Head of Strategic Finance (Board Secretary)

Purpose

The primary and most common purpose behind the creation of a Local Authority Trading Company (LATC) is to enable a council to participate in commercial trading activities. Many local authorities have created an LATC for this purpose, with the most common reason given being in order to grow income to protect services. Surrey County Council's first trading company, Babcock 4S Ltd, the Joint Venture with Babcock to provide school improvement services was created in 2003.

The decision to create a company or invest in shares is taken by Cabinet upon the basis of a business case. Like many other councils, SCC has created companies in order to trade and grow income; with profits generated for the council available to support the delivery of the council's Medium Term Financial Plan and enhance financial resilience. This is however not the only reason for the creation of a company or investment in shares.

Surrey Choices was set up in order to safeguard the provision of services to people with learning and physical disabilities. Cabinet approved the creation of a Property Company in order to strengthen the council's ability to invest in a diversified and balanced portfolio of assets in pursuit of the Investment Strategy. The council's investment in FutureGov Ltd enhances the portfolio of assets and supports a company that has a track record of delivering innovative design solutions to local authorities and in social care. The investment in the Municipal Bonds Agency will give the council an alternative source of finance at preferential rates.

The council has created companies and purchased shares in order to –

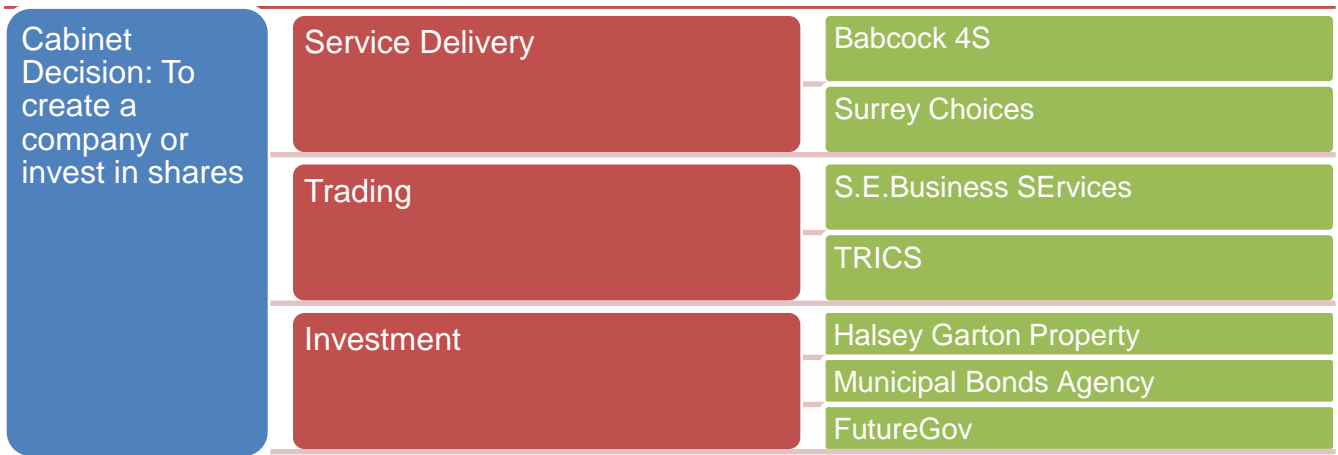
Deliver services, benefiting from efficiencies driven by operating in a commercial environment

Trade & generate income

Invest in assets to deliver an income

THE COUNCIL'S SHAREHOLDINGS

The decision to create a company or to invest in shares is taken by Cabinet or in accordance with delegated decision-making, upon the basis of a business case which articulates the financial implications and associated risks for the council.



These proposals are made with realistic and prudent expectations regarding the investment required and the length of time it will take to establish a successful company. The council therefore recognises that returns will not necessarily be received in the short-term but will contribute to financial resilience in the longer term.

Company	Ownership
Halsey Garton Property	100%
S.E.Business Services	100%
Surrey Choices	100%

Company	Ownership
Babcock 4S	19.99%
TRICS	16.67%
FutureGov	13.1%

The council's minority shareholding in the Municipal Bonds Agency will depend upon the total equity raised.

Disposals

The council previously held 24% of the shares in Bandstand Square Developments Limited (BSDL) – a joint venture in partnership with Woking Borough Council (WBC) and a private developer Moyallen Ltd to deliver a significant regeneration of Woking town centre. The council and WBC provided development loans for the first phase of the project on an equal basis and at a margin above the cost of equivalent borrowing. In accordance with the arrangements established at the point of investment SCC was able to consider whether to participate in the second phase of the project – being the development of the Victoria Square – its new retail premise, hotel and residential towers. The Leader at his formal decision making meeting in January 2017 determined that it would not be appropriate to provide further funding and therefore WBC are progressing the project as the sole funder and on the basis of the positive benefit to their existing assets in the town, a benefit not available to SCC. SCC therefore sold its shares in the joint venture to WBC to enable simplicity of decision-making for the company and to cease the financial risks to SCC. The shares were purchased by WBC at cost.

The first phase of the project delivered a new fire station for the council and this transferred to SCC in December 2016 by means of the council's purchase of the shares in a special purpose vehicle company which held the asset (BSDL (Fire Station) Ltd). This arrangement helps to mitigate stamp duty costs. The council will be winding up the company and transferring the asset to its direct ownership shortly.

Shareholder Board & Decision-Making

The day-to-day operation of each company is the responsibility of the Directors (of each company) with the Shareholder Board being responsible for taking decisions on behalf of the council where these are of a more strategic nature. The extent of this decision-making will depend upon the council's shareholding and upon terms included in a company's Articles of Association (matters reserved for the Shareholder) and / or a Shareholders Agreement in relation to Joint Venture companies.

The Articles of Association for the council's wholly owned companies stipulate that the shareholder, that is the Shareholder Board on behalf of the council, are required to approve or make decisions in relation to the following matters summarised in the table below.

<u>Decision</u>	<u>Rationale</u>
Changes to the Articles	Removes all controls
Appoint and remove Directors	To ensure that the company is appropriately managed and that there is satisfactory governance
Material change in the nature or scope of the business	To ensure companies only undertake activities for which approval has been given and to protect the council's reputation
Purchase of shares or interest in another company. Acquisitions of any business or any shares.	Significant business decision which may involve further financial risk
Borrowing or the raising of finance (except from SCC). The creation of any security interest (except SCC)	To avoid taking on debt that undermines security for SCC debt (excluding de-minimis bank overdrafts) and to avoid incurring further financial risk
Issuing, withdrawal or buy back of shares	To maintain SCC ownership as originally intended
Enter any Joint Venture, consortium or partnership	To ensure companies only undertake activities for which approval has been given in order to protect SCC reputation. To ensure that it is the shareholder that takes decisions that may involve substantial financial risk (rather than the Directors alone).
Selling, transferring, leasing, assigning property or assets (excluding de-minimis and replacement of operational equipment)	To avoid dilution of assets or security in relation to SCC debt
Disposal of any business or any shares	To maintain SCC ownership as originally intended
Entering into an administration order or steps to voluntarily wind up the company	To protect SCC's reputation

Directors

Each company must have at least one person named as a Director – the council itself cannot act in this capacity. The Shareholder Board is responsible for appointing (and removing) Directors to act on behalf of the council. Directors have specific responsibilities in Company Law and therefore the Shareholder Board will need to ensure that persons with the appropriate skills are selected. The name of the person(s) appointed to each company is noted in the next section of the report. In the case of Joint Ventures the person appointed by the council to act in respect of its shareholding is noted.

Directors appointed by the council receive no additional remuneration and undertake this role as part of their duties as an officer of the council.

Company Details

The following pages contain information about each company, including a description of activities and purpose, Cabinet approval & date of incorporation and progress made to date. Financial information has been included where this is generally publically available (e.g. from the statutory accounts of each company) or not commercially sensitive however information that is commercially sensitive, such as the future business plans, has been excluded

HALSEY GARTON PROPERTY LTD

Cabinet Approval	May 2014
Ownership	100%
Date of Incorporation	June 2014
	Commenced trade in November 2015
Council Investment	Share Capital £44.1m Loans of £118.7m (as at 31 st March 2017)
Return on Investment	In 2016/17 the company paid a dividend of £750,000 and made interest payments of £3.9m
Directors	John Stebbings & Susan Smyth

Halsey Garton Property Ltd is named after people associated with the history of Surrey County Council.

Halsey was the first Chairman of the council (1893) and Garton was the High Sheriff of Surrey in 1913.

Company Profile & Business Case

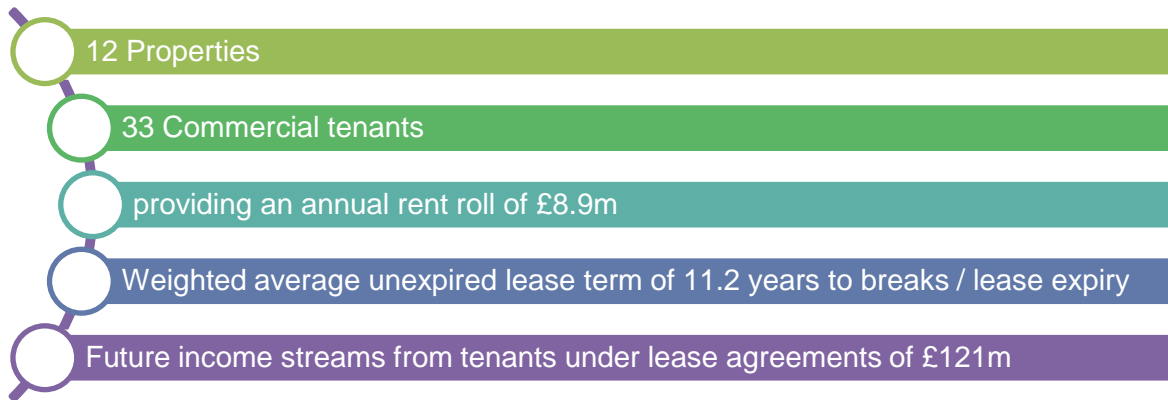
Halsey Garton Property Ltd was incorporated in June 2014 in order to fully implement the recommendations of the Investment Strategy approved by Cabinet in July 2013. The company enables the council to invest in a diversified and balanced portfolio of assets to deliver income and enhance the council's financial resilience over the longer term.

Council Investment

The council provided initial share capital of £1,000 and provides further equity and debt financing to enable the company to progress agreed investments. This is provided on an arm's length basis following the approval of the business case by Cabinet or more recently under the delegated authority of the Investment Board. The council has provided a further £44.1m of equity funds and loans of £118.7m as at 31st March 2017 to enable the company to purchase agreed investment assets.

Progress Report

The company purchased its first asset in November 2015. During 2016/17 a further 11 investment assets were purchased and the company is progressing several purchases which have been approved by the Investment Board.



The company paid its first dividend to the council in 2016/17 of £750,000 and paid the council £3.9m in interest payments. Further information about the company and its investment portfolio is provided by the Investment Board Annual Report. The link between the Shareholder Board and the Investment Board is summarised in the table below.

Investment Board	Shareholder Board
<ul style="list-style-type: none"> • Approves the business case for asset purchase or development by HGP • Approves the provision of finance (equity & debt) to enable HGP to purchase asset • Reviews and considers the performance of the total property investment portfolio - assets held by both SCC and HGP • Considers the financial results of HGP from the point of view of the council - e.g. the interest received from providing loans (debt finance) to the company and the expected annual dividend. 	<ul style="list-style-type: none"> • Receives and considers the year-end financial accounts of HGP and approves the proposed dividend • Approves the annual business plan • Appoints and removes Directors • Approves changes to the Articles of Association • Reviews the financial results of HGP from the point of view of the company - e.g. rents received less expenses including interest payable to the council and administration costs.



Cabinet Approval	March 2013
Ownership	100%
Date of Incorporation	June 2013. Commenced Trade in December 2013
Council Investment	£100 Share Capital
Return on Investment	The company has provided the following dividends- 2014/15: £400,000 2015/16: £400,000 2016/17: £440,000
Directors	Rachel Crossley, Liz Mills & Steve Ruddy

S.E.Business Services

Company Profile

S.E.Business Services commenced trade in December 2013 following Cabinet approval as part of the New Models of Delivery strategy in March 2013. The company provides business to business professional, technical, training and contingency services, enabling the council to trade in those functions in which it has particular expertise and capacity.

Business Case

Originally developed in order to enable the council to trade and to provide IT services, including data hosting, helpdesk and application support to a private sector organisation, the company has further developed and expanded to provide further IT contracts and services. Shareholder Board approval followed by Cabinet approval in March 2014, has enabled the company to enter the aviation fire contingency market created as a result of regulatory and licensing changes for UK airports. The company was selected to provide these services under contract in April 2014.

Council Investment

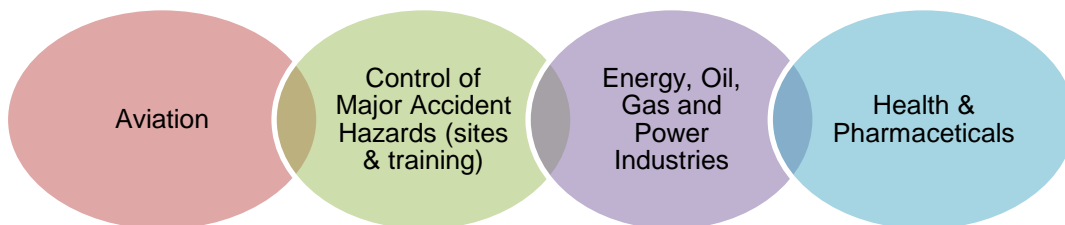
The council provided share capital of £100 and an initial working capital loan to enable the company to commence trade– all lending has been provided on an “arms-length” basis and has been fully repaid.

Progress Report

The company has delivered profits in excess of those expected in the Business Case and compared to its approved Annual Business Plan. These profits have been delivered as a result of entering the fire aviation contingency market and by securing a strategic contract with Heathrow Airport., together with the expansion of IT services currently being delivered to two private sector organisations operating in the health sector. The company has paid dividends since its first full year of trading.

The company employs staff as required to deliver confirmed contracts, and engages appropriate contractors, advisors and service providers to undertake the activities of the company. The Company receives services from the council, including contract delivery and operational services, professional legal and finance services and accountancy support services. The council makes an appropriate charge to the company for any services provided, ensuring that the full cost of the activity is recovered.

The company will continue to develop its client base and reputation in the market in order to secure further contracts in target markets from the provision of business continuity services, training and development, technical services and subject matter consultancy and advice.





Cabinet Approval	December 2013
Ownership	100%
Date of Incorporation	March 2014
	Commenced Trade in August 2014
Council Investment	£100 Share Capital Loans of £2.8m (set up loan of £0.7m and a revolving credit facility of £2.1m)
Directors	Martin Farrow (Managing Director) & Kevin Kilburn

Surrey Choices

Company Profile

Surrey Choices Ltd commenced trade in August 2014, following Cabinet approval of the business case in December 2013. The company provides people with learning and physical disabilities with a range of services in a variety of settings. The service offer includes day services and support for people who wish to seek employment or become engaged in work, volunteering or training opportunities. The Shared Lives service matches carers who provide support in a family home environment to people with disabilities. The company has developed a respite service creating additional capacity in the Surrey based market. The commissioning contract to supply services to the council triggered the transfer of employees from the council to the company under TUPE regulations in August 2014.

Business Case

The council created the company in order to ensure the sustainability of the services provided and to create a commercial environment in which to deliver efficiencies and continued innovation. Benefits to the council are to be derived from income generated from trading activity from the supply of services to those people with personal budgets and those that privately purchase. The business case demonstrated that the company would make a modest profit within the first five years of operation.

Council Investment

The council provided share capital and loans to enable the company to purchase operational assets from the council and to provide for working capital requirements– all lending has been provided on an “arms-length” basis at market rates of interest.

Progress Report

The company delivers services to the council under a commissioning contract; this is currently a block arrangement meaning that the risk of any volume increase rests with the company rather than with the council. In the first 18 months of operation the council increased the number of new referrals and this led to deteriorating financial situation for the company and losses for the first two years of operation.

In light of this, the Adults Service (ASC) undertook a review of the contract and made appropriate amendments. This review concluded in October 2016 and recognised the importance of ensuring the continuation of the services provided to the residents of Surrey. This has enabled the company to put together a revised business plan which was approved by the Shareholder Board in December 2016. This revised plan, based upon prudent assumptions particularly in terms of non-council business and the delivery of significant cost savings, demonstrates that a break-even position is achievable in 2017/18 with modest profits thereafter.

Changes have been made to the management team following the resignation of the previous Managing Director (MD) in August 2016. An interim MD is currently in post and will manage a smooth handover to the new MD who is expected to start in the summer. The refreshed management team has put in place a number of changes to improve the internal controls and governance environment following concerns expressed in the first formal external audit of the company and these improvements were recognised in the latest report from the external auditor in December 2016. Alongside this the contract management meetings with ASC have been reinvigorated with strategic commissioning meetings taking place regularly with the Strategic Director of ASC and a number of sub-groups established to focus on key areas; including performance reporting and the quality of service outcomes.

BABCOCK 4S

Cabinet Approval	July 2003
Ownership	19.99%
Date of Incorporation	September 2003
Council Investment	£199.99
Return on Investment	The last dividend received was in 2013/14 of £273,000.
Surrey County Council Director	Jason Russell

Company Profile

The Company provides educational support services under a Service Delivery Agreement (SDA) with the council and has developed a range of services to schools. Their services include those related to education, including curriculum advice, governor support and more generic services such as Human Resources support, technology support and facilities management. The company also provides services to other local authorities.

Business Case

The Joint Venture company was formed in 2004 when the council selected a commercial partner to deliver its school support and improvement services. Originally named VT Four S Limited, the company was renamed as Babcock 4S Limited when Babcock Internal PLC acquired VT Education and Skills Limited in 2010.

The Joint Venture was proposed in a time of uncertainty regarding the role of Local Education Authorities. The Government had announced its intentions for the greater independence of schools and predicted that the market for education services would be provided by a small number of larger providers. The council formed the Joint Venture in response to these proposed changes, selecting a partner to enable the services to be traded, utilising the partner's commercial skills to enter the market and providing greater sustainability if the levels of service purchased by the council were to decline.

Council Investment

The council received a substantial consideration from VT Education and Skills upon commencement of the Joint Venture and award of the contract to supply services. Investment required to establish the company in the market was provided by VT Education and Skills, as at the time Local Authorities were operating under a different capital finance regime which restricted borrowing and investment.

Progress Report

The Joint Venture has proved to be successful, delivering a financial return to the council as a shareholder, significant dividends and improving school performance as part of its SDA with the council. However the company is being significantly impacted by changes in the schools market and the changing role of Local Education Authorities. The change to academy status means that a proportion of funding is transferred from the local authority to individual schools and the academy is then responsible for commissioning its own support services. Some academies have chosen to continue to purchase their support services from B4S but others have not. The company has lost a number of significant local authority contracts since 2012 or seen the contract value of those remaining significantly reduce.

The changes in the market will therefore impact upon the nature and viability of the business in the future. The Shareholder Board recognise that the increasing emergence of free-schools and multi-academy trusts will impact on whether a single provider for schools improvement is the best long-term approach and that the company will need to manage these risks and any associated costs, such as redundancy, accordingly.



Cabinet Approval	July 2014
Ownership	16.67%
Date of Incorporation	October 2014
	Commenced trade in January 2015
Council Investment	£37,500 Share Capital
Return on Investment	The company has provided the following dividends- 2015: £81,300 2016: £83,800
Surrey County Council Director	Mike Green

TRICS

Company Profile

TRICS Consortium Ltd commenced trade in January 2015, following Cabinet approval in July 2014. The Company provides a service to the transport planning and property development customer community by providing access to a comprehensive database of travel patterns known as trip rates. Trip rate data is used by planning consultants in support of planning applications in order to demonstrate the impact of major developments on local traffic. The database is recognised in national planning policy and is widely used by the planning profession and its use has been given due weight by Inspectors at Planning Inquiries.

The company is a joint venture with five other local authorities, Dorset County Council, East Sussex County Council, Hampshire County Council, Kent County Council, and West Sussex County Council. These councils held the rights to the database under a long-standing partnership arrangement and therefore became the shareholders of the company. The company now owns all Intellectual Property Rights in relation to the database and the brand.

Business Case

The creation of the company ensures that the commercial activities of the consortium councils is being undertaken in an appropriate manner and will enable the growth potential of the database into other territories to be fully exploited.

Council Investment

The council, together with the other five local authority shareholders, invested equity funds to provide for working capital and set-up expenses. The funds provided were from balances held by the consortium, created from surpluses from previous activity.

Progress Report

The Company commenced trading on 1st January 2015 when it took over the operation of the database from the incumbent supplier. The company comprises of the Managing Director, recruited to deliver the day-to-day operation of the company and three employees that TUPE transferred from the previous supplier. The company is benefiting from the more optimistic financial climate which has a large influence on activity within the industry. The company is developing plans to expand its reach into international markets, particularly in New Zealand and Australia.

The company delivered a profit in excess of expectations for the first full year of trading due to tight control of set-up costs and the improving economic environment. The company has distributed a dividend to its shareholders each year since its creation thereby delivering a significant return on investment within a short timeframe.

FUTUREGOV

Cabinet Approval	December 2013
Ownership	13.1%
Date of Purchase of Shares	January 2014
Council Investment	£125,000 Share Capital £125,000 Loan Notes
Surrey County Council Director	The council has not appointed a Director since Julie Fisher resigned from the post in March 2016. Susan Smyth attends the board meetings of the company as an observer & advisor.

FutureGov

Company Profile

FutureGov Ltd provides innovative digital solutions and digital design services to Local Authorities and other public sector organisations. It specialises in the children’s services and adult social care market. Their products and consultancy services have been purchased by a number of authorities including those in Australia.

Business Case & Council Investment

The investment in FutureGov was undertaken in 2014 to strengthen a partnership that had already delivered innovative products within the social care market. The council’s investment of equity and debt finance in 2014 was made alongside investment from Nesta, a charity whose investment function has a track record in identifying commercial opportunities that deliver social value. The debt financing provided by both parties is at market applicable interest rates, with the interest receivable offsetting the funding costs incurred on the initial equity investment. The business case expected that the investment would generate a modest net return to the council over a five year period.

Progress Report

The company delivered a significant growth in sales revenue since the date of investment however this continues to fall short of delivering fully against its ambitious business plan and profits targets. The products sold well in Australia but had limited success within the UK market.

As a result of this, the company refined their business strategy to focus on consultancy services and digital design and frequently successfully competes against the big consultancy firms for business. The company is recognised as a key player in the digital design and transformation public sector market and as a result has returned to profitability, reporting a profit of £313,000 for the year ending December 2016. The company is creating strategic partnerships to assist its ability to deliver bigger contracts and to broaden the service offer.

MUNICIPAL BONDS AGENCY

Cabinet Approval	Decision taken under delegated approval September 2015.
Ownership	Minority
Date of Incorporation	September 2014
Council Investment	£450,000 share capital

Company Profile

The Municipal Bond Agency's objective is to provide an alternative to the Public Works Loans Board (PWLB) as a cheaper source of borrowing for local authorities from the issuing of bonds. The agency, developed by the Local Government Association (LGA), has raised equity funds from 56 councils to provide for operating costs and sufficient capital against risks.

Business Case & Council Investment

The council's equity investment will be long-term in nature as the agency is not expected to break-even until at least 2018 / 2019. The agency will provide access to all local authorities to raise external borrowing provided that they meet the criteria set, however preferential terms will be provided to those councils that are also shareholders in the company. This means that, for example, on a loan of £10m a council that is a shareholder would save £15,000 per annum compared to PWLB, and if it were not a shareholder the saving would be about £5,000.

Progress Report

The Municipal Bond Agency has distributed a framework agreement which set out the terms upon which local authorities will be able to borrow from them. Authorities will be expected to pass the agency's own credit checks and agree to a joint and several guarantee that would operate if a local authority defaulted on its borrowing.

This requirement to agree to a joint and severally liable guarantee has created some concerns for local authorities particularly at a time of ongoing financial uncertainty. This together with the continued low interest rate environment and short-term borrowing strategies adopted by a number of local authorities has meant that the first bond issue has not been achieved in accordance with originally anticipated timeframes. The CEO of the Agency confirmed at its AGM in May that the first bond issue is expected in a few months.

The council's expectations for the investment have not so far been met and therefore the Shareholder Board has written to the company and to the LGA to express its concerns on behalf of the council.

GLOSSARY

Articles of Association

A company's Articles of Association set the rules (the constitution) for the company. The Articles are filed as part of the incorporation process and are publically available documents. The objects of the company describe what the company will do. The objects of a company are now deemed to be unlimited, unless the Articles limit them.

The Articles may restrict the decision-making powers of the Directors – these are described as Reserved Matters. The Articles may be changed at any time by a special resolution of the members (the shareholders) of the company.

Companies created by the council follow the model articles with the exception of the introduction of reserve powers in matters of strategic importance and one or two other minor exceptions.

Assets

A council owned company may purchase assets from the council. In disposing of assets, the council must ensure that it receives appropriate market value and the company in turn will be required to purchase at market value in order to ensure that there is no financial subsidy or advantage that may be deemed as state aid.

The council will retain property assets unless there is a financial advantage to transfer (for example, where the purpose of the trading company relates to property activities). Market rents will be charged for occupancy of property assets – rents are a pre-tax expense making this arrangement tax efficient and this also ensures that the council's balance sheet remains strong and is not diluted.

Surrey Choices Ltd purchased operational assets, such as vehicles and musical equipment, at appropriate market values from the council and this formed part of the initial set-up costs for the company.

Debt Financing

Debt financing provides the funds required to run a business. A company may borrow the money required to grow and develop the business.

Interest on debt is a business expense, and therefore deducted before tax.

Companies created by the council, such as S.E.Business Services and Surrey Choices have been set-up with limited equity funds. Funding for growth and working capital requirements has been provided by the council under an agreed loan facility. The council provides loans to enable Halsey Garton Property to buy investment assets.

GLOSSARY

Directors Duties

The Shareholder Board are responsible for appointing (and removing) Directors to act on its behalf in relation to companies in which the council holds shares. Directors duties are described in the Companies Act 2006 and include a responsibility to promote the success of the company, exercise independent judgement and exercise reasonable care, skill and diligence.

Directors appointed by the Shareholder Board do not receive additional remuneration for their role and are covered by indemnities provided by the council in respect of financial loss (an extension of the indemnities provided by the council to staff and members as agreed by Cabinet in March 2013). This does not and cannot extend to negligence, default, breach of duty or breach of trust.

The council's legal team brief Directors so that they understand their duties.

Group Companies

Companies form a Group if one is a subsidiary of the other or both are subsidiaries of the same body corporate or each of them is controlled by the same person. Companies within a Group can take advantage of Group Tax relief. In tax legislation, the council is a body corporate that can perform the link between LATCs and therefore the losses of one company can be offset against profits of another.

This group status in tax law also provides the council with the ability to be exempt from stamp duty which would ordinarily apply to property transactions (including the entering into lease arrangements) between group companies).

The council is required to produce Group Accounting statements which mean that the financial results of its LATC's will be included together with the financial results of the council. The council will continue to also produce detailed Annual Statements of Accounts on a single entity basis.

Joint Venture

A Joint Venture company is one that is owned by more than one shareholder, where the shareholders concerned are corporate bodies in their own right. The term Joint Venture is not one that is legally defined and is often used in respect of other arrangements that do not necessarily involve a limited company.

GLOSSARY

LATC (Local Authority Trading Company)

The terminology “LATC” is often used to describe a company that is owned by a Local Authority (i.e. Local Authority Trading Company). It is not a different form of company and most companies described as LATC’s are companies limited by shares, with the shares and therefore the company being wholly owned by the local authority.

Companies created by SCC are most likely to be limited by shares, as this structure ensures that profits can be returned to the shareholder (the council) in the form of dividend payments, and provides the possibility for future sale. It is the most suitable structure for trading activity and enables the Council to create a tax group.

It is possible that other company structures may be applicable in certain circumstances; however these structures tend to involve the removal of council control or would mean an inability to return profits.

Reserved Matters

Reserved matters are important decisions for which the Directors are required to seek and gain Shareholder Approval. These decisions are written in the Company’s articles of association which set the constitution or the rules for the running of the company.

The Shareholder Board has delegated authority to perform these functions on behalf of the council. The reserved matters of SCC’s companies have been written to ensure that the Shareholder Board is responsible for consideration of issues of strategic importance, take decisions that may involve changes to financial risks or may have an impact on the council’s reputation.

Share Capital (Equity)

Equity or shares in a company represent the ownership interests. The Equity invested is the amount of funds contributed by the owners to the financial requirements of the company. In a limited liability company, the owners / shareholders lose no more than the amount invested. Equity invested at start-up is evaluated on the basis of assets owned and/or earnings potential.

Financial returns to the shareholders are made in the form of dividend payments. Dividends are not a business expense and are paid from post-tax profits.

GLOSSARY

Shareholders

The Shareholders (the owners of a company) and directors have different roles in a company. The Shareholders own the company and the directors manage it. The Directors must obtain shareholder approval for decisions where the shareholder has restricted the powers of the Directors – these are called reserved matters. The Shareholder Board has delegated authority to perform these functions on behalf of the council.

Shareholders Agreement

These are agreements between shareholders which are private documents. These agreements set out how the shareholders interact with each other and can define what happens in the event of dispute. A shareholder agreement is only relevant when there is more than one shareholder and is recommended practice for Joint Ventures.

SCC has entered into a shareholder agreement for TRICS Consortium Ltd and in relation to the investment in FutureGov Ltd (in this instance it is called an Investment Agreement but is essentially the same thing).

Support Services

The 2003 Local Government Act provides the ability for the council to enter into agreements for the supply of goods and services, by and to a LATC. The supply of goods, services and financial assistance must be made without subsidy. The legislation guides the council to apply CIPFA definitions of total cost in calculating the cost of supplies made to a Trading company. This provides the ability to recover all costs in the organisation, including a proportion of all central overheads, depreciation, capital costs and pension back-funding. This wide definition allows significant overhead recovery in the provision of services to an LATC. The supply of goods and services calculated on this basis will be compliant with state aid legislation.

The arrangements for LATCs should seek to ensure that the overall cost base of the Group is not unnecessarily duplicated or increased as a result of any new arrangements. Therefore SCC will provide services to an LATC where it is in a position to do so, where these services are fit for purpose for the business and support its strategy and can be supplied at a cost that is competitive. This is particularly important from a Group perspective where costs are relatively fixed, for example in the provision of payroll services where a substantial portion of the cost relates to the system.

GLOSSARY

TUPE

The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) protects employees when a business changes to a new owner and apply to “relevant transfers” which may occur in many situations, including service provision or contract changes. In these situations, the employment transfers, employment terms and conditions transfer and continuity of employment is maintained.

The new employer is therefore required to provide the same terms and conditions to the staff concerned. Alternate provision can be made, e.g. a cash alternative to a lease car, but this alternate provision must be acceptable to the employee.

SCC is required to follow the provisions of the TUPE act. This will apply where a service is being transferred to a trading company, as occurred with the award of the commissioning contract for services to Surrey Choices. A LATC will additionally be required to follow TUPE provisions when taking over a service contract from another supplier – for example, as in the case for S.E.Business Services in the provision of IT managed services previously supplied to the customer by another provider.

Teckal

Procurement complications arise where the Local Authority creates a company to supply services that the LA wishes to continue to purchase – be those that were previously in-house or previously provided externally. The Council is not permitted to automatically purchase from a LATC company outside of normal EU procurement rules. The LATC is required to tender alongside other private sector suppliers.

Procurement issues in relation to the purchase of goods and services from a LATC were evaluated in the Teckal case. According to the 1999 Teckal judgement, public procurement rules do not apply to contracts if the control exercised by the contracting authority over the entity awarded the contract is similar to that which it exercises over its own departments and, if at the same time that entity carries out the essential part of its activities with the controlling authority. This judgement has now been codified into a new EU Directive and in UK Law by the Public Contract Regulations 2015.

SCC will need to ensure that arrangements comply when considering transferring activities to a trading company, assuming that the council wishes to continue to purchase the services. The arrangements for Surrey Choices comply with these considerations.

A LATC falling within the Teckal exemptions will itself be required to comply with the EU public procurement rules, and therefore Surrey Choices is subject these procurement regulations.

GLOSSARY

Transfer Pricing / State Aid

Transfer Pricing refers to the price at which divisions of a company or a group of companies transact with each other – the terminology relates to all aspects of inter-company financial arrangements. These arrangements have potential implications for the tax authorities. The UK has adopted principles of “arm’s length” in tax laws.

State Aid issues would apply where a LATC is established, or provided with goods and services and financial assistance at a subsidy.

SCC will need to ensure that it steers an appropriate path or middle ground between issues of transfer pricing (in relation to tax) and those in relation to State Aid. The cost of goods and services and financial assistance (e.g. loans) supplied by the Council to an LATC will therefore be tested against the market to ensure that prices / rates can be justified on an arm’s length basis.



SHAREHOLDER BOARD

TERMS OF REFERENCE

Overview

The Shareholder Board will exercise the Council's role as shareholder in any company, limited by shares wholly or partly owned by the Council for the purposes of service provision and/or trading activities. The Board acts with the delegated authority of Cabinet to ensure the performance of any such company is satisfactory.

Any reference in these terms of reference to "Company" is defined as a company in which the Council holds shares.

The Shareholder Board may also decide, from time to time, whether to accept proposals to submit a bid to provide goods and / or services which, if successful would commit the council to the establishment of a company (which may include a joint venture company). In these instances, the decision of the Shareholder Board would be ratified in accordance with the council's decision-making process.

Membership

- | | |
|---|---------------|
| • Leader of the Council (Chairman) | David Hodge |
| • Deputy Leader of the Council | John Furey |
| • Cabinet Member for Property & Business Services | Tim Oliver |
| • Chief Executive | David McNulty |

The Director of Finance, Director of Legal, Democratic & Cultural Services and the Deputy Chief Executive will be advisors to the Board to provide open and strong technical advice. Susan Smyth, Strategic Head of Finance, will act as secretary to the Board. Additional advisors may be invited to attend the Board as required.

Purpose

The Shareholder Board will:

1. Have the power to appoint and remove Company Directors
2. Approve and monitor Company Business Plans
3. Approve the allotment of further shares in a Company (whether to third party shareholders or the Council)
4. Exercise any reserved powers in the Articles of a Company
5. Endorse any amendments to Company Business Plans
6. Periodically evaluate financial performance of a Company
7. Agree significant capital or revenue investments proposed by a Company

8. Determine the distribution of any surplus or the issue of any dividends from a Company
9. Consider any recommendation from Company Directors to cease trading
10. Report to the Council annually on trading activity
11. Review the risks associated with trading activities.

The Shareholder Board will not have operational control over Companies. All decisions regarding the day to day operation of each Company, its business developments and commercial opportunities, staff terms and conditions and the development and implementation of its internal procedures, rest with the Directors of each Company.

Relationship to scrutiny

Select Committees will retain their scrutiny function in relation to the Shareholder Board. The Overview & Budget Scrutiny Committee will be able to call the Shareholder Board to account for progress in relation to any Company for which the Council is a shareholder and any returns it is making.

Scope

In respect of Teckal-compliant companies

The Shareholder Board will:

1. Monitor Teckal compliance at least annually.
2. Ensure the Business Plan of a Teckal compliant Company is aligned to the corporate objectives of the Council.

In respect of non Teckal-compliant wholly Council-owned companies

The Shareholder Board will also:

1. Seek to achieve appropriate returns on investment from trading activities.
2. Ensure trading activities are conducted in accordance with the values of the Council.

In respect of any shareholding and/or joint ventures

The Shareholder Board will:

1. Evaluate the return and benefits of the shareholding against the values of the Council.
2. Where appropriate, exercise influence over the company and /or joint ventures in accordance with the values of the Council.

In respect of the submission of a bid which will commit the council to the establishment of a company (or Joint Venture)

The Shareholder Board will:

1. Evaluate the return and benefits of the proposal, including an evaluation of the proposed profit share in a Joint Venture.
2. Seek to achieve appropriate returns on investment from trading activities.
3. Ensure trading activities are conducted in accordance with the values of the Council.

Operation of the Shareholder Board

1. The Cabinet has delegated to the Shareholder Board the authority to take decisions in respect of 100% of the Council's shareholding in any Company.
2. The Shareholder Board will meet quarterly, or as required.
3. The quorum for a meeting of the Shareholder Board is a minimum of 3 members, one of whom must be the Leader or Deputy Leader, who will chair the meeting.
4. The Shareholder Board may take decisions outside of a Company's general meeting as follows;
 - a. At meetings of its members by consensus of those present, unless any member of the Board requires a vote, in which event a majority decision will be taken with each member of the Shareholder Board present having a single vote. The Chairman of the meeting has a casting vote in the event that there is no clear majority; or
 - b. In cases of urgency, by a decision made by the Leader or Deputy Leader in consultation with the Chief Executive.
5. Any decisions made by the Shareholder Board in accordance with 4a or b above, must be notified to the Company's directors as soon as reasonably practicable following such decision being taken.
6. The Shareholder Board may take decisions at a Company's general meeting in accordance with the principles set out in 4a above.
7. The Chairman approves the agenda for each meeting. The agenda and papers for consideration are circulated at least two working days before the meeting. After each meeting, the Chairman approves the meeting notes and actions and signs any resolutions agreed by the Board.
8. The Shareholder Board will review the Terms of Reference annually.

V8: Last reviewed / updated: 21.06.2017



LEADER REPORT TO COUNCIL

SURREY COUNTY COUNCIL PROGRESS REPORT

KEY ISSUE/DECISION:

To consider the attached report and the matters to which the Chief Executive draws attention.

BACKGROUND:

1. This is the sixteenth and final of the Chief Executive's reports to Members. It provides an **overview of the council's progress** over the past six months and the challenges ahead.
2. The format of the report has changed over time in response to feedback from both Members and staff. The purpose of the report has also evolved. It has increasingly become a prompt for wider discussions with Members, staff and partners.
3. The Chief Executive highlights the **pressures the council faces**. There is an increasing demand for our services and communities have changing needs and expectations – at the same time the council's financial resources continue to reduce.
4. Given this context we know **we have to continue working differently and learning from our experiences** in order to keep pace with rising pressures. Based on our progress to date **I believe we can successfully navigate the significant challenges we face**.
5. To achieve this will we need to remain focussed on the **shared goals and values in our Corporate Strategy**, working as "**one team**" with our partners and residents to ensure wellbeing, strengthen economic prosperity, and improve resident experience.
6. I look forward to working with all Members over the coming months as **we continue to improve services and value for our residents**.

RECOMMENDATIONS:

That the Council notes the report of the Chief Executive, thanks staff for the progress made during the last six months, and confirms its support for the direction of travel.

Contact: David Hodge, Leader of the Council, Tel: 020 8541 8003

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DRAFT

**Chief
Executive's
progress
report
October 2017**



SURREY

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Part 1

Introduction

Introduction

Introduction

This is my sixteenth and final progress report since I joined as Chief Executive in 2009. When I look back at the last eight and a half years I'm inspired by the achievements of colleagues and the impact of what they do to keep our county safe, healthy and prosperous.

I've highlighted a number of achievements in each progress report, with over 120 case studies, and here I will focus on just a couple that I feel sum up the importance of what we do.

My first example shows just how much work goes in to making sure we meet our responsibilities to keep our residents safe and well. Most of you will remember that during the Christmas of 2013, Surrey was hit by the worst floods in decades. Around 2,000 households suffered from internal flooding and hundreds of people were forced to leave their homes. We worked with our fire service and alongside Surrey and Sussex Police, the Environment Agency, health sector partners, volunteers and the military. Together we supported vulnerable people, organised transport for those evacuated, supported local borough and districts to provide sandbags and set up rest centres, distributed skips and portable toilets and led on the recovery phase, which lasted until February 2014. Officers worked very long hours including overnight. Many missed out on Christmas celebrations altogether, because of their dedication to respond to the emergency situation. Thanks to the work of our colleagues, residents got the care and support they needed.

My second example is most certainly one of my proudest moments, and highlights the work that has gone in to making Surrey known not just nationally but across the world as a beautiful and prosperous place. In 2012, Surrey hosted the Olympic road cycling events – the men's cycling road race was the most watched sporting event in the world that year.

Surrey rose to the occasion spectacularly with partnership working on an unprecedented scale. More than 6,000 people from Surrey came together to host a million spectators and manage 500 road closures over three days. Residents, public services, businesses and the voluntary sector worked as one team, putting in evenings and weekends to make sure it ran smoothly.

Both of these examples demonstrate the impressive partnership work undertaken day in day out, yet it's often only when there is a big event and the spotlight is on Surrey that this hard work gets recognised. Our hard work gives us reason to celebrate the council's achievements when speaking with our residents and partners.

Some of our core responsibilities go back a long way. For example, the Registration Service is one of the oldest and original local government services, (the service started in England and Wales in 1837) and it is still crucial today. Alison from Guildford Register Office told me that last year a church marriage register that had been in use at the same Surrey church since 1837 was archived, with the final entry being in August 2016. At the same time we are continually evolving to keep up with the times and to make sure our services remain relevant. For example, the Surrey Registration Service has introduced a new online registration system and now handles civil partnerships, parental orders and marriage for same sex couples and it can be vital in tackling issues like forced marriage. You can read more about our Registration Service and how they help residents in the case study section.

During my time here at Surrey, I have particularly valued the work of our Looked After Children Service, including the Care Council. The Care Council gives our looked after children a voice to make positive changes in social care. The group meets monthly to discuss what they would stop, start or change about the care system and they are committed to improving the lives of other young people in care and those about to come into care. I have really enjoyed supporting their events and benefitted from listening carefully to their ideas. You can read more about the Care Council later in the report.

I'm also proud of the Members Allocation fund that was introduced five years ago. Members have funded over 100 projects helping them become a reality, including refurbished community venues, new park gyms, community led shops and coffee enterprises to help young people, extra resources for scouts/guiding groups and education centres at wildlife hotspots. Due to financial challenges we don't have funding for this financial year, although there is a range of other **funding opportunities** for community groups, including through external organisations such as the **Community Foundation for Surrey**.

I often hear from colleagues who give so much to public service whilst facing challenges in their personal lives. In April, Jim opened up about his own personal experience when he wrote an article in the **Adult Social Care and Public Health newsletter, E-brief**, describing the impact of the clinical depression that he has been dealing with over the last four years. Jim made a very important point, that a conservative estimate is one in four of us will experience mental illness in our lives. Jim explained how well supported he is by his colleagues, and about the unreserved support, empathy and understanding that he has received. I'm hugely encouraged how colleagues continue to work so well together and the positive impact this has on our wellbeing. Jim will be delivering a short presentation to the Adult Social Care leadership team on World Mental Health Day, 10 October, about **Time to Change's workplace wellbeing initiative** - Surrey was one of the first local authorities to sign up to this.

During September, I met with colleagues to say goodbye and the feeling of being well supported within teams came up many times. I also attended a celebration event for a colleague in procurement, Pete Simmonds, who was celebrating 50 years with Surrey County Council. It was lovely to see the warmth and admiration that his colleagues have for him.

During the past 18 months, both of my parents died which has been very difficult for me to deal with. The kindness and support of colleagues including members has been really valuable in helping me through a very sad time.

This reminds me of Tim's reflections in the final episode of The Office – if you're a fan like me, you will remember. Tim muses that the people you work with are the people you were just *“thrown together with – you don't know them, it wasn't your choice, and yet you spend more time with them than you do your friends or your family... probably all you've got in common is the fact that you walk around on the same bit of carpet for eight hours a day... when someone comes in who you have a connection with, it really means a lot”*.

I have met many, many colleagues who I feel a connection with. And like Tim, it really means a lot to me. When I'm retired I hope we'll keep in touch as friends with important shared experiences.

I have been asked a number of times what I have learnt as a Chief Executive. These are the things that sprang to my mind: never take anything for granted; never assume anything; never

think it's all under control and you can relax; never get complacent; never forget how much members know about their communities; always pay attention to the detail.

The last six months

New council

On Thursday 4 May local elections were held, with 52 returning members and 29 new members elected to lead our council through to May 2021. A primary focus for members has been on balancing this year's budget. We have £104m of savings still to make to achieve a balanced budget and although we've made good progress so far there's still a potential overspend of £23m. The Cabinet and senior management team have considered savings options for 2017/18 and future years and are having continued discussions about making our budget sustainable in the long-term.

Fairer funding

Our Leader and Deputy Leader continue to hold discussions with Surrey MPs about our financial challenges and to lobby for fairer funding from government. Face-to-face meetings were held on 19 July and 13 September where the Leader and Deputy Leader drew attention to where we believe the methodologies used to distribute national funding have a disproportionately negative impact on Surrey. Areas discussed have included public health funding and learning disability funding.

Health and social care integration

We're continuing to make good progress on integrating health and social care in Surrey. I discussed Surrey Heartlands – covering Surrey Downs, North West Surrey and Guildford and Waverley Clinical Commissioning Group areas – in my March report. In June the Surrey Heartlands system signed a 'devolution agreement' between Surrey County Council, three Clinical Commissioning Groups, NHS England and NHS Improvement. This is only the second example of this nationally, following Greater Manchester. It's an important milestone, as devolution will enable Surrey Heartlands to make decisions locally, make bigger changes and speed up the pace of integration between health and social care. Eventually, the proposal is to integrate health and social care commissioning into one single budget which will allow for even more opportunities and strengthen the partnership.

Children's Service improvement

We are continuing with our Children's Service improvement journey and have made some good progress. You can read more about this later in this report. Ofsted will return for a further two-day monitoring visit on Tuesday 31 October and Wednesday 1 November. A full inspection will take place after this.

Orbis partnership

Following Brighton and Hove City Council joining the Orbis partnership, the leadership of the three councils' finance teams has now been integrated into a single Finance Strategic Leadership Team, led by the Director of Finance for Orbis, Sheila Little. The new leadership team will deliver the next phases of the Orbis finance integration programme – delivering efficiencies and adding resilience for all three councils.

Corporate Strategy reporting

The 2017/18 Corporate Strategy reporting page is now live on the [council website](#) and is an easy way for residents to see how we are performing in our priority areas, such as 'improve outcomes for children in need of support and protection'. The information outlines whether we are on target, slightly off target or off target, using easy to read traffic light colours. It also explains the reason for the rating and the plans in place to address those areas that are not green.

Looking ahead – the next six months

On Monday 2 October Julie Fisher, Deputy Chief Executive and Strategic Director for Children, Schools and Families, took up her duties as the head of paid service. A rigorous recruitment process for the next Chief Executive is underway, and it is anticipated that a formal appointment will be made at the full council meeting on 5 December.

On an interim basis, Julie has passed on her responsibilities for Children, Schools and Families to Rose Durban, who worked alongside us in her previous role as the Department for Education Improvement Advisor.

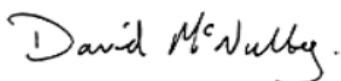
The staff survey was launched earlier this month and colleagues will be able to let us know what it is like working at Surrey. The results are due in January and our leadership team will use the feedback to make improvements.

A major challenge for members and officers will be setting the budget for 2018-19 at February's full council meeting which is likely to include making difficult decisions as funding continues to reduce. Members will continue to lobby MPs for fairer funding and I know that colleagues will be doing all they can to reduce any unnecessary costs in their service areas.

Conclusion

The council has achieved some remarkable things over the past eight years. While there are challenges ahead, the inspiring stories and work showcased in this report reflect that by working as a team, and putting residents at the heart of what we do, we can make positive change. Thank you for all of the hard work you've done and continue to do. The colleagues who work for Surrey County Council are talented, dedicated professionals whose work makes an immense contribution to our county. I'm very proud to have been part of that for a while and I wish you well for the future.

With thanks,



David McNulty

Part 2

Our budget position



Our financial pressures

The number of residents needing our services continues to increase, particularly in social care, and their needs are becoming more complex whilst at the same time government funding continues to decrease. This makes setting our budget particularly challenging.

After applying some one-off solutions, we still need to deliver £104m savings to balance this year's budget. This comes on top of the £450m savings already made since 2010.

To help ensure we deliver our savings this year, we have tightened our monitoring arrangements. Each month, our finance team updates and reviews our savings tracker and reports key messages to Cabinet. This way Cabinet can clearly see the risks of delays and not achieving savings and can take appropriate action.

After the first financial quarter, we had achieved £43m savings and another £30m were on track. Unfortunately £11m is considered to be unachievable and £9m is yet to be fully identified. The Cabinet and senior management team are having ongoing discussions about savings options for 2017/18 and future years.

Demand in social care is one of our biggest challenges. For example, in Children's Services the increase in need has added £9m pressure to the budget. Despite having identified some savings from other areas, we're currently forecast to overspend our 2017/18 budget by £23m.

We also need to be aware that our level of reserves and balances is low compared to other county councils, and is at the minimum safe level for a council of our size and responsibilities.

There is a serious risk we will end this financial year with a large overspend. We need strong action for the second half of the year. As last year's efforts showed, changes big and small across the council can make a difference and give us a chance of ending the year within budget.

We continue to work hard to ensure government and others understand the key facts about our financial constraints. In particular, we continue to draw attention to where the national funding allocation methods have a disproportionately negative impact on Surrey, such as the Better Care Fund. And it's crucial we continue to play a full role in the government's fair funding review.



Part 3

Our work in context

Health and social care integration

We've passed new milestones in the last six months on our journey to integrate health and social care in Surrey.

The third Better Care Fund (BCF) plan (2017-19) is being presented to Surrey's Health & Wellbeing Board. The BCF is a national programme with the aim of bringing health and social care partners together. Our local plans focus on the Health and Wellbeing Strategy priority to improve adult health, promote emotional health and wellbeing, and develop a preventative approach.

We're also making good progress with our Sustainability and Transformation Plans (STPs).

In July the progress we've made in implementing the Surrey Heartlands STP was given an 'advanced' rating in the first assessment by NHS England. Alongside this we've managed to secure an agreement between the council, three local NHS Clinical Commissioning Groups, NHS England and NHS Improvement to move towards a devolved health and social care system. This means we can take greater control locally over decisions made about health services for Surrey Heartlands residents.

Surrey Heartlands and Frimley Health & Care STPs have been invited to be part of the new national accountable care system development programme. This will see us work with, and learn from, other leading health and social care partnerships as we develop new ways of getting providers and commissioners of care to work more closely together for the benefits of local people.

We've recently provided training to reablement colleagues as part of the Making Every Contact Count (MECC) initiative. MECC is an approach to behaviour change that uses the millions of day-to-day interactions that organisations and people have with other people to support them in making positive changes to their physical and mental health and wellbeing.

The training has provided colleagues with the skills to have conversations with people they come into contact with about healthy lifestyles including being able to signpost people to support, such as helping to quit smoking, get more active, eat well and reduce alcohol consumption. This is part of a wider STP strategy to train all health and social care colleagues to utilise every opportunity to promote the core healthy behaviours that have the greatest impact on preventing long term conditions and improving health outcomes among those with existing conditions.

Children's Services improvement journey

The Leader of the council has said many times that providing services to support and protect children is a number one priority. Since launching our three-year children's improvement plan in summer 2015 we have steadily improved our services for children from what was a very challenging starting point.

We have put in place new leadership, grown stronger partnerships, developed deeper insight from data and audits, launched an expanded social work academy, established more stable teams with lower caseloads and higher morale, introduced a practice improvement framework and launched a Multi-Agency Safeguarding Hub (MASH), for safeguarding referrals.

We have started to see the benefits of these stronger foundations over the last six months, with examples of improved practice quality and outcomes for children. Social workers continue to demonstrate real commitment for their work and knowledge about the children they work with.

There is still more to do to improve our services for children and we must continue to accelerate improvements. The current context adds to the challenge. Demand and complexity of need in our communities continues to increase significantly - the number of contacts to children's social care has risen in the last five years from 60,915 in 2011-12 to 77,811 in 2016-17.

We can only secure sustainable improvements through effective joint working with partners – including schools, the police and health services - and this will continue to be a key focus over the coming months.

We will continue to roll out 'Signs of Safety' training to more colleagues. This is part of the overall **Safer Surrey approach** and will equip colleagues with tools to help them work collaboratively with families and children to assess risks and take the right action to protect children. This, and other key actions for the next year, is included in a refreshed version of the Improvement Plan that's just been published.

Ofsted returns for a further two-day monitoring visit on 31 October and 1 November. We're also expecting a full re-inspection in the next six months.

Schools and special educational needs and disabilities (SEND)

Over the past six months our Schools and Learning service has been working on a number of programmes to improve the support we offer children and young people in Surrey with their learning and outcomes they achieve.

Education in Partnership:

Roles and responsibilities across education are changing. Since the introduction of the Academies Act 2010, schools have continued to convert to academy status and, in so doing, move out of local authority responsibility. This has created an increasingly diverse education system, in which 124 of Surrey's 389 schools are now academies with a further 15 undergoing conversion (as at summer 2017).

At the same time, local authorities have seen significant reductions in their grant funding. Despite this, their statutory duties in relation to education have remained largely unchanged: championing high standards, ensuring access to education and helping all children and young people – including the most vulnerable – to achieve their potential. We are therefore developing new ways of working to fulfil our responsibilities and support a growing school-age population with increasingly complex needs.

Through the Education in Partnership programme, the council is working with schools and other partners to manage the transition to a sustainable schools-led system. This means working together to identify and address key issues, such as school improvement, recruitment and retention, funding and improving educational outcomes for children experiencing social and economic deprivation.

Under this partnership approach, representatives of primary, secondary and special schools, multi-academy trusts, Surrey's teaching school network, dioceses and the council are working together to develop a schools-led improvement system for Surrey. By drawing on strengths from across Surrey's education community, we can ensure children and young people in Surrey continue to have access to high quality and inclusive education.

Education in Partnership is about working together to make best use of our knowledge, expertise and resources to achieve common goals: improving educational outcomes for all children and young people in Surrey, including our most vulnerable.

SEND Development Plan:

Since spring 2016, the SEND 2020 Development Plan has provided the framework for the improvement of services for children and young people with special educational needs and disabilities across Surrey. During that time, the context in which these services are delivered has changed considerably. Demand is growing as the number of children and young people in Surrey increases, many with complex needs, while the council's funding is squeezed. We are working closely with families and partners in health and education to refresh the SEND Development Plan, which will be published in the autumn.

The refreshed plan reflects the changes that are needed in light of the 2016 Ofsted and Care Quality Commission (CQC) inspection of Surrey's SEND services. These actions are set out in our SEND Written Statement of Action, which Ofsted and the CQC judged as holding children and families at its heart. The plan has stronger governance, prioritising resources where they

can have most impact and, most importantly, it places increased emphasis on the involvement of families.

There is still much work to be done, although we have already seen improvements in the services we provide and positive impacts for the children, young people and families, including:

- The number of education, health and care plans completed on time is over double that of a year ago.
- The majority of children and young people with statements of special educational needs are transferred to education, health and care plans on time.
- A consistent person-centred approach has been introduced so that families have a better experience of our services.
- Families have more ways to contact us, tell us their views and hear about our services, including webinars, social media, a SEND newsletter and an improved Local Offer website.

We will continue to deliver improvements to SEND services in Surrey. The refreshed plan outlines the programme of work, and explains how we will deliver the individual projects and the outcomes they will achieve. It will be available on the Local Offer and Surrey County Council websites in autumn 2017.

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Transport for the south east

A key proposal that emerged from discussions in the Three Southern Counties (3SC) partnership was the establishment of a Sub National Transport Body (STB) for the south east - to have a single voice on the area's transport priorities and influence when and where money is invested.

The STB would focus on enhancement to strategic transport infrastructure to transform the transport network for the travelling public and businesses, and to make sure the south east remains a major driver of the UK economy.

This proposal has made great progress in recent months.

The STB Board (met in shadow form for the first time in June) bringing together the 16 transport authorities and five local enterprise partnerships (covering the area from Berkshire to Kent) to work directly with the Department for Transport and its agencies.

A wider transport forum is being established as part of the wider STB arrangements and will involve road and rail-builders (Highways England and Network Rail), transport operators, transport users and other key interest groups.

The STB will now develop an integrated transport strategy and investment priorities for the area that support its detailed proposals to become a statutory body.

A legislative process is required before the STB can be formally constituted and local authorities would retain responsibility for decisions relating to local transport projects.

Although the STB is still in the early stages of its development, it is already demonstrating that it can represent the wider interests of the south east and has set out an initial list of priority schemes for possible inclusion in the government's second Road Investment Strategy covering the period 2020 to 2025.

The request by government to make this submission recognises the significant progress that has already been made and placed Transport for the south east on an equal footing with other STBs that are being established across the country, many of which have been in development for far longer.

Surrey Fire and Rescue Service

Automatic fire alarms

Over the last five years, Surrey firefighters have been called to 16,000 automatic fire alarms (AFAs) and 98% of these were false alarms. Responding to false alarms means there is a risk that fire engines are unavailable for genuine emergencies and increases the occasions when risk is posed to firefighters and the public by fire engines travelling at speed using blue lights.

In light of this, Surrey Fire and Rescue Service recently changed how it responds to AFAs in all Surrey buildings, except private housing.

Callers are now asked a series of questions to establish if there is a genuine emergency or a false alarm. If a false alarm is confirmed, the fire service won't send a fire engine and crew. However if in any doubt at all, they'll always attend with an appropriate emergency response.

Firefighters are attending less automatic fire alarm calls since this new way of working and we expect our attendances to reduce further next year when the change is also applied to private housing.

More information is available on the [website](#) and in the [video](#).

Initial Response Vehicles

From November 2017, Surrey Fire and Rescue Service will trial a different vehicle to respond to certain 999 calls. Initial Response Vehicles (IRV) are small, van type vehicles with firefighting capability for two people.

The vehicles will be located in Haslemere and Reigate but will respond across the county as required. During the trial the service will test their capabilities at a variety of emergencies. The IRVs will work alongside standard fire engines and fire crews.

Safe Drive, Stay Alive

Over 14, 000 young people from Surrey schools and colleges will see an award winning Safe Drive Stay Alive show this November at Dorking Halls.

Aimed at 16 – 18 year olds who are about to begin driving, Safe Drive Stay Alive is a live educational performance featuring a series of films and live speakers.

Each film features a true story told by the persons directly affected by a road traffic collision. After each film a series of live speakers from the emergency services take to the stage to speak about their experiences at the scenes of road traffic collisions and how these have affected them professionally and personally.

Volunteer members of the public - mothers, fathers, siblings, young drivers - also give their personal stories about how their lives have been affected by a fatal collision.

An evening performance is open to all members of the public on 8 November 2017. More information is available on the [Safe Drive website](#).

Property management and investment update

Service asset strategy

In my last report, I talked about needing to make sure we have the right buildings in the right places to support our services. Using funding from the One Public Estate grant, property colleagues have organised a number of workshops, led by PricewaterhouseCoopers (PwC). These workshops will be held in the autumn with health and social care partners across the Strategic Transformation Partnerships together with our district and borough colleagues, so that we can start mapping out how to shape community hubs and integrate services. We've invited many partners to the workshops including our adult social care and property teams, Surrey's Clinical Commissioning Groups, hospital trusts, South East Coast Ambulance Service, community providers and other NHS services including their property service.

Property investment strategy

The purpose of our property investment strategy is to have an ongoing income stream to the council that provides a source of funding to support services. It is managed by a small team of colleagues from property, finance and legal who are supported by external specialist advisors when required. The investment strategy was first agreed by Cabinet in July 2013 to improve the financial stability of the council in the longer term, and was re-set in March this year when Cabinet increased the target level of net revenue to £10m by 2020-21. To ensure this target is met, Cabinet agreed to appoint a property investment advisor with the skills and experience to provide management and strategic support. The council, with the support of the advisor, is developing a mixed and diverse portfolio of properties both across different geographical areas and property sectors, with all investment decisions being made by the council's Investment Board in line with the investment strategy.

Update on commissioning services for people with learning disabilities

In the last six months we have had further success in attracting capital funding for the development of new accommodation for people with learning disabilities and autism.

The Department of Health (DoH) launched the housing with technology fund for people with learning disabilities last year. We submitted a number of bids and were successful with two. We were awarded funding of £690k to refurbish an empty care home into flats for three people in New Haw, and to develop a new scheme of six one-bed flats in Ottershaw. The New Haw flats opened at the end of September, and plans for six flats in Ottershaw are well underway with Welmede Housing Association and Avenues Support.

Since March 2016, we have supported the Surrey Transforming Care Partnership, one of 48 partnerships established nationally to develop new services for people with learning disabilities who are in long-term inpatient hospitals. The partnership is formed of representatives from the council, clinical commissioning groups, district and borough councils, providers and other stakeholders. £202k has been awarded to the partnership from NHS England to refurbish two properties in Banstead and Epsom. The work has been completed with people leaving hospital moving in this month. The DoH has sent Surrey Transforming Care Partnership a letter of commendation for its continued good partnership work supporting individuals. We have submitted more bids to refurbish other properties.

We have also been involved with the development of the Surrey Positive Behaviour Support Network, made up of providers, family carers and health and social care professionals. The network shares good practice, raises awareness and teaches skills to support people with a learning disability or autism whose behaviour can challenge services. The network has run quarterly seminars for Surrey residents and providers, and in September it held a Positive Behaviour Support festival, funded by providers, with input from national leaders in the field.

We've also updated our website for **Surrey's Learning Disability Partnership Board, Autism Partnership Board and Local Valuing People Groups**, that provides information on current activities, work programmes and latest information. The site has seen an increase in visits from 1,200 in April to 2,915 in August. The Learning Disability Partnership Board and local Valuing People groups have also seen an increase in attendance at their forums.

Last November, we agreed with the Surrey Care Association to start work with local providers to review the costs incurred in delivering services to support people with learning disabilities and people with autism across Surrey. A project group chaired by Brian Mayers, Area Director for Guildford and Waverley Clinical Commissioning Group area, is working with local providers to review key cost areas and to understand the pressures providers are facing.

Understanding demand and providing appropriate services is a key area of commissioning, and the Accommodation and Support project team is clarifying the current picture in the county. Following publication of Surrey's Joint Learning Disability strategy 2016-2020 last year, a Market Position Statement and Integrated Commissioning statement are being developed. These documents will give residents and local service providers clarity about the level of need in the county and ways services can be provided to meet that need.

Links and Information

<https://www.gov.uk/government/news/funds-to-improve-housing-for-people-with-learning-disabilities>

<https://www.england.nhs.uk/learningdisabilities/tcp/>

<http://www.surreypb.org.uk/>

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Culture and staff survey

It is encouraging to hear how data from the staff survey is continuing to drive many positive changes across the council.

I'm going to focus on three services that have implemented specific changes as a result of last year's results - Adult Social Care and Public Health (ASC&PH), Surrey Fire & Rescue Service and Orbis. And I have chosen to focus on two key themes for improvement – wellbeing and leadership.

In ASC&PH, team wellbeing sessions have been held across the service and this has given an opportunity for colleagues to talk openly about concerns and spend time thinking about how to work together positively. Popular topics for discussion within the sessions have included integration and joint budgets. Team actions have been agreed and implemented. Teams have looked at the **wheel of wellbeing** so that they can better understand their resilience and the tools available to manage wellbeing. For further information about team wellbeing sessions, please contact Abid Dar or Juliet Layton.



In Surrey Fire and Rescue Service, a workforce reform team has been created and is working on actions associated with inclusion, people, terms and conditions and improving consultation and engagement. This has already resulted in increased face-to-face engagement and communication. They've also used Yammer as a collaboration tool for immediate communication, updates for service decisions and as an opportunity to encourage open and transparent dialogue. Focusing on wellbeing, the service has completed a review of ways of working to minimise any unnecessary stressors, allow more time for management activity and minimise the impact of

on-call shifts which the service heard, via the survey, was contributing to low wellbeing scores. For more information about this, contact Dan Quin.

The results from the survey have also been used to develop new Leadership Development Programmes for Surrey and Orbis. One aim of these programmes is to improve feedback scores for our leaders, in particular for areas involving inspiring and motivating colleagues and teams. The Surrey programme – launched in September - will focus on communication and storytelling, setting clear expectations and coaching. You can find out more on s-net and get involved in conversations on JiveSurrey.

Our third annual staff survey was launched at the beginning of October and, once again, colleagues have been asked to spend a few minutes of their time telling us what it is really like to work for Surrey. Your comments really are important in making sure positive improvements can be made to the way we all work together.

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Programmes to support colleagues

We recognise that the people who work for the county council are its greatest asset. Using feedback from the staff survey we've developed strategic programmes to nurture this asset.

We've been looking at career pathways and programmes and created an online platform for self-directed learning to support colleagues who want to develop their career here. We've also been working on our succession planning and are developing tools and programmes to identify and support talented staff for career progression and leadership positions. We are also exploring the introduction of a new scheme that rewards colleagues who demonstrate exemplary council behaviours and values in their work.

The survey results told us that there has been a positive increase in colleagues having more confidence in the leadership of the organisation with the highest level of confidence growing within the senior managers' community. These included living the values of the organisation. We are embedding the new behaviour framework and an online 360 feedback system into our performance assessments and processes. We are also developing a programme that helps our members and leaders to respond effectively to the changing environment in which we deliver our services to residents.

We want our colleagues to progress here, whilst also attracting new employees, so we have been developing a competitive flexible benefits offer that delivers value for money. We have been focussing on induction processes to ensure that colleagues are better equipped to develop and take on the challenges of a new role. We've also been developing our employer brand and communicating it through our website and the media to make our vacancies attractive to potential candidates. We are raising our profile with schools, colleges and universities through career promotional events. We are also promoting the uptake of apprenticeships across SCC to fully utilise the councils Apprenticeship Levy contribution and meet the government targets.

There has been a lot of work around managing risk and wellbeing. We are developing programmes that build inclusive, safe and healthy, discrimination free workplaces that support high performance and the Workplace Wellbeing Charter. We are delivering a health protection programme for different colleague groups to identify and manage potential threats to their health and safety. We are also reviewing the security of colleagues to ensure they are safe and secure when carrying out work for the council in response to national threats and supporting guidance.

Finally, we are reviewing and updating our policies and guidance in the form of a virtual handbook for all colleagues.

We will continue to respond to feedback to ensure that you receive support to carry out your roles and progress here, and will adapt the training and development offer to meet the changing needs of the organisation.

Immediate priorities	Our strategic programmes
Managing risk and wellbeing	<ol style="list-style-type: none"> 1. Wellbeing and Inclusion - We are promoting discrimination free workplaces where employees feel safe and supported and able to participate in the organisation; working directly with people with a disability, mental health issues, young people and those returning from the armed forces. 2. Health protection – We are delivering targeted health assessments, immunisations programmes and other health and wellbeing plans to protect the health of those members of our workforce in a higher risk environment eg night workers, people working at heights and those who drive for business. 3. Security of staff – In response to national threats and supporting guidance, we are reviewing the security of staff to ensure they are safe and secure when carrying out work for the council.
Leadership and behaviours	<ol style="list-style-type: none"> 4. Learning and Development - We are developing our programme to empower our workforce to proactively address their development through a range of high quality and cost effective approaches to learning. 5. Behaviour framework – In partnership with staff, we have agreed new behaviours for the council which are being built into our appraisal and supervision processes, to ensure that both staff and service users feel the benefit of an improving culture. 6. Leadership, management and Member development - We have set explicit expectations for the performance of our leaders, to equip them with the skills and behaviours they need. 7. Succession planning – We are working with services to identify and develop talented colleagues for career progression and leadership positions.
Recruitment and attraction	<ol style="list-style-type: none"> 8. Employer brand – We want build the council’s reputation as a good employer and optimise our use of social media to make our vacancies attractive to potential candidates. 9. New entrants – We are providing opportunities for people to experience working in different parts of the council and to help launch careers through apprenticeship qualifications, internships and the social work academy. 10. Review of flexible benefits – We are reviewing our staff benefits package to deliver a range of different discounts, offers and schemes that provide value for money and enable colleagues to maximise their pay.
Retention and career development	<ol style="list-style-type: none"> 11. Apprenticeships – We are increasing our investment of Apprenticeships across the council to create more entry level opportunities that support career development and growth across the organisation. This supports our contribution to the Apprenticeship Levy. 12. Career development - We have created general and profession specific career pathways, which help colleagues see the potential ways to progress their career within the council. We are going to build this into an online tool, which is easily accessible to all staff. 13. Pay and reward review – As part of the comprehensive pay and reward review for staff, we are now focussing on schools support staff. This programme will design and deliver a modern and flexible reward policy that attracts and retains talent, rewards high performers and supports our values and behaviours. 14. Total reward statements – We are exploring the provision of statements for colleagues which will identify the financial and non-financial benefits they receive as an employee of the council. This includes salaries, leave, employer pension contributions and salary sacrifice savings for the employee. 15. Recognition policy review – We are planning to introduce a new scheme that rewards employees who deliver smaller pieces of work to a very high standard and employees who role model the council’s values and behaviours.

<p style="text-align: center;">Improving capacity and performance</p>	<p>16. Induction - We are improving induction processes to better equip new employees to perform effectively in a new role.</p> <p>17. Virtual handbook - We are reviewing and updating our HR policies and guidance to provide colleagues with all the essential information they need in one place, accessible online.</p> <p>18. Essential Training - We are identifying and reviewing annually the essential training requirements for every role within the council. This information will be held electronically so that we can report and manage individual training needs.</p> <p>19. Children Schools & Families improvement programmes – We are delivering a programme of work to improve the wellbeing and management of the Children Schools & Families workforce. This includes a leadership development programme and team wellbeing assessments.</p>
<p style="text-align: center;">Adapting our Orbis model</p>	<p>20. Staff engagement – We are planning and organising the way we communicate HR services to the workforce more effectively to better inform colleagues of the range of support and services available and how to access them.</p> <p>21. Transformation – We are transforming the way we organise and deliver HR services as part of the Orbis partnership with East Sussex County Council and Brighton and Hove City Council.</p>
<p style="text-align: center;">Resourcing and new ways of working</p>	<p>22. Workforce planning - We are providing services with key workforce data, including attraction, development and retention and supporting them to identify the opportunities and challenges for their service.</p> <p>23. Health & Social care integration - We are supporting colleagues in Adult Social Care to work across organisational boundaries in an integrated way. This will develop services resident centred services across the health and social care system.</p> <p>24. Collaborative approaches to partnership working – We are forging new networks to enhance and facilitate partnership alliances and shared goals which support the Sustainability and Transformation Programmes.</p>

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Induction

Colleague induction

I have really enjoyed meeting new colleagues at 'Welcome to Surrey' induction sessions over the past eight years.

The sessions bring together new joiners to Surrey County Council, so that they can learn more about what we do as an organisation. They meet other new colleagues and representatives from across the organisation in the market place. As part of the event colleagues can ask me any questions and I've been able to welcome and thank them for joining.

Over the years I've received some really useful and positive feedback from these sessions.

Some of the comments from recent sessions demonstrate how colleagues value senior leaders taking the time to meet them:

"It was nice to meet the Chief Executive – I have not had this experience in the past and it made me feel welcome to the council."

"The session with David McNulty was great, his passion and approachability came across very well. It was good to see how he handled the questions, it made the delegates comfortable to ask some role specific issues and feel he would address them."

Member induction

During the months leading up to the local elections on 4 May, Democratic Services worked closely with district and borough colleagues to coordinate the process and make sure it went smoothly.

The results, announced on Friday 5 May, saw the election of 52 returning members and 29 new members who together, will lead us through to May 2021.

Democratic Services has led a comprehensive induction process for both the new and returning members, including essential training on areas such as code of conduct, committee processes, and introductions to the council's service areas. Members have also had the opportunity to visit teams such as our contact centre, and I've had some hugely positive feedback from them regarding the work that we do.

New members were 'buddied' with senior managers, who helped them learn the role and services of the council and signposted them to the right officers for queries. They also helped them get to grips with procedures and made sure they understood the responsibilities of the council and our partners, both in where we work together and where we have distinct roles. Each officer 'buddy' made a visit to their member's division during the summer to learn more about the life of a member.

In line with our drive towards digital two of our graduate trainees, Sarah and Victoria, developed a new member portal. The portal provides an online resource for members to access information and support, as well as providing a confidential space to upload videos from briefings and training events, so that members can be kept informed and up to date. There is still some work to do to ensure the portal fully meets members' needs, but there has been very good progress so far.

Democratic Services is doing an induction survey to learn lessons from the process and so that ongoing member support is effective. In the autumn, each member will also be offered a personal development conversation with a representative from the Democratic Services senior management team, to make sure their individual needs are being met. By listening to our members, we can help them to be better equipped to perform their roles effectively and make a positive contribution to their communities.

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Care Council

Care Council is a group of Surrey's looked after children and care leavers between the ages of 13-24. The group meets monthly to discuss what they would 'stop, start or change' about the care system and they are committed to improving the lives of other young people in care and those about to come into care. Their motto is 'change is on the horizon' and they work with Surrey's Children's Rights and Participation Service to make sure change happens. The group is run by apprentices with care experience who work within the service and are brilliant role models for the young people who attend.

The significance of this group echoes Surrey's commitment as corporate parents, to listen to and work with young people to help them live the best lives possible. Care Council is linked to the Corporate Parenting Board and regularly raises 'action cards' to challenge the Board on something that needs to stop, start or change. These cards require a response in a set time frame and are allocated to an officer to take accountability. This process means that young people can have direct influence on policy, procedure and practice and improve the experiences for others.

As well as enjoying the opportunity to meet other young people and share experiences at monthly meetings, Care Council enjoys a varied agenda often welcoming officers from the local authority as well as partner agencies and elected members. They offer the opportunity for consultation on a number of issues and have been involved in commissioning, policy development, service design and designing forms such as Pathway Plans and feedback forms.

There is also a Care Council Juniors group, aged 8-13, who meet monthly to learn independent living skills, such as cooking, DIY and budgeting. Young people who attend this group then move into Care Council and make sure that there is good representation of all ages.

Care Council also works to improve the lives of other young people. Recently the Children's Rights and Participation service worked with Fostering and Surrey Arts to host a fun day for unaccompanied asylum seeking children who would like to get involved in participation events and consultations.

Working in partnership with the Children's Rights and Participation service, Care Council helps to design and deliver a number of events throughout the year, including Skillsfest, Oscarz, a Christmas party, a residential trip and social events. They also work with social pedagogy, fostering and care leavers by attending events and conferences to give opportunities to all young people.

The Community Improvements Fund

The Community Improvements Fund has been going for the last five years and is the Leader's initiative to support local residents to turn a great idea into something real that will benefit people in their community. Grants have been used to cover capital costs for community infrastructure projects, with grants to support our strategic objectives. The fund has supported 100 projects to become a reality, providing £2,925,654 to help release £16,564,014.68 from other organisations towards community projects. Below are some examples of what the Community Improvements Fund has been used for.

Epsom Foodbank



Epsom Foodbank was successful in 2015 in securing £9,000 to help refurbish their premises in Ewell. The funding covered additional storage space which is used for food before it's distributed to vulnerable residents. The main hall at the offices, used to sort food as well as hold meetings and courses, was repainted and benefitted from new blinds, carpets, chairs, a television and speakers to make it a more inviting and useful space.

BFree Youth Café

The aim of BFree is to provide a safe, positive space for young people to meet friends, enjoy activities and games, and get to know youth workers. It's a hub open every day after school for local young people aged 11-17. They received £10,000 from the Community Improvement Fund.



BFree builds positive relationships with local young people to understand their needs and support them in other areas of their lives. The team helps with counselling, careers advice, and support with learning specific skills and Assessment and Qualification Alliance (AQA) awards.

The café is attended by around 70 young people every week. Each week they run competitions, arts and crafts, and '5-A-Day', their Friday afternoon healthy cooking project. Their state of the art space is equipped with six iMac computers, a pool table, four games consoles and a coffee shop. Young people can get involved with running BFree by joining the BFree Youth Council, which meets every six weeks to discuss how BFree should be run and to plan events.

Mickleham Children's Playground Association and Nower Wood Education Centre

Mickleham Children's Playground Association and Surrey Wildlife Trust's Nower Wood site at Leatherhead have both been selected as recipients of funding - £45,000 will be used for a playground and an outdoor education centre.



Surrey Wildlife Trust is currently seeking to rebuild its education centre at Nower Wood, replacing the existing cluster of woodland huts that were bought by the trust in 1972. It was awarded £30,000 for this project.

Nigel Davenport, CEO at the trust said: "We are delighted to receive this support from the Community Investment Fund. Nower Wood Education Centre has been the keystone of outdoor learning for the last 40 years. This funding

means that we are a step closer to securing a more accessible, modern facility that will enable both current and future generations to gain an understanding and respect for nature."

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The Merstham Community Hub

The Merstham Community Hub was created in partnership between Surrey County Council and Reigate and Banstead Borough Council (RBBC) to deliver improved services to residents in Merstham. We worked with other stakeholders including Raven Housing Trust Limited so that a number of public services could come together under one roof.

The main building works were completed during the summer. Work is now under way to bring together Merstham Library, the Merstham Community Facility Trust (MCFT), a Community Café, Surrey's Youth service, an early years day provision and four new retail units owned by RBBC.

With the range of services on offer, the hub will be at the heart of the local community, and will allow people to use the space flexibly to access useful services and modern facilities in a shared, safe and vibrant environment. The space has been designed to facilitate learning for all age groups, and provide a building that is sustainable in the future.

During construction, children from Furze Field Primary and Nursery School were given the opportunity to nominate items to be included in a time capsule that was buried outside the retail units. A plaque will be on display in the reception area of the new hub showing the coordinates of the capsule, and will be unearthed in 2047 giving an insight into the lives of children in 2017. The event brought our younger residents together, making them feel part of their community and its future.

This project has demonstrated how successful joint working can be, turning aspirational dreams into reality and bringing real change to a local community.

DRAFT

Part 4

Case studies & Awards and recognition

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Wellbeing

**Everyone in Surrey has
a great start to life and
can live and age well**



SURREY



Alison Wrigley

Alison Wrigley, Special Needs Team Leader, talks about how she has been helping provide singing opportunities to people with special educational needs.

“Choir members benefit immensely from feeling part of a group and can develop transferable skills such as learning to work together.”

Providing singing opportunities to people with special educational needs

Background

For the past six years Alison has worked with young people with special educational needs at schools in the county, bringing the joy of music to them. This has included holding singing workshops and sessions for 600 young people on becoming a singing leader.

She's involved with music groups – an internationally recognised group called VOCES8 and special educational needs group, Just So Singers, for young people aged 9-19.

There has been some opportunities to bring the groups together, with Christmas concerts proving popular.

A few years ago a Surrey grant of £15,000 a year for three years, allowed Alison to continue her collaborative work on singing leadership skills with VOCES8 and development for the Just So Singers, to support their work with the young people.

What was the challenge?

Alison knows that young people gain so much more from being in a choir than just singing skills. They learn how to interact with others and it hugely benefits their mental and physical wellbeing. But she found that young people moving on from their school to further education and into adulthood were disappointed when they were faced with the limited opportunities to be in a choir. She wants to change that by enabling special educational needs young people across the county to continue being in a choir into adulthood.

Alison is passionate about supporting adults with special educational needs and disabilities (SEND) through the shared experience of singing together. She knows choir members benefit immensely from feeling part of a group and can develop transferable skills such as learning to work together.

Alison also runs The High Notes choir on behalf of the LinkAble charity. She supported them through the Associated Board for the Royal Schools of Music (ABRSM) choral exam in March and they passed, making it a first for a special educational needs choir.

Alison has been recognised for her pioneering work, receiving the British Empire Medal in the 2016 New Year's Honours List.

“Public performances will also help to raise awareness of the talents and potential of people with disabilities.”

What's next?

It is hoped that the choral exam achievement and the existing work with both young people and adults choirs will encourage others to join one of the three new adult choirs Alison is setting up on behalf of Surrey. She's aiming for similar experiences for these choirs too.

Further funding of £15,000 per year over the next three years will help to provide new and existing singers with opportunities to practice, perform and, for some, to develop leadership skills.

Part of the plan is to host annual workshops for singers to come together and share their experiences, maintain friendships, learn new skills and refresh existing ones. There will be opportunities for mentoring alongside professional vocal leaders. Public performances will also help to raise awareness of the talents and potential of people with disabilities.

Find out more

If you would like to find out more about this work, please contact [Alison](#).

Carl Bussey

“Carl Bussey, Head of MASH, tells us the impact that the safeguarding hub at Guildford Police Station is having.

“We worked in partnership with other agencies to coordinate responses to better support children and vulnerable adults.”

Multi-Agency Safeguarding Hub (MASH)

What was the opportunity?

A safeguarding hub operated at Guildford Police Station from July 2013, with a joint Central Referral Unit (CRU) that included Children’s Services social workers and colleagues from Surrey and Borders Partnership (adult mental health) and the police.

The purpose was to have a joint unit that managed and made decisions about police notifications which were being received by Children’s Services. It was felt that more could be done if we worked in partnership with other agencies to coordinate responses to better support children and vulnerable adults.

What did you do?

In April 2014, a Governance Board was established to include the development of the safeguarding hub into the Multi-Agency Safeguarding Hub (MASH).

This brought together key partners including Surrey’s Children’s Services, Adult Social Care, Surrey Police and health and education colleagues in one location to provide a more effective and coordinated response to safeguarding concerns.

The MASH launched on 5 October 2016, formalising a single point of contact for reporting concerns about a child, young person or adult. There was an almost immediate increase in the number of calls received which threw up initial challenges but these were rectified and the benefits gained from working together were clear to see.

Colleagues from the early help team relocated to the MASH in July 2017 enabling us to work better together and improve the journey for the child.

What impact does it have?

In April 2017 a low level concern for the welfare of a child was received. However the information available was insufficient for a decision to be made about the support needed, so it was directed to the MASH.

The MASH gathered more details. We learned that an older step sibling had been implicated in six sexual assaults on boys and girls - both older and younger, and was having unsupervised contact with the child we’d received concern for. We also learned of another child who was at risk. Both children were young siblings whose parents have children and step children from previous relationships in different locations.

“The MASH is at the heart of helping to support vulnerable children and adults in Surrey.”

The additional information gathered meant that a clear decision could be made and action taken to protect the children. Without a MASH enquiry, the initial concern shared about the child would have resulted in either a referral being made for early help or more information and guidance being provided to the referrer, which could have slowed down getting the correct resolution to the situation.

What's next?

Those working in the MASH are continuing to learn from experiences and to develop plans to strengthen the service by using revised processes to improve the timeliness and consistency of decision making.

The MASH is at the heart of helping to support vulnerable children and adults in Surrey.

Find out more

Find out more about the MASH and how to contact them on our [website](#).

DRAFT



Chris Stevens

Chris Stevens, Principal Commissioning Manager (RP), talks about restorative practice and how we are using it in the Youth Justice Service.

“Surrey’s Youth Justice Transformation is the envy of other authorities and a good example of a large scale positive change we’ve made using strengths-based practices.”

Reducing offending by children in care

Background

Restorative practice is about working with others from the belief that people make positive changes when those in authority do things with them, rather than to them, or for them. It helps to build relationships and can resolve difficulties and harm following conflict. As a practice it is strengths-based and fits the Safer Surrey approach within Children, Schools and Families.

Safer Surrey defines the consistent experience we want children and families to have during their involvement with us. It is also about our behaviours and skills and the tools we apply in our practice. We support children through a variety of circumstances and services, so practitioners can vary the tools they use to suit a particular situation. However, key to the Safer Surrey approach is our ability to build positive, enabling, and empowering relationships that recognise children and families as resourceful and able to make a success of their lives. Working in this way, we’ve recently started to see better outcomes in a wide range of services where we’re supporting children and young people.

What have we done?

Surrey’s Youth Justice Transformation is the envy of other authorities and a good example of a large scale positive change we’ve made using strengths-based practices. Over the last eight years we’ve replaced a punishing approach to youth justice with a more relational, restorative, inclusive and compassionate people-centred approach. This change has helped us to deliver an improved experience for children in our care and has helped us significantly reduce costs.

In August I met with colleagues from the Department for Education (DfE) to discuss the work we’ve put into reducing offending by children in care. During the visit, I took the DfE representatives to Burbank Children’s Home in Wych Hill, Woking. We reviewed films, reports and data together that helped to tell the story of eight consecutive years of reduction in the number of children in our care who feature in the criminal justice statistics.

What impact have you made?

In 2016 an independent evaluation found that £3.41 had been saved for every £1 invested in our Youth Restorative Intervention, as reported in [Surrey News](#). This amounted to £1.4m of tax payers’ money saved, according to the [Office of the Police and Crime Commissioners of Surrey](#).

We’ve achieved this through integrated working and taking steps to be preventative and restorative in our approach. We’ve developed positive parenting that reduces the risk that children come into contact with police in

“We’ve developed positive parenting that reduces the risk that children come into contact with police in the first place.”

the first place. And, if any child does have police contact, we restoratively divert from prosecution.

When talking with the DfE visitors, they were clearly blown away and inspired by our success. They heard testimonies from Burbank colleagues, who spoke about the critical relationship between culture and practice and their own journeys towards restorative care. The way colleagues use different tools to suit particular circumstances perfectly illustrated how we can adapt to suit individual needs and yet maintain the consistency of our Safer Surrey approach.

What is next?

From the DfE visit to discuss how we have reduced offending by children in care, it’s clear that they want to involve us closely in shaping national policy and practice. It feels really good that they want our involvement and to get this recognition for our achievements.

Find out more

If you would like to find out more information about this work please contact [Chris](#).

DRAFT



Jo Ashworth

Jo Ashworth, Head Teacher, talks about how her school uses a restorative approach to support young people.

“It’s clear that the young people really benefit from the opportunity to have one-to-one time to reflect on situations.”

Restorative school gets results

What was the challenge?

I work at North West Surrey Short Stay School. We have many vulnerable young people who need support, particularly in managing their behaviour. I realised that a punishment/sanction model of detention and exclusion wasn’t improving some young people’s behaviour. We’ve developed a way of working that takes into account the needs of the young person, starting with finding out what is going well, before looking at what they can build on. We want the young people to be able to manage their behaviour when they leave school, knowing they have sufficient ways to cope in different situations.

How did you overcome it?

Using a restorative approach can be time consuming, both in terms of resource, and in the length of time to help the young people. It could look like we are tolerating bad behaviour as we allow young people to make mistakes and then give them time to reflect and develop their self-control and resilience. It’s clear that the young people really benefit from the opportunity to have one-to-one time to reflect on situations. This approach helps them to build trusting relationships, which then means they are able to help others to reflect on their situations.

A member of staff supporting a student off-site for a while to allow a situation to settle, could be perceived as rewarding the bad behaviour. Sending a child home may be seen as the easiest and best option, however in the longer term they cannot learn about improving their behaviour away from the school environment.

What’s next?

The school is always looking at what works well and what could work even better. Young people need to feel heard. We will be doing some further work to find out about the school experience from the young person’s perspective. I have also been working with Chris Stevens and Carmel Ring in the Restorative Practice team to talk through different restorative approaches. Part of the work around restorative practice has included running restorative workshops with staff, and producing films that share what restorative practice looks like for those using it day to day.

By sharing the school’s restorative practice stories, we hope to raise awareness about the positive effect it is having on the outcomes for vulnerable young people.

The North West Surrey Short Stay School will be featured in a film this autumn.

Find out more

You can get more information about how the school is supporting young people by contacting [Jo Ashworth](#) and more details about restorative practice from [Carmel Ring](#) or on our [website](#).

DRAFT



Jeremy Crouch

Jeremy Crouch, Partnership & Community Lead, tells us about new support that is available to children and young people suffering a mental health crisis.

“The Children and Young People’s (CYP) Haven is a friendly, safe space that children and young people can go to instead of needing to attend A&E.”

Jeremy Crouch – Children and Young People Haven

What was the challenge?

Young people struggling with a mental health crisis have been faced limited support options. They could go to A&E or their GP.

Guildford and Waverley Clinical Commissioning Group (CCG), on behalf of Surrey CCGs, wanted to provide the best support for young people suffering with mental health issues and also reduce A&E admissions.

What did you do?

Using a model similar to the successful adult Safe Havens, we worked in partnership with Guildford and Waverley CCG and Surrey and Borders Partnership Trust (SABP) to introduce a service to fill the gap between no help and A&E. The CCG funded a two-year pilot project between Surrey and SABP.

The Children and Young People’s (CYP) Haven is a friendly, safe space that children and young people can go to instead of needing to attend A&E. It doesn’t have a clinical feel and is run as a service rather than a youth club. It provides young people with the support of a youth worker, a youth mental health nurse and a peer support worker.

It also helps them to address any social issues, such as potential homelessness and abuse, as well as supporting them through the mental health system which can be confusing.

It is a drop-in service that young people can be directed to without needing a referral.

What impact have you had?

Since opening in May 2017, 93 young people have accessed the service. We asked them what they would have done if the Haven didn’t exist and 28 said they would have gone to A&E, with a further 26 saying they would have self-harmed.

One young person said: *“I can be who I am and just get away from everything! It’s really nice and calming.”*

What is next for your work?

We will assess the service after its first full year in operation and will look into long-term possibilities for after the pilot.

We have already identified youth centres in Staines and Epsom and found funding so that we can expand the existing service to more areas. We are recruiting staff for these new CYP Havens and expect them to open in November 2017.

Find out more

For more information about the CYP Haven you can visit the [CYP Haven website](#) or contact [Jeremy Crouch](#).

DRAFT



Sandra Wright

Sandra Wright, Contact Centre Supervisor, talks about ensuring that the Adult Social Care contact centre are able to offer a range of solutions to vulnerable residents.

“When people call us they are often at their lowest ebb and believe that nothing can be done to help their situation. We are able to talk them through the options that are available.”

Contact centre helping residents remain independent

Background

We want to ensure that vulnerable residents get the care and support they need from the local community to help them remain independent.

So far this year the contact centre adults social care team has made over 5,000 referrals to preventative community based services. Referral rates continue to rise.

What was the Challenge?

The Care Act 2014 was the biggest change to Adult Social Care in over 60 years. One key area of change was around the responsibility for local authorities to focus on prevention and provide information and advice to vulnerable residents, their families and carers.

The contact centre adults social care team acts as the front door and information and advice service for adult social care. We want to make sure we can confidently offer a range of effective solutions that enable residents to retain their independence.

What did you do?

We started by increasing our knowledge and understanding about community providers and the services they offered. We invited representatives from community services to attend our team meetings so they could explain exactly what services they offer and how to make referrals. Organisations who have attended include, the Soldiers, Sailors, Airmen and Families Association (SSAFA), local dementia services, Headway (the brain injury association) and i-Access (an organisation supporting people in Surrey with substance misuse).

We introduced ‘champion’ roles within the team. Our champions are responsible for keeping up to date on community services and information relating to a specific subject area. Topics include autism, mental health, adult Attention Deficit Hyperactivity Disorder (ADHD), dementia or substance abuse.

When people call us they are often at their lowest ebb and believe that nothing can be done to help their situation. We are able to talk them through the options that are available.

Rather than just giving contact details of organisations that might be able to help, we offer to make referrals on the behalf of the caller. We can do this either at the time of their call, or after they have had a chance to consider

“We will continue our effort to make a positive impact for adult residents’ who need us.”

what’s available to them. Referrals to preventative services continue to rise with our highest ever referral rate of 986 this July, a 42% increase from July 2016.

We have over sixty different organisations that we make referrals to regularly. These include Action for Carers, the Alzheimer’s Society, Good Neighbours Schemes, Samaritans and Telecare Services.

We’ve been able to support many residents, including an American veteran who was struggling to get much needed help. Through our contacts in SSAFA, we were able to refer them to US veterans’ organisation.

What’s next?

We have more organisations booked to attend future team meetings to talk about their services. Our champions also continue to make sure that our team have the information and skills needed to increase referral rates. We will continue our effort to make a positive impact for adult residents’ who need us.

Find out more

For more information contact [Carole Comfort](#) or [Sandra Wright](#).

DRAFT



Tracey Morris

Tracey Morris, Social Care Development Coordinator, tells us how working with local charities and organisations can help vulnerable residents.

“The Rotary Club was able to offer assistance and be flexible in the help they could provide, including volunteering their time.”

Rotary Club partnership working

What was the challenge?

The Adult Social Care, Epsom and Ewell locality team work hard to make sure that residents immediate needs are met as quickly as possible. Through discussions with individuals and their carers, and with our Adult Social Care assessments, we are able to identify eligible social care needs.

Sometimes residents require additional support and we work with other organisations such as charities and the voluntary sector, to achieve a good outcome for them.

When we were approached by The Rotary Club of Ewell we saw this as a good opportunity to work together. They were interested in getting involved with small projects to support local vulnerable residents.

What did you do?

The club was able to offer assistance and be flexible in the help they could provide, including volunteering their time. They have donated toiletries, clothing and household items to vulnerable residents.

Once the social care team establishes a potential need for additional support, we have a discussion with the residents to get their permission and see if they are happy to be involved with the rotary club.

What impact did you make?

We have helped residents in a variety of ways:

- The Narnia Project - essentially this is a store of clothing, bedding and toiletries that can be given to residents who are in need. A range of local charities and organisations have helped us with this. The Rotary Club of Ewell, together with other local charities, sourced items to furnish a small flat for an older person who had no personal belongings. This included bedding, cutlery, clothing, furniture and white goods.
- The Rotary Club of Ewell supported a 52 year old gentleman who had become wheelchair-bound. He had previously enjoyed gardening but due to his reduced mobility he was no longer able to independently work in the garden. The rotary club built a raised garden so he could continue his hobby.
- Bed linen has been provided to several clients.
- A cooker has been provided to a lady with a learning disability to allow her to cook independently.
- Arts and crafts items given to a client to help them pursue their hobby.
- The Rotary Club of Ewell received a new microwave from a local business and donated it to an older person.

What are the next steps?

We are establishing links with other organisations including Besoms, Epsom and Ewell Foodbank and the Rotary Club of Epsom. We are helping other teams in Surrey establish links with organisations in their areas.

Find out more

If you would like to find out more about these projects, contact [Tracey Morris](#).

DRAFT



Tracy Lepine

Tracy Lepine, Senior Social Care Assistant, has created a new assessment tool to use in occupational therapy clinics.

“We wanted to empower clients by allowing them to have ownership of their needs, assessment and intervention.”

Tracy Lepine – MeAssured clinics

Background

The Reigate and Banstead Locality Team has been under enormous pressure. A number of colleagues had left which was adding to the huge caseloads. Many cases were being outsourced each week - in a single year 265 clients were outsourced at a cost of over £80,000.

While outsourcing ensured clients could be seen, it didn't always result in a better service and we knew for some it was a poor customer experience. We knew we had to bring our service back in house so that we could provide a good, cost-effective service.

What did you do?

We had been using an online assessment tool to facilitate Occupational Therapy (OT) clinics. Due to financial pressures, the licence for the online assessment tool was cancelled. We viewed this as an opportunity to develop our own, custom-made approach. We looked at the resources available to us and knew we had to learn to work smarter.

We wanted to empower clients by allowing them to have ownership of their needs, assessment and intervention. Rather than clients always being seen at home and being told what was best for them, we were keen for them to have more control over their care from start to finish.

We created a new assessment process called MeAssured that starts with the client completing an OT workbook. They then either send back the completed workbook – that has given them a chance to outline their situation and what care needs they think they have – and have a telephone assessment or they bring it with them to a face to face session at the clinic.

We ask about any falls, if they have a community alarm, whether they're living alone and what family support they have, which in turn enables us to manage risk in a positive and inclusive way. We then prescribe equipment to them with their agreement, making sure it addresses their needs. It is effectively a joint assessment.

The clinics initially focussed purely on OT equipment, but it quickly developed to cover social care as well as extensive signposting, which means on many occasions clients do not need to be referred to the social care team.

We now run two clinics per week - one in Redhill and one in Banstead – seeing up to nine clients per day. We experimented with how long assessments take and found that 30 minutes is generally sufficient to assess the clients and agree a plan of action.

“We’d love to share with others the benefits this new way of working is having”

From completing the workbook, to the conversation in clinic or over the phone, the client remains at the centre of the process as we explore with them how their identified needs can be best met.

What impact have you had?

MeAssured has transformed our service. The Occupational Therapists are able to focus on clients who are unable to attend a clinic, whose needs are complex. The reality is that the complexity of clients’ needs in the community is increasing, and the demand for OT assessments continues to grow. MeAssured has reduced clients’ waiting times for assessments, and we’ve not needed to outsource any clients since July 2016.

Not only are we able to offer a service that is cost-effective, timely and efficient for the Reigate Team, we are also able to provide the clients with an excellent service. We’ve had really positive feedback from clients. They find the new process positive, like the friendly approach and have embraced working together to make joint decisions about their care needs. I believe this is the key to our success.

What’s next?

We now run a joint clinic with Raven (our main social housing provider) every three weeks – alternating between Redhill and Banstead. These clinics are hugely successful for Raven, the residents and us and have resulted in a 50% saving on staff time and a reduction in our costs.

As part of our integrated working we are building relationships with East Surrey Hospital and Epsom General Hospital, and anticipate referrals directly from them to the clinic in the near future.

We want to make the clinics as accessible as possible, so we are looking into using Skype to assess clients who can’t attend a MeAssured clinic due to transport issues. We’re also planning to make the workbook available for residents as part of the Adult Social Care online offer later in the year.

We’d love to share with others the benefits this new way of working is having, so we’re offering shadowing opportunities, advice and support to other teams who are interested in setting up their own assessment clinics.

Find out more

For more information about MeAssured contact [Tracy Lepine](#), [Kirsten Callander](#) or the Reigate and Banstead Locality OT Team on 01737 737179.

Economic prosperity

**Surrey's economy remains
strong and sustainable**



SURREY



Amanda Nye

Amanda Nye, Property Commercial Manager, shares how we have developed our filming and events business in Surrey.

“We have developed ideas to create strong and sustainable income for the council.”

Filming and events in County Hall and Surrey

Background

Filming at County Hall has been an income business for the county since the late 1990s, specifically using the historic courtroom.

In 2013, Property Services created the Property Commercial Team to generate and implement new ideas around driving income from council owned property. This team are responsible for filming, weddings and events taking place at County Hall and a range of Surrey owned buildings including, issuing Highways filming permits and the administration of external hiring of Surrey’s youth centres.

What was the challenge?

Working with film location managers and producers at County Hall, we found that filming across wider-Surrey was not centrally managed. Industry professionals were finding it difficult to navigate through Districts, Boroughs and the County Council, as well as privately owned estates.

With a more skilled and dedicated team we knew we could do more to develop new ideas. We wanted to provide an offer to meet demand, make the most of our assets and bring investment to the county.

What have you done?

We have developed ideas to create strong and sustainable income for the council. The income we create goes into our central finance and supports the council’s services.

We adjusted our costs for filming at County Hall in line with the market and promoted areas of the building, like the cells and the stone staircase in the grand hall. Surprisingly, our two gents’ councillor toilets are now our second most popular area for filming after the courtroom and our basement archives have also been in demand.

Last year we launched the Surrey Film Office, becoming an expert point of contact and coordination hub for all filming in Surrey. The Film Office works with buyers in the film industry and sellers of locations and services within Surrey to arrange filming. We have worked hard to improve our relationship with the industry.

We’ve also created a wedding and events business at County Hall. We made a decision to only hold weddings outside of the operational hours of County Hall, so it is available for hire Saturdays, Sundays and bank holidays. Customers especially like to use the internal courtyard as a drinks reception area and the exclusivity of the venue is a key selling point.

“County Hall can be seen in films and TV dramas such as, Hampstead and Denial, Fearless, Call the Midwife, The Halcyon, and Man in an Orange Shirt.”

What impact have you had?

We have significantly increased filming revenue over the last few years. County Hall can be seen in films and TV dramas such as, Hampstead and Denial, Fearless, Call the Midwife, The Halcyon, and Man in an Orange Shirt. Last financial year (2016-17) was our best yet, generating **£172,000**.

Filming in Surrey generates investment into Surrey’s economy - depending on the production’s size and budget, a production can spend up to £33,000* per day on everything from local caterers, security, taxi firms, hotels and restaurants.

Our Surrey Film Office has played a significant role in supporting an increase in filming across the county by promoting Surrey as an attractive place for the film industry that offers advantages over other regions. In 2016/2017, filming brought a value of £4.6 million into Surrey’s local economy and included productions such as Wonder Woman, Transformers 5 and The Mummy.

The wedding and events business is now in its second year and we have already hosted 21 weddings at County Hall this year. The historic and traditional parts of the building have been appreciated by our customers. This part of the business generated an income of **£73,000** in 2016/2017.

What’s next?

We will continue to explore further business opportunities to increase revenue into the council.

We are also looking to extend our current services with things like open air and pop up cinemas, tea dances and exhibitions. There is also some interest from other partners including districts and boroughs to directly manage filming business/income from their properties.

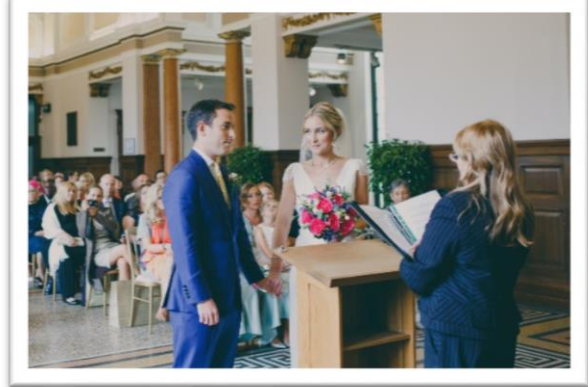
Find out more

If you would like more information about the Property Commercial team activities please contact Amanda Nye on 020 8213 2789.

You can find out more about filming that has taken place in County Hall and Surrey by visiting the [Surrey Film Office website](#).



Tarry & Adam's Wedding – Council Chamber



Ella & Olli's Wedding – Grand Hall



Court Room – Denial



Committee Room B - Downton Abbey



Wonder Woman – Bourne Wood



Transformers 5 - Bourne Wood



Jessica Clark

Jessica Clark, Employment Development Officer, talks about working with Kier to support vulnerable young people.

“While the young people are involved in the programme, they are also offered support and counselling for personal challenges and problems.”

S-skills for highways

What was the challenge?

We work with a number of young people not engaged in employment or education. Many have personal challenges and other support needs to overcome.

We wanted to bridge the gap for these low-skilled young people to help them into employment with our full training scheme in partnership with Kier. Most apprenticeship programmes require young people to have GCSEs as a minimum requirement, which can feel out of reach for some of these young people.

What did you do?

We worked with our partners at Kier to develop a supportive programme for up to 24 vulnerable young people. In 2016 we ran a pilot scheme, which saw eight young people go through a two week induction at Brooklands Motor Museum. The museum provided a controlled environment for them to learn highway maintenance tasks without the risks of a live highway.

In May 2017 we launched our first full programme with Kier supported by SCC. The programme started with a two week induction and training phase. Successful candidates then moved onto pre-apprenticeship training for 12 weeks. During this phase the candidates joined existing teams and carried out works in the community. Those who completed the initial programme successfully were then offered a one or two year apprenticeship with Kier.

While the young people are involved in the programme, they are also offered support and counselling for personal challenges and problems.

What impact did you make?

Since the programme started, nine young people achieved industry-accredited qualifications for completing the 12 week programme. Four young people were offered paid placements and two have been offered the full one or two year apprenticeship at Kier.

The young people have really benefitted from the programme:

- *“It has helped me gain more confidence in meeting new people and has also helped my sleeping patterns”*
- *“The course has changed me physically and mentally”*
- *“It has improved my sleeping patterns and I’ve given up cannabis”*

“It has helped me gain more confidence in meeting new people and has also helped my sleeping patterns”

We received a special commendation at the Constructing Excellence Awards in the people development category for our programme. The judges said the programme has already demonstrated some success and is definitely one to watch next year.

What are the next steps?

We are starting our second programme of 10 young people in October 2017. This group includes young people out of work and education, some with behavioural support needs, and others with special educational needs and disabilities (SEND).

To sustain the project for future participants we are actively looking to secure funding through the High Sheriff and Surrey.

We want to widen the programme to attract people from a larger age group and we are working with social housing groups to help identify others who could benefit from the programme.

Find out more

If you would like to find out more about the programme contact [Jessica Clark](#).

Resident experience

**Residents in Surrey
experience public services
that are easy to use,
responsive and value
for money**





Avril Itani & Di Kennedy

Avril Itani,
Nominated
Office
Manager, and
Di Kennedy,
Additional
Superintendent
Registrar, tell
us how they
have gone the
extra mile to
meet residents'
need.

“Occasionally
we are faced
with situations
that challenge
and particularly
move us.”

Registration Service – going above and beyond

Background

Surrey’s Register Offices are responsible for recording all births, deaths and stillbirths, civil ceremonies and marriages and citizenship ceremonies that take place in Surrey. Many registrations are joyous occasions, but registrars often deal with customers in difficult and emotional circumstances.

What challenges have you faced and how have you helped?

Occasionally we are faced with situations that challenge and particularly move us.

Organising a funeral

One such situation was when Sybil, an elderly lady, passed away at Frimley Park hospital. Her only known next of kin, her brother, died a few days later. As there was no other known next of kin, Bracknell Forest council registered Sybil’s death. Although the funeral for Sybil’s brother went ahead, the council did not want to take responsibility for arranging Sybil’s funeral due to complications with her estate, and the possibility of other family members coming forward. Likewise, Sybil’s solicitors did not want to take responsibility for legal reasons.

We work with hospitals and district and borough councils when registering deaths to make sure everything runs smoothly. At a routine meeting with Alison Gottler, Senior Anatomical Pathology Technician at Frimley Park hospital and Alison Azzopardi Technical Manager, Avril heard that sadly there still hadn’t been a burial or cremation for Sybil. They all wanted to help, so made enquiries to Bracknell Forest Council, Sybil’s solicitors and a local funeral director to work out how a funeral could be finally arranged for Sybil.

After several telephone calls, they discovered that the hospital could pay for the funeral and claim back fees from the estate afterwards. Alison discussed this with the hospital and it was agreed that the hospital would arrange a funeral for Sybil a few weeks later. By working together we were able to give Sybil a funeral and a final resting place.

“Two touching examples of how our team works together.”

Organising a death bed wedding

In registration, we always have someone on call, both overnight and at weekends, to manage any urgent registration issues that happen during these times. Alison Brock, Area Manager, from our Guildford Register Office received a call one Sunday evening about a couple in Staines. The couple needed to be married that night as the groom was very ill and had been told he didn't have long to live.

Arranging and conducting a wedding ceremony requires a lot of work, and when it has to be done at short notice we need to pull together as a team. Alison contacted Di Kennedy, Technical Manager, who provides registration support for this area, to see if she could help. Di was happy to and asked Sue Garner, Ceremonies Registrar, to work with her.

Lots of paperwork had to be organised so that the marriage could legally go ahead. Di arranged documents for the notice of marriage, a letter from the doctor to say the individual couldn't be moved and wasn't expected to recover, and they contacted the General Register Office for the Registrar General's licence that gives permission for the marriage to go ahead.

After preparing the necessary documentation, Di and Sue arrived at the couple's home at 1am on Monday morning, just a few hours after receiving the call. Friends had come to visit the groom so they were able to stay and witness the marriage, giving the bride memories of their wedding with their close friends.

Going above and beyond

There are some registration situations that require us to go the extra mile, these are just two touching examples of how our team works together to make sure that the needs of our residents are met.



Helen Currie

Helen Currie, Principal Highway Maintenance Engineer and army reserve, tells us how Surrey is supporting our reservists.

“We wanted to both support and recognise the commitment of our reservists and promote their skills.”

Supporting our Reservists

Background

Surrey County Council is a strong advocate of the Armed Forces Community, employing over 25 reservists and many veterans. In 2012, we signed the Armed Forces Covenant, which is a promise to ensure that current and former service personnel and their families are treated fairly. We recognise the huge value and contribution that our colleagues who are reservists and ex-service men and women, make to the council.

In October 2016, we were one of the first councils nationally to receive the Gold Award under the Ministry of Defence Employer Recognition Scheme for the work we do in supporting and promoting the interests of former servicemen and women and their families as well as members of the reserve forces.

What did you do?

Following on from the success of our Gold Award we wanted to both support and recognise the commitment of our reservists and promote their skills. We also wanted to continue to strengthen our relationship with the Ministry of Defence and ex- service personnel to develop our workforce.

At a thank you reception for all our reservists (and those working in the district and borough councils and Surrey Police), we explored further ways to support them. The reception was the first opportunity many had been given to meet other reservist colleagues, so we want to provide more opportunities like this in the future.

What have you been doing?

As a result of our Gold Award, we have a number of places for colleagues to develop their skills at the Sandhurst Leadership Challenge course held by the Army at Royal Military Academy (RMA) Sandhurst. The course provides a unique opportunity to develop their leadership and teamwork skills under the expert guidance of the reserve forces.

We've also worked with Forces TV to record a short film with Guildford Fire Station's Greenwatch, which is mainly made up of reservists and ex-service personnel. The video promotes the value of the transferrable skills gained from the Armed Forces and explains how these benefit the Surrey Fire and Rescue Service.

What impact have you had?

Each year up to 10 colleagues get to attend the Sandhurst Leadership Challenge course, which has a really positive effect on the individuals attending:

“Surrey County Council is a great place to work and I'm proud to work for an organisation that clearly shares many of the values and ethics that define the Armed Forces.”

“The Sandhurst Leadership Challenge was great fun and a really good opportunity to think about leadership in a different environment. Undertaking a range of different challenges with people you have never met before, was a great test of teamwork and leadership skills and in the debrief after each challenge it was interesting to see what had worked well or more often where we had gone wrong! I've been able to use lots of learning from the day to think about how I can work more effectively on collaborative projects with colleagues from across the council and in partner organisations.”

“Attending the Sandhurst Leadership Day has had a big impact on me: I constantly find myself reflecting on my approach to team work and leadership, using my experiences from the day, and learning from the other participants”.

Reservists and veterans also feel supported by Surrey:

“Surrey County Council is a great place to work and I'm proud to work for an organisation that clearly shares many of the values and ethics that define the Armed Forces. I enjoy working as part of a strong team and I've found that the organisation recognises and values the transferable skills that Service people bring.”

Being a Gold Award holder also gave Surrey County Council the opportunity to be hosted by the Ministry of Defence to witness the training undertaken by the Royal Marines to gain first hand insight into the military out in the field to further support our work in Surrey.

What is next for your work?

As a Gold Award holder, Surrey County Council has been offered two places on a new Interactive Leadership and Management Training experience at Royal Air Force (RAF) Halton in Buckinghamshire, taking place in autumn 2017. We offered these places to colleagues in children's services to help them improve their offer. We will hold a focus group for those who have attended the Halton or Sandhurst courses to share learning and discuss how best to promote it.

We are continuing to support reservists by ensuring that our systems recognise colleague military status. We're exploring the use of Jive Surrey so that a virtual community for reservists and ex-service personnel enables colleagues to network and have peer support. We'll also be looking into recruitment opportunities that can be promoted to ex-service personnel, and internships for military personnel for hard to fill roles.

Find out more

To find out more please email the team on armedforces@surreycc.gov.uk

You can register your interest in attending training at Sandhurst by emailing Armedforces@surreycc.gov.uk



James Painter

James Painter, Partnership Manager, tells us how SCC is making sure that the armed forces have the same access to support as the civilian community.

“Forces Connect South East aims to develop referral pathways for key issues such as mental health, housing, carers support, and education.”

Forces Connect South East - Consistent Support to the Armed Forces Community

What was the challenge?

We have a large Armed Forces presence in Surrey who often find it harder to access public services than civilians do. Members of the Armed Forces and their families are often subject to frequent moves and extended periods of time away from home, meaning sometimes they don't know what support is available in the area. They may also need more specific medical or social care as a result of their time in service. It's important that we make sure that the Armed Forces communities have the access to the same opportunities as all Surrey residents.

What did you do?

We led on developing a cross border partnership with six neighbouring councils in the south east, sharing best practice and considering common issues. Two key issues identified were a need for better signposting to information and making sure colleagues are fully aware of the specific needs of the Armed Forces community and that they offer consistent advice.

In June 2017, we were successful in a bid for two years of funding from the Ministry of Defence's Armed Forces Covenant Fund. This funding is helping us to develop a project called Forces Connect South East to deliver a range of training packages for colleagues and councillors.

The project is the first of its kind in the country and involves training hundreds of colleagues across Surrey and the south east so that we can effectively meet the needs of the Armed Forces. Forces Connect South East aims to develop referral pathways for key issues such as mental health, housing, carers support, and education.

We are developing a smartphone app so it's quick and easy to find appropriate and timely support. We are also establishing a network of career coaches to help those making the transition to civilian life and expanding the role and number of trained Councillor Armed Forces Champions.

Colonel Andrew Barr, Deputy Commander of 11th Infantry Brigade - the Army regional point of command for the south east said: *“11th Infantry Brigade is very pleased to be working with our local authorities, service charities, and Clinical Commissioning Groups to develop a gateway service that will make it easier for the military to access local services. This is a true partnership in the making.”*

“The project is the first of its kind in the country and involves training hundreds of colleagues across Surrey and the south east so that we can effectively meet the needs of the Armed Forces.”

What impact will this have?

By the end of the project:

- Over 5,000 staff across the region, will have received training.
- 18 referral pathways covering all the key service issues such as housing, education, mental health and employment will have been produced and widely circulated for each county.
- Updated signposting information will be available electronically via smart phones and websites.

More information

For more information contact the Forces Connect South East Programme Officer Amanda. (amanda.barnes@surreycc.gov.uk)

DRAFT



Saba Hussain

Saba Hussain,
Strategic
Partnerships &
Policy
Manager, talks
about bringing
old trust funds
back in to use
for residents.

“Most of the
funds were
education
related and
fairly small so
the Charity
Commission
agreed that
these could be
combined to
form a new
fund - The
Surrey
Education
Fund.”

Trust fund transfers

What was the challenge?

A number of trusts were gifted to Surrey a long time ago and were not being used. Many of the funds had objectives which were no longer relevant, meaning that the money couldn't be used as originally intended to deliver benefits for communities in Surrey.

What did you do?

The Council Overview Board set up a trust fund task group to bring the inactive trusts back into use, looking at the trusts we were the sole trustees for.

SCC worked with the Community Foundation Surrey (CFS) and the Charity Commission to agree a way to transfer the funds to CFS. Transferring the funds to the CFS brings the funds in to use for the communities of Surrey and frees the council from the administrative, financial and legal burdens and any issues relating to the trust funds.

We reviewed documents relating to trust funds, identified stakeholders that needed to be consulted and considered any special circumstances.

Most of the funds were education related and fairly small so the Charity Commission agreed that these could be combined to form a new fund - The Surrey Education Fund.

The new fund has been set up in a way that honours the original objectives of the individual trust funds and will be available for Surrey residents to give them opportunities they may not have otherwise had.

What impact did you make?

We've transferred 34 trusts to the CFS totalling just under £400,000, enabling us to offer grants supporting education, training, art, music and sport.

These grants have opened up opportunities for Surrey residents, enhancing their wellbeing, in line with the original objectives of the trust funds. The grants are Surrey wide and you can find out how to apply by contacting CFS.

It's been great to bring the funds back in to use for Surrey residents as they can finally bring benefits as originally intended.

What is next?

We have started phase two of this work, working with trustees of shared funds to consider the possibility of transferring these funds to the CFS so

that we are able to help even more residents. The objectives for this would be to get maximum value from the funds for Surrey's residents and freeing Surrey from being accountable for these trusts.

Find out more

For more information contact Saba Hussain saba.hussain@surreycc.gov.uk

DRAFT



Tina Thorburn

Tina Thorburn,
Works
Communications
Team Leader,
tells us how
Highways are
keeping
residents
informed of
roadworks.

“Working with
our media team,
the Highways
team decided to
produce a series
of news videos
(every 2-3
weeks), focusing
on some of the
major highways
projects and
events going on
in the county.”

Highways communicating with residents

What was the challenge?

Our highways service and media team receive a large number of emails and telephone enquiries from residents about roadworks in Surrey. The contact centre alone has an average of 379 roadworks related telephone calls per month.

Instead of contacting the council, we wanted to make it easier for residents to find roadworks information online and reduce enquiries to officers.

We found posting ‘before’ and ‘after’ pictures of our roads on the Surrey News twitter page was well received and decided to build on that.

What’s happened so far?

Working with our media team, the Highways team decided to produce a series of news videos (every 2-3 weeks), focusing on some of the major highways projects and events going on in the county. The videos focus on local issues that are having a big impact on our roads. We agreed that having a regular ‘presenter’ fronting the videos would give the highways service a ‘human face’, making the service more approachable.

As the Works Communications Team Leader in the highways team, I agreed to be the face of the new videos posted on the [Surrey news website](#) and social media, including Twitter and Instagram sites.

The media team writes the initial script, picking up on major works going on and then speak with me and my team to check on what enquiries are being made. My team has weekly meetings with the Operation Horizon team and other contractors we work with, such as Kier. These discussions help us update the script.

In recent videos we covered how to plan ahead for the Prudential RideLondon-Surrey cycling event in July, including the link to the RideLondon website for further information. I also gave an update on the resurfacing of Kingston Road in Leatherhead and a major redesign to cut congestion of the Runnymede roundabout. The videos showed pictures of the road in the background to bring the updates to life for residents.

What’s next?

The YouTube videos have received more than 600 views so far, which is a good start.

“A project manager from our Major Projects team has seen the videos and now wants to use them for improvement works due later in the year”

We plan to make future videos scheme specific. A project manager from our Major Projects team has seen the videos and now wants to use them for improvement works due later in the year, at the Meadows gyratory, in Camberley.

The media team hopes to roll out a similar approach for other services, using videos to update residents on our work. For example, they are talking with Trading Standards colleagues to develop a video about raids on importing illegal goods.

Find out more

You can find the latest Highways video on [our website](#). For more information contact Tina Thorburn.

DRAFT

Surrey history treasure trove achieves national accreditation

Surrey County Council's History Centre has been accredited for its care in preserving nine centuries of Surrey's heritage.

The centre in Woking was awarded Archive Service Accreditation by the UK Archive Service Accreditation Committee for demonstrating high standards in preserving records and making them accessible to the public.

Surrey History Centre is the county's record office and local studies library. Treasures housed in its six miles of shelving include letters from Henry VIII, Lady Jane Grey, Lewis Carroll and soldiers serving in the trenches of World War I as well as a vast array of documents recording the lives of millions of Surrey people over nine centuries. There are also beautiful parchment maps of the county stretching back to the 16th century.

Denise Turner-Stewart, Surrey County Council's Cabinet Member for Communities, said: "Collections housed at Surrey History Centre chronicle the county's rich and varied past since the middle ages and I'm delighted that the meticulous work of the centre's staff in preserving such an extraordinary array of documents, images and manuscripts and bringing them to a wider audience has been recognised."

In granting the status, the accreditation panel hailed 'real strength in the service' and praised it for 'proactively working with the communities of Surrey' as well as its effective collections management.

The accreditation announcement can be found on the National Archives website.

More information about Surrey History Centre, that aims to work with communities and groups across Surrey to ensure their heritage is preserved for the future, can be found on our website.

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SURREY COUNTY COUNCIL

Review of Members' Allowances for 2017-18

Report of the Independent Remuneration Panel

October 2017

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1. EXECUTIVE SUMMARY

- 1.1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, the County Council is required to establish and maintain an Independent Remuneration Panel (IRP, the Panel) to make recommendations to the Council about the allowances to be paid under its Scheme of Allowances. The Council established the current IRP in October 2016. This report contains the recommendations of the Panel which are summarised in Table 1.
- 1.2. Under the existing scheme 81 Members receive a basic allowance and there are 58 special responsibility allowances available. If all allowances were claimed in full the total cost is £1.55 million per year. The Panel's recommendations reduces the number of special responsibility allowances to 34, predominantly through the removal of a small allowance for Vice-Chairs of Committees, of which there are 20. The impact of these recommendations is to reduce the cost of members' allowances by £59,000 to £1.49 million, a reduction of 3.8 per cent. As part of this overall reduction, the value of special responsibility allowances reduces by 10.2 per cent.

Table 1: Summary of Recommendations

Type of Allowance	Existing Scheme	IRP Recommendation
Basic Allowance (81)	12,442.80	12,442.80
Leader	43,085.87	43,085.87
Deputy Leader	31,312.41	27,924.00
Chair of the Council	18,035.95	18,035.95
Vice-Chair of the Council	8,015.98	6,512.98
Cabinet Member (8)	22,544.93	24,402.00
Cabinet Associate (4)	12,524.96	0.00
Overview and Budget Scrutiny Committee	12,024.00	12,024.00
Select Committee Chair (5)	10,019.97	10,019.97
Planning and Regulatory Committee Chair	12,024.00	12,024.00
Audit and Governance Chair	9,017.97	10,019.97
Pension Fund Board Chair	8,015.98	10,019.97
Local and Joint Committee Chairs (11)	8,015.98	8,015.98
Vice-Chairs of Committees (20)	1,503.00	0.00
Opposition Leader	5,009.99 (x2)	12,024.00 (total)
Payments to political parties	170.34	170.34
Additional Allowances and Expenses		
Member of Adoption and Fostering Panel	1,002.00	1,002.00
Lead Member for Scrutiny of PCC	8,015.98	8,015.98
Co-optees Allowance	0.00	0.00
Travel and Subsistence	No changes to the existing scheme	
Childcare Allowance	£8/hour, no cap	£8/hour, no cap
Care of Dependents Allowance	£14.50/hour, no cap	£14.50/hour, no cap

2. INTRODUCTION & CONTEXT

- 2.1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, the County Council is required to establish and maintain an Independent Remuneration Panel (IRP) to make recommendations to the Council about the allowances to be paid under its Scheme of Allowances. The Panel will make recommendations to the authority about the allowances to be paid to Members. They will make recommendations about the level of basic allowance for all Members, the level of special responsibility allowances and to whom they should be paid, and whether dependents' carers' allowances, travel and subsistence allowances and co-optees allowance should be paid, and the levels of these allowances. Whilst it is ultimately for the County Council to decide its Scheme under the Regulations, it must have regard to the advice of the IRP before making any changes.
- 2.2. The current IRP was appointed in October 2016. The Panel consists of three members; Carol Deakins (Chair), Paul Eaves and Bryan Ingleby. Panel Members all live in Surrey, and are all independent of Surrey County Council and of any political party.
- 2.3. The last IRP report was published in April 2014. This review has therefore been taken against the background of something of a time lag since the last review but also in the context of challenging budgetary constraints.
- 2.4. In approaching this work, the Panel has observed a large number of Cabinet, Council and Committee meetings in order to understand the full range of the work that Members get involved in and the complexities and demands of that work. They have met with a wide range of SCC Members and Officials, and also with representatives from other County Councils (in particular representatives of other IRPs) across the South of England. The Panel conducted a census of Members' views and provided all Members with the opportunity to meet with them either in groups or individually. As with the previous report, the Panel have collected information about the allowance schemes of other Authorities. The Panel has looked critically at the methodology that was used by previous Panels.
- 2.5. The remainder of this report discharges our responsibilities under section 21 (1) of the Local Authorities (Members' Allowances) (England) Regulations 2003 with the exception of paras (f) and (g) which relate to pension entitlement. Under the Superannuation Act 1972, the payment of pensions to Members ceased from 4 May 2017. We have noted Members' concerns regarding the removal of the pension entitlement, and that the changes will reduce the level of taxpayer funded support that councillors receive. The Panel believes that changes to pension entitlement are a matter of Government Policy and outside the scope of this Report. Accordingly the Panel has not reflected changes in pension entitlement in its consideration of matters within its Terms of Reference (Appendix 1).
- 2.6. The Panel is grateful for the support provided by Democratic Services, most notably Bryan Searle and Vicky Hibbert. They provided a full induction, advice on Council business and governance, and strong logistical support including the administration of a Members' Census and the hosting of an IRP Regional Network. The Panel owes them its thanks.

3. BASIC ALLOWANCE

- 3.1. The Basic Allowance (£12,442.80 per annum in the existing Scheme) is paid to each Member of the Council. It is intended to recognise the time commitment of all Members, including calls on their time such as meetings with officers and constituents, attendance at political group meetings and incidental costs such as the use of their homes.
- 3.2. The rate of Basic Allowance was last increased on 1 April 2016. It was raised by 0.3 per cent in line with the rise in the Consumer Price Index (CPI) over the previous year.
- 3.3. The evidence collected by the Panel suggests that Members feel that the allowance is appropriate for a Council of this size. Many respondents to our census stated that they believed the basic allowance was satisfactory. The Panel's benchmarking showed that the basic allowance is one of the highest in the South-East region and in the top quartile for local authorities nationally¹. They therefore see no case for change at this point in time.
- 3.4. The Panel noted that the Council is moving towards a paperless working environment. This will require Members to use their home and mobile devices more extensively to conduct Council business. The Panel considered whether this would introduce additional cost burden on Members. The Panel concluded that it would be unlikely to introduce significant extra cost, as most Members are likely to have home computing and Wi-Fi facilities, and the Council would be providing mobile devices enabled with 3G. The Panel is not therefore recommending an uplift for the basic allowance in this regard, but notes that by exception additional costs could be claimed through the current expenses system.
- 3.5. The Panel is aware that CPI is running at 2.6 per cent (June 2017) but that with the Council's financial position meaning cuts to services for the citizens of Surrey, it would not be appropriate to apply a CPI uplift to this allowance. This view has been applied consistently to all those allowances which the Panel considers should be held at current levels.

<p>The Panel recommends that the Basic Allowance is held at £12,442.80</p>

¹ Where comparisons are made with other Local Authorities, data is correct as at June 2017. As other Local Authorities decide on changes to their Members' Allowances Schemes, rankings may change.

4. SPECIAL RESPONSIBILITY ALLOWANCE

Introduction

4.1. The Local Authorities (Members' Allowances) (England) Regulations 2003 allow for payment to be made to Members of the authority that have special responsibilities in relation to the discharge of the functions of the authority. It is the responsibility of the authority to make a scheme to provide for such payments. It is for the Independent Remuneration Panel to make recommendations to the authority as to which responsibilities or duties should attract a special responsibility allowance, and the amount of such allowances.

4.2. This part of the report sets out the Panel's recommendations accordingly.

Principles

4.3. In making its recommendations the Panel has had regard to the following:

- That allowances should be connected to the responsibilities and duties that a Member is required to discharge, not the role that a Member has;
- That the regulations require the responsibilities and duties to be special before it can be considered for a special responsibility allowance. The Panel has decided that it would be inappropriate to set a limit on the number of such allowances available. However, in 2015-16 a total of 58 Members out of 81 were eligible for a special responsibility allowance. The Panel considers that it is difficult to support such a high proportion, over 70 per cent, as special; and
- That many Councils apply a limit of one special responsibility allowance per Member. The Panel has decided not to recommend this, as to do so would potentially restrict the pool of talent available for an individual appointment.

COUNCIL LEADERSHIP

Chair of the Council

The Panel recommends that the allowance for the Chair is held at £18,035.95

4.4. The Chair both leads the Council at its meetings and represents the Council in an official capacity at official engagements. It is therefore appropriate that the allowance reflects both elements of the role, and is larger than that of a Committee Chair. The current allowance for the Chair is toward the higher end of comparable authorities, but the Panel feels that the allowance is a fair reflection of the role within Surrey, and recommends no change.

Vice-Chair of the Council

The panel recommends that the allowance for the Vice-Chair is reduced by £1,503 to £6,512.98

- 4.5. The Vice-Chair represents the Council at official engagements in support of the Chair or where the Chair is not available. The Vice-Chair would also assume the Chair's duties at meetings of the Council should the Chair be unavailable. The Panel has set out its view on the allowances paid to Vice-Chairs of committees at section 4.24 below. In line with that recommendation the Panel recommends that the fixed allowance for the Vice-Chair is reduced by £1,503.

LEADER / DEPUTY LEADER / CABINET POSTS

- 4.6. In reviewing the current Scheme provision for these allowances, the Panel has taken into account the allowances paid by other County Councils across the country, and in particular across the South-East as being a more directly comparable group. The Panel has not analysed unitary authorities or London Boroughs, as it felt that these were less comparable. The Panel has analysed the information in a number of ways:
- The absolute value of the allowances compared with authorities, taking into account the size and scale of the services provided;
 - The relative value of the allowances for Deputy Leader and Cabinet Member compared with the Leader's allowance; and
 - The relationship between the allowances for Leader, Deputy Leader and Cabinet Member and the equivalent Council officer posts.
- 4.7. The Panel has not performed any formal job evaluations. From observations of Council business and meetings with Council members, the Panel considers that the responsibilities of these positions are sufficiently unchanged that no such re-evaluation is necessary.

Absolute Value

- 4.8. The Panel's reference group is the 27 County Councils in England excluding unitary authorities and London boroughs. This group has a gross cost of services ranging from £0.67 billion to £2.21 billion.² Surrey places as the fourth largest in this group, behind Lancashire, Kent and Essex.
- 4.9. Under the existing scheme, the Leader receives the second largest allowance, behind Essex. The Deputy Leader also receives the second largest allowance, also behind Essex. Cabinet members receive the third largest allowance, behind Essex and Kent.
- 4.10. The Panel considers that this analysis shows that the current allowances take into account the size and scale of Surrey's activities, and that any additional complexities resulting from a South East location are already built in to the allowances.

² Data taken from the audited 2015-16 Statements of Accounts for each authority. Figures quoted are the gross cost of services. Not all authorities had published audited accounts for 2016-17 at the time of this report.

Relative Values

4.11. Under the existing scheme the Leader receives £43,086, the Deputy Leader £31,312 and a Cabinet Member £22,545. Thus, the Deputy Leader receives 73 per cent of the Leader's allowance and a Cabinet Member 52 per cent of the Leader's allowance.

4.12. Looking at the 26 authorities in our reference group (i.e. the 27 excluding Surrey) the average Leader's allowance is £31,198, the average Deputy Leader's allowance is £20,220 and the average Cabinet Member allowance is £17,670. On average, a Deputy Leader receives 65 per cent of a Leader's allowance and a Cabinet Member 57 per cent of a Leader's allowance.

4.13. This analysis would suggest that, compared with other authorities, the Deputy Leader receives a relatively large allowance and a Cabinet Member a relatively small allowance. If the national relative averages were applied in Surrey, the Deputy Leader would receive £27,924 (a drop of £3,388) and a Cabinet Member would receive £24,402 (an increase of £1,857).

4.14. This analysis is reproduced in the table below:

Table 2: Surrey allowances relative to other authorities

TOTALS - all councils excluding Surrey	Leader	Deputy Leader	Cabinet Member
Average Allowance	£31,198	£20,220	£17,670
Percentage of Leader's allowance		65%	57%
SURREY			
Allowance	£43,086	£31,312	£22,545
Percentage of Leader's allowance		73%	52%
SURREY - Adjusted to national average			
Allowance	£43,086	£27,924	£24,402
Percentage of Leader's allowance		65%	57%
Change in allowance		-£3,388	+£1,857

4.15. The Panel has considered whether there are any factors specific to Surrey that would support the Deputy Leader receiving more than the national average and Cabinet Members receiving a lower allowance than the national average, relative to the Leader's salary. From observations, meetings and analysis of Council business, the panel is not aware that significant specific factors exist. Accordingly the Panel concludes that:

- The absolute value of the Leader's allowance is in line with the size and scale of Surrey's business; and
- The relative value of the allowances for Deputy Leader and Cabinet Member should reflect the national averages

The panel recommends that the Leader's allowance is held at £43,086

The panel recommends that the Deputy Leader's allowance is reduced by £3,388 to £27,924

The panel recommends that a Cabinet Member's allowance is increased by £1,857 to £24,402

- 4.16. The Panel is conscious that, under generally accepted employment terms and conditions, where an employee's job is downgraded for salary purposes they are entitled to have their actual salary protected until such time as wage inflation causes the new baseline to exceed the current level. Under the same terms and conditions, should the identity of the person in that role change, the person newly appointed would take up post at the downgraded amount, corrected for any intervening uplifts. The Panel's job is to make a recommendation for the role, and has done so at 4.15 above. The Deputy Leader is not an employee and therefore the terms described in this paragraph would not formally apply. However, the Panel believes that should the Council decide that as a matter of equity it would be appropriate to apply those terms as if the current incumbent were an employee, that decision would not be inconsistent with the recommendation.
- 4.17. The Panel has also looked at how the allowances for these roles compares with equivalent officer posts. Under the current scheme the Leader receives 19 per cent of the Chief Executive's salary. The Deputy Leader receives 20 per cent of the Deputy CEO's salary and a Cabinet Member 17% of a strategic director's salary. These are broadly in line with percentages across the reference group, and the relativity between the roles suggests the data agree at a high level with the relative analysis above. However, the Panel is not using this data as the basis for any conclusions as the analysis is a function of the salaries of officers which is outside the scope of this report, and it would be inappropriate for the Panel to take a view on.

Cabinet Associates

- 4.18. Before the May 2017 Local Election, the Leader had appointed four Members to be Cabinet Associates, each receiving a special responsibility allowance of £12,524.96 for a total cost of just over £50,000. Article 6 of the Council Constitution (version approved on 7 Feb 2017) permits that "*other members may, from time to time, be designated by the Leader as Cabinet Associates.*"
- 4.19. The Constitution defines the role further: "*A Cabinet Associate will not be a member of the Cabinet and will not participate in Cabinet decision-making but may work closely with a Cabinet Member(s). He or she will not be a member of any select committee relating to the specific responsibilities of the Cabinet Member(s) he or she is assisting or any other area to which they are assigned, but will be able to serve on unrelated select committees. Cabinet Associates will not have delegated powers and will not be entitled to vote at Cabinet meetings.*"

4.20. The Panel has considered this definition and the associated job description. It is clearly a position that helps to support the Cabinet Members discharge their responsibilities. It is also good for succession planning as it exposes potential future Cabinet Members (from the current majority party) to Cabinet business. It is also undeniably a position that is time consuming.

4.21. The Panel has, however, considered two further aspects. The role of supporting Cabinet Members in a non-political manner effectively duplicates the role that officers of the council are employed to do, and the Panel does not consider political support to be relevant to this allowance (political support allowances are discussed at 4.34). Secondly, the role has no delegated responsibilities, and therefore in the opinion of the Panel does not meet the requirements to attract a special responsibility allowance.

The Panel recommends that the allowance for Cabinet Associates is removed

COUNCIL COMMITTEES

4.22. The current scheme provides for payments to the Chairs and Vice-Chairs of 20 Committees, being a total of 40 special responsibility allowances. Under the current scheme, the allowances for Chairs varies between committees, with the Vice-Chair allowance fixed at £1,503 for all committees.

4.23. The Panel agrees that the nature and responsibilities of the committees varies and that the allowances should reflect this. In table 3 below we set out our recommendations for the Chair's allowances compared with the current allowances, and the basis for our recommendations. Recommendations in Table 3 reflect the changes to the County Council's overview and scrutiny function; headings for each row reflect the post May 2017 arrangements.

Table 3: Recommended Committee Chair Allowances

Committee	Current Allowance £	Recommended allowance £
OVERVIEW AND SELECT COMMITTEES		
Overview and Budget Scrutiny Committee	12,024.00	12,024.00 (1)
Adults and Health Select Committee	10,019.97	10,019.97 (2)
Children and Education Select Committee	10,019.97	10,019.97 (2)
Environment and Infrastructure Select Committee	10,019.97	10,019.97 (2)
Communities Select Committee	10,019.97	10,019.97 (2)
Corporate Services Select Committee	10,019.97	10,019.97 (2)
STATUTORY COMMITTEES		
Planning and Regulatory Committee	12,024.00	12,024.00 (1)
Audit and Governance Committee	9,017.97	10,019.97 (3)
OTHER COMMITTEES		
Pension Fund Committee	8,015.98	10,019.97 (3)
Local Committees (9)	8,015.98	8,015.98 (4)
Joint Committees (2)	8,015.98	8,015.98 (4)
OTHER ROLES		
Lead Member for the Scrutiny of the Police and Crime Commissioner	8,015.98	8,015.98
Members of the Adoption and Fostering Panels	1,002.00	1,002.00
Co-Optees Allowances	0	0 (5)

Table Notes

1. The Panel agrees that the Chairs of the Overview and Budget Scrutiny Committee and Planning and Regulatory Committees should attract the largest allowances. This reflects the nature, extent and complexity of the duties that come with chairing those committees.
2. The Panel considers that the Chair's allowances for presiding over the five Select Committees that support the Overview and Budget Scrutiny Committee are appropriate, and recommends no change.

The Panel is not recommending changes to the Chair's allowances for the main overview committee and the supporting select committees, although the Panel notes that the arrangements have changed. Under the new arrangements, the select committees will meet less often than their predecessor scrutiny committees. It does not necessarily follow that the responsibility or time commitment is similarly reduced. **The Panel therefore recommends that the allowances are held at current levels, but that this is formally revisited in one year once the new arrangements have had a chance to bed in.**

3. The Panel is not convinced that there is a case for different allowances to be paid in respect of the Audit and Governance Committee and the Pension Fund Committee, when compared with the select committees. Having observed these committees and held discussions with Chairs and members, the Panel believes that the responsibilities discharged by these two committees are on a par with the five select committees that support the Overview and Budget Scrutiny Committee. Accordingly, the Panel recommends that the Chairs receive the same allowance of £10,019.97. This is a small increase but the Panel believes that this is fair and appropriate.
4. Local and Joint Committees are set up at the discretion of the Council under Article 9 of the County Constitution. Local committees have delegated executive and scrutiny powers as set out in the Constitution, with such powers restricted to the areas that they serve. The Council has made a considerable investment in local committees, with over £100,000 payable in members' allowances in 2016-17, plus officer support and the other administrative costs of holding meetings. The Articles require the Leader/Cabinet to review the local committees annually; it is not clear how frequently this has been done or in what form. The Panel believes that there is merit in the Council assessing the value for money from the local and joint committees so that it can demonstrate the financial and non-financial returns from its considerable investment.
5. The Panel does not believe there is a case for introducing an allowance for Co-optee members of committees.

Vice-Chairs of Committees

4.24. The current scheme provides for an allowance of £1,503 to be payable to the 20 committee Vice-Chairs. The Panel has considered the responsibilities and duties of this role. Typically, a Vice-Chair is appointed to step into the role of the Chair should the Chair be unavailable. A Vice-Chair role is also one to facilitate the continuity of business in terms of succession planning. There is some additional time commitment over and above that of a committee member, in terms of attending agenda planning meetings and other pre-meetings.

4.25. The Panel does not, however, consider that the role of Vice-Chair brings with it sufficient additional responsibilities or duties over and above that of a committee member, such that the role might meet the Panel's interpretation of what constitutes a special responsibility. Accordingly, the Panel recommends that the special responsibility allowance for a Vice-Chair is removed.

Recommendations in respect of Committees

4.26. In summary, we make the following recommendations in terms of Committees.

The Panel recommends the allowances for Committee Chairs as set out in Table 3

The Panel recommends that the allowances for Vice-Chairs are removed

The Panel recommends that Council reviews the value for money obtained from local and joint committees so that it can demonstrate a return on its investment.

POLITICAL ALLOWANCES

Opposition Leaders

4.27. Opposition leaders receive an allowance to reflect their important democratic responsibility to hold the ruling leadership to account. The Panel considers this to be a significant responsibility and an important part of the scrutiny function. Accordingly, the Panel considers that the total allowances available to support this function should be on an equal level to the main scrutiny committee, the Overview and Budget Scrutiny Committee. The Panel has recommended that the Chair of this Committee receives £12,024.

4.28. In terms of how this is split, the Panel believes that the allowance should be proportional to the size of the group, thus providing for the largest allowance to be payable to the leader of the largest opposition group. Allowances should be paid to groups with three or more members.

4.29. Whilst this is an increase over the current scheme provision for opposition leaders (£5,009 each), the Panel feels that the opposition function carries the greatest responsibility in terms of scrutiny of the executive, and the allowances should reflect this.

4.30. The May 2017 Council has 20 opposition Members, comprised as follows:

- Surrey Opposition Forum: 10
- Residents' Association and Independents: 9
- Labour: 1

4.31. Applying the above principle to the total provision of £12,024, this would provide a special responsibility allowance of £6,328 to the leader of the Surrey Opposition Forum and £5,696 to the leader of the Residents' Association and Independents Group.

The Panel recommends that the total allowances payable to opposition group leaders is £12,024

The Panel recommends that the total allowance is divided proportionally according to the membership of the eligible groups. To be eligible, a group need to have three or more members. The elected May 2017 Council therefore provides for the following allowances:

Leader of the Surrey Opposition Forum: £6,328

Leader of the Residents' Association and Independents Group: £5,696

These allowances should be adjusted annually to reflect any changes in the composition of the opposition parties within the Council, and the total opposition leader allowance should track the allowance payable to the Chair of the Overview and Budget Scrutiny Committee.

Officers of Political Groups

- 4.32. The current scheme allows for payments to all political groups, at the rate of £170.34 per Member, to be distributed at each group Leader's discretion. The total amount payable in this manner in 2016-17 was £13,797.54 being the sum of the 81 per Member amounts. It is the expectation that these funds are used to pay for political positions such as whips within the group. However, it is not clear how these funds are distributed.
- 4.33. From a review of other authorities, such allowances are rare although they do exist. Where they do exist, one of two approaches are taken. Some authorities mirror the Surrey approach with a per member allowance. Others provide specific allowances for certain roles e.g. chief whip, deputy whip, opposition whip. Whilst a majority of schemes do not provide for allowances relating to officers of political groups, the Panel considers that there is an argument that, with a Council of 81 Members, the effective marshalling and administration of the political groups contributes to the effective running of the Council.
- 4.34. The actual use to which these allowances, which total £13,797 annually, is not prescribed by this Scheme and is at the discretion of the group Leaders. The Panel believes that the use of funds should be more transparent, and has made a recommendation below for an annual accounting of these funds by the group Leaders.

The Panel recommends that the current allowance is retained at £170.34 per Member.

The Panel recommends that each group is required to provide an annual accounting of the use of the monies, and to make this statement available to the Council within three months of the financial year end. Each statement should be signed personally by the group Leader that they take personal responsibility for the statement and provide verification as to the statement's accuracy.

5. TRAVEL AND SUBSISTENCE

- 5.1. The Panel did not find any strong evidence that the current basis of travel and subsistence allowances, linked to officer remuneration, should change. We noted that the majority of Members had a good understanding of what they can claim for. We suggest that, as a matter of good practice, the Council reviews its list of Approved Duties annually to improve clarity and publicises these afresh to members.

The Panel recommends that the current levels of compensation for Travel and Subsistence remain in line with the rates available to officers.

6. CHILDCARE AND CARE OF DEPENDENTS

- 6.1. Again, in the context of no strong evidence to the contrary, the Panel recommends that the current levels of remuneration for Childcare and Carers' Allowances remain unchanged.
- 6.2. The Panel were pleased to note that the existing scheme does not provide a cap on the amounts that can be claimed relating to child care and care of dependents, whilst attending approved duties. The Panel felt this supported the principle that Members should not be out of pocket in carrying out their duties and that it supported diversity, permitting those who have thought themselves excluded on the basis of the cost of care to consider standing for election.
- 6.3. The Panel did note that the historic levels of take up of Childcare and Carers' Allowances by Members has been low and we would recommend that Members do consider strongly making use of these allowances, if they are eligible. The Panel felt this would establish using Childcare and Carers' Allowances as the norm, again, promoting diversity.

The Panel recommends that the current levels of compensation for Childcare and Carers' Allowance remain unchanged.

The Panel recommends that Members do take up Childcare and Carers' Allowances where they qualify for them.

7. BACKDATING AND INDEXATION

BACKDATING

- 7.1. The Regulations allow the Panel to consider backdating any changes to allowances such that they apply from the beginning of the financial year.

The Panel recommends that where an allowance has been increased that it should be backdated to the date of the May 2017 Local Election.

The Panel recommends that all other changes to allowances should be implemented from the first day of the month immediately following the Council's agreement to the changes.

INDEXATION

- 7.2. The Regulations require the Panel to make recommendations as to whether indexation shall apply to each allowance.
- 7.3. This report has set out the recommendations for each allowance for 2017-18. The Panel has recommended that travel and subsistence allowances should change in line with rates available to officers. The Panel is not recommending any indexation changes to any other allowances at this point in time.

The Panel has recommended that there should be no change in the basic allowance for 2017-18. However, given the changing landscape the Panel would wish to keep this under review for future financial years.

The Panel has in a number of further areas noted the benefits of reviewing the impact of changes to the Council structures and Panel recommendations in a year's time. The Panel therefore recommends that it reconvenes in summer 2018 to revisit its report and recommendations, most notably the issues of indexation and the operation of the new select committee structure.

8. DIVERSITY

- 8.1. As part of their Terms of Reference the Panel are required to have particular regard to the need for the composition of the Council to better reflect the population of Surrey.
- 8.2. The Panel very much support the need to increase the diversity of the Council, but Members are elected by the people of Surrey and should be for the political parties to ensure that the diversity of the population is reflected in the candidates that they select. It should be for the parties to attract talent from as wide a range of people as possible.
- 8.3. The Council should not lose sight of the need for allowances to enable people to take on the role without undue cost or hardship. The Basic Allowance would not be sufficient in itself to be the prime income for a family.

Appendix 1 – Terms of Reference

INDEPENDENT REMUNERATION PANEL

1. To review the County Council's Members' Allowances Scheme, taking into account the roles and responsibilities of Members (both in the Council and in serving their communities) set out in the County Council's agreed role profiles. The Panel will particularly have regard to:
 - a. comparative data on the allowances paid by other similar local authorities; and
 - b. the need for the composition of the Council to better reflect the population of Surrey.
2. To make recommendations to the Council on:
 - a. the amount of Basic Allowance which should be paid to all Members;
 - b. the responsibilities or duties for which Members should receive Special Responsibility Allowances and the amount of such allowances;
 - c. the amount of the Childcare and Dependants' Carers' Allowances;
 - d. Travelling and Subsistence Allowances;
 - e. Co-optees' Allowances;
 - f. whether payment of allowances should be backdated to the beginning of the financial year;
 - g. whether any allowances should be withheld if a Member is wholly or partially suspended;
 - h. whether adjustments to the level of allowances should be determined according to an index, and if so, which index and how long that index should apply.

Appendix 2 – Methodology

The Panel has ensured it has gathered and considered a wide range of evidence as part of producing this Report. In particular, the methodology used has included the following:

Desk Research

- Previous IRP Reports for Surrey County Council;
- IRP Reports for other authorities;
- Council and Committee meeting papers; and
- Benchmarking data from other authorities

Primary Research

- Statistical analysis of the allowances for 27 county authorities in England;
- Observation of Council and Committee meetings, both in person and observing public transmissions. Meetings observed includes the Council, the Cabinet, the Council Overview Board, Planning and Regulatory Committee, Resident Experience Board, Audit and Governance Committee, Surrey Pension Fund Committee, and others;
- Observation of the Local Committees where each panel member lives;
- Interviews with senior officers, including the Chief Executive and the Director of Legal, Democratic Services and Culture (Monitoring Officer);
- Interviews with Council Leadership, including the Chair, Leader and Deputy Leader;
- Interviews with Opposition Group Leaders;
- Interviews and informal discussion with committee chairs and committee members;
- Conducting a Census of all Members, seeking their views about remuneration;
- Holding following up interviews with all Members who wished to following the Census; and
- Hosting a Regional Network meeting of other authorities' IRP members and associated officers

In addition to attending Council and Committee meetings, the Panel met a total of thirteen times to facilitate the interviews noted above, to deliberate its findings, and to prepare this Report. Panel members estimate they have each committed between 100 and 150 hours of time to this work.

Appendix 3 – Members’ Census

As part of our evidence gathering, we invited all members to complete a short paper based questionnaire and return it to us, anonymously if they preferred within a couple of weeks.

The questionnaire focussed on issues relating to SCC’s remuneration of members. It also asked the members if they would like to meet a member of the panel to discuss any issues they felt relevant.

The results from this census are not being published as they are not statistically significant given the level of response was relatively low (33 responses) and therefore they cannot be said to represent the views of members as a whole. The panel remains grateful to those members that took the trouble to complete and return the questionnaires since the contents of these questionnaires were used as indicators of areas for further enquiry by the panel which otherwise may have been missed.

Areas highlighted by the census exercise included;

- Perceived number of hours worked by members and how that work is distributed
- The differing roles of members and their responsibilities
- Opinions about the various levels of remuneration for different roles
- The influence remuneration had on deciding to become a member
- The uptake of Carers Allowance
- How members perceived their role in relation to other paid roles

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OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION – ARTICLES

KEY ISSUE/DECISION:

Surrey County Council has a Constitution which is agreed by Members and sets out how the Council operates, how decisions are made and the procedures to be followed to ensure that they are efficient, transparent and accountable to the residents of Surrey.

The Constitution contains Articles that set out the basic rules governing the Council's business and these have been updated to ensure that they are fit for purpose.

The County Council is asked to agree the updated Articles so that these can be implemented and published on the Council's website.

BACKGROUND:

1. The current version of the Council's Articles of the Constitution have been in place since 2012 with minor changes approved to specific sections in 2013, 2014 and 2015 to ensure that they reflect current legislation.
2. Work has been undertaken to review all of the Articles within the Constitution and as a result these have been updated in terms of format, language and layout. Plain English has been used and legalistic terms explained to ensure the Articles are fit for purpose and can be easily understood by the layman. The updated Articles can be found at **Annex A**.
3. As part of the review it was identified that information relating to meeting procedures had been included within the Articles and it was felt that this would fit better within the Council's Standing Orders (Part 4 of the Council's Constitution). This will ensure that all information relating to meeting procedures can be found in one place. The proposed information to include within Standing Orders can be found at **Annex B**.

DETAIL OF CHANGES:

4. Changes to the Articles of the Constitution include the following:

- **Article 7** – Scrutiny Boards – this Article has been updated to reflect the recent changes to scrutiny and the new arrangements that are now in place including the revised Select Committee remits agreed by the County Council in May 2017. The changes include amendments to paragraphs (i) (Members’ requests for the inclusion of items on agenda) and (j) (Councillor Call for Action) to reflect the fact that work programmes for all select committees are now determined by the Overview & Budget Scrutiny Committee. A process for dealing with urgent requests is set out, and the changes do not impact on Members’ statutory right to request items under these paragraphs.

For completeness, the following additions have also been made to the agreed committee remits: ‘Workforce Planning’ added to the Overview & Budget Scrutiny Committee; and ‘Health & Safety’ added to the Corporate Services Select Committee.

- **Access to Information** - All references to Access to Information have been pulled together to create a new Article 15, which contains all the access to information details to ensure this information is easy to locate and to avoid duplication.
- **Meeting procedures** – Information relating to meeting procedures has also been removed from individual Articles for insertion into Part 4 of the Constitution – Standing Orders, where it more logically sits.

5. All other changes made are minor to ensure factual accuracy and to make the document easier to read and use.

6. Legal Services have been consulted on all the proposed changes and have confirmed that they are satisfied with them.

NEXT STEPS:

7. Once approved by Council the revised Articles will be published on the Council’s website as part of the Council’s Constitution.

8. The information to be moved to the Council’s Standing Orders will be inserted into the relevant places and renumbered accordingly. Once this has been completed, the revised Standing Orders will be also be published on the Council’s website.

RECOMMENDATION:

It is recommended that:

- A. the updated Articles of the Constitution as shown in **Annex A** be adopted and included within the Council's Constitution and published on the Council's website.
- B. the Select Committee Chairmen's Group and Group Leaders will report back to Council with a review of the effectiveness of the new scrutiny arrangements (Article 7) at the end of the municipal year 2017/18.
- C. the procedural information formally contained in the Articles, as shown in **Annex B**, be inserted into the relevant sections of Part 4 of the Constitution (Standing Orders).

Lead/Contact Officer:

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Tel: 020 8541 7197

Annexes:

Annex A – Revised Articles of the Constitution
Annex B – Information to be included within the Council's Standing Orders
(Part 4 of the Constitution)

Sources/background papers:

The Council's Constitution

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PART 2

ARTICLES OF THE CONSTITUTION

ARTICLE 1 – THE CONSTITUTION

1.01 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.02 The Constitution

This Constitution, and all its appendices, is the Constitution of Surrey County Council.

1.03 Purpose of the Constitution

- a) The purpose of the Constitution is to set out in a single place, and in clear language, how the County Council works and how it makes decisions.
- b) The Constitution provides the County Council with an operational framework to do its job.

ARTICLE 2 – MEMBERS OF THE COUNCIL

2.01 Composition and eligibility

- (a) **Composition:** The Council comprises 81 councillors, otherwise known as Members, who are elected by the voters of each electoral division in accordance with a scheme drawn up by the Electoral Commission and approved by the Secretary of State.
- (b) **Eligibility:** Only registered voters of the county or those living or working there will be eligible to hold the office of councillor.

2.02 Election and terms of councillors

Election and terms: The regular election of councillors will be held on the first Thursday in May every four years unless otherwise required by Order. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.03 Roles and functions of all councillors

(a) Key roles

All councillors will:

- (i) collectively appoint the Leader of the Council ('Leader');
- (ii) collectively set the budget and approve the statutory and strategic plans in the policy framework;
- (iii) represent their communities and bring their views into the Council's decision-making process;
- (iv) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (v) balance different interests identified within the electoral division and represent the electoral division as a whole;
- (vi) be involved in decision-making;
- (vii) be available to represent the Council on other bodies; and
- (viii) maintain the highest standards of conduct and ethics.

(b) Rights and duties**Attendance at meetings**

- (i) Members of the Council may attend any meeting of the Cabinet or any committees of the Council of which they are not appointed members.
- (ii) Any Member who attends any such meeting may speak with the Chairman's consent in circumstances where there is:
 - (a) an item on the agenda at the Member's request (see paragraph (iv) below);
 - (b) an item on the agenda in which the Member has a local or general interest;
 - (c) an item on the agenda related to an original motion standing in the Member's name which has been referred by the Council; and
 - (d) a question of which the Member has given notice.

A time limit of three minutes per speaker will apply, and normally statements and questions on particular agenda items will be taken under procedural matters.

- (iii) Any Member of the Council may request a meeting with the Leader and/or appropriate Cabinet Member about an item of business affecting their electoral division.
- (iv) Members of the Council may give notice that they wish to propose an item for inclusion on the agenda of a meeting of the Cabinet, (any committee of the Cabinet), or any committee of the Council. Notice must be given by e-mail or in writing not later than 14 days before the meeting. If the Chairman of the Cabinet or committee agrees, the item will be considered at the next meeting. The Member may attend the meeting and, with the consent of the chairman, speak on the item.
- (v) The Leader or appropriate Cabinet Member with portfolio responsibilities for a matter on the agenda of a scrutiny select committee meeting may attend the meeting of the committee and, with the chairman's consent, speak on the matter.
- (vi) Where a select committee makes a report to the Leader/Cabinet, the chairman of the select committee may attend the meeting of the Cabinet and, with the Chairman of the Cabinet's consent, speak for the select committee on its report.

2.04 Conduct

Members will at all times observe the Member Code of Conduct and the Member/Officer Protocol adopted by the County Council and set out in Part 6 of this Constitution.

2.05 Allowances

Members will be entitled to receive allowances in accordance with the Members' Allowances Scheme summarised in Part 7 of this Constitution.

2.06 Publication

This Constitution will be published on the Council's website.

A copy of this Constitution will be available for inspection at County Hall and can be accessed via Surrey libraries.

ARTICLE 3 – THE PUBLIC AND THE COUNCIL

3.01 The Public's rights

The public have the following rights:

(a) **Voting, petitions and questions**

Residents have the right to vote and sign a petition as a means of bringing issues to the Council's attention, or to request a referendum for an elected mayor form of executive. The public may also ask questions at meetings of the Cabinet and at most of the Council's committees. Full details of the Council's petition scheme can be found in Part 4 of the Constitution.

(b) **Information**

In summary, the public have the right to:

- (i) attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (ii) attend meetings of the Cabinet when key decisions are being considered except where confidential or exempt information is likely to be discussed, and the meeting is therefore held in private;
- (iii) take photographs, film, audio-record and report (including via social media) on all meetings of the Council and its committees held in public;
- (iv) be notified in advance that all or part of a Cabinet meeting may be held in private, to make representations as to why it should be held in public and to receive a response to those representations;
- (v) find out from the Notice of Decisions what key decisions will be taken, and when, so that they can make their views known;
- (vi) see reports and background papers, and any records of decisions made by the Council, Leader and/or the Cabinet, their committees, and by officers on their behalf under delegated powers; and
- (vii) inspect the Council's accounts and make their views known to the external auditor during the statutory 20 working days period prior to the external auditor giving his/her opinion.

(c) **Complaints**

The public have the right to complain to:

- (i) the Council itself under its complaints procedure;
- (ii) the Local Government Ombudsman after using the Council's own complaints procedure;
- (iii) the Council's Monitoring Officer about a breach of the Members' Code of Conduct.

ARTICLE 4 – THE COUNCIL

4.01 How the Council operates

The Council is composed of 81 councillors (or “Members”) elected every four years. Councillors are democratically accountable to electors in their electoral division. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents.

The Council has a code of conduct for Members to ensure high standards in the way they undertake their duties. The Audit and Governance Committee monitors the operation of the Members’ code of conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council’s overall policies and set the budget each year. The Council appoints the Leader and holds him/her to account. It sets the framework in which the Cabinet operates through approval or modification of the budget and designated statutory and non-statutory plans.

4.02 Council meetings

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings.

and they will be conducted in accordance with the Council’s Standing Orders in Part 4 of this Constitution.

4.03 Chairing the Council

The Chairman and Vice-Chairman of the Council will be elected by the Council annually. Both appointments will be subject to a valid enhanced criminal records check.

The Chairman will uphold and promote the purposes of the Constitution and interpret the Constitution when necessary.

The Chairman will preside over the meetings of the County Council. The Chairman will fulfil a range of ceremonial and public functions as the civic leader of the Council and act as the principal spokesman for the Council in this capacity. In both of these roles the Chairman will act on behalf of the whole Council and in a non-partisan manner.

The Vice-Chairman of the Council will fulfil the role of the Chairman in his/her absence.

4.04 Functions of the Council

Only the Council will exercise the following functions:

- (a) appointment and removal of the Leader of the Council;
- (b) approval of the Constitution and any material changes to it, apart from changes to Part 3 in relation to executive functions which will be discharged by the Leader/Cabinet and reported to the Council;

(Note: This includes the approval of standing orders, procurement standing orders and the appointment of proper officers.)
- (c) approval of the annual Budget, setting the Council Tax and issuing the precept;
- (d) approval of statutory and strategic plans within the policy framework;
- (e) making, amending, revoking, re-enacting or adopting statutory schemes, plans, bye-laws or other similar documents requiring formal ministerial sanction;
- (f) promoting or opposing the making of any local legislation or personal bills;
- (g) functions, status or boundaries of local authorities;
- (h) appointment of the Chairman and Vice-Chairman of the Council;
- (i) appointment of committee chairmen and vice chairmen as set out in Standing Order 6.9;
- (j) decisions in respect of any executive functions which are contrary to or not wholly in accordance with the agreed budget and policy framework, apart from those falling into the categories approved by the Council as in-year decisions which the Leader/Cabinet can take;
- (k) approval of a Members' Allowances Scheme;
- (l) the appointment of the Head of Paid Service;
- (m) the appointment of the Monitoring Officer and the Chief Finance Officer;
- (n) functions which by law may not be delegated;

(Note: Where legally permissible, certain of these functions may be delegated by Council).

4.05 Policy Framework

The policy framework means the following plans and strategies:-

Plans required by regulation:

- Development Plan Documents (including Waste and Minerals Local Development Documents (LDDs))
- Local Transport Plan
- Youth Justice Strategic Plan
- Children and Young People's Strategy

Plans required from partnerships of which the Authority is a member:

- Substance Misuse Strategy
- Mental Health and Emotional Well-being Strategy
- Surrey Safeguarding Children's Board Report

Plans included at the Council's request:

- Waste Management Plan
- Corporate Strategy
- Admission Arrangements for Maintained Schools
- School Organisation Plan
- Corporate Resilience Policy

4.06 Principles of decision making

The following principles will apply to decisions taken by or on the Council's behalf, both in the general public interest and in the interests of ensuring that the Council is able to defend its actions against legal challenge:

- (i) That Members are fully and effectively advised by officers in exercising both executive and non-executive functions;
- (ii) That decisions by Members are only taken after the submission of written reports;
- (iii) That decisions have clear aims and desired outcomes;
- (iv) That relevant matters are fully taken into account in decision making;
- (v) That nothing irrelevant is taken into account;
- (vi) That decisions are proportionate to the desired outcome;
- (vii) That decision-making respects human rights;
- (viii) That there is a presumption in favour of openness;
- (ix) That the Council's Constitution is fully complied with; and

- (x) That decisions on executive functions are recorded and published, together with options considered and rejected, the reasons and relevant background papers.

4.07 **Decision making by committees acting as tribunals**

The Council, a Member or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the Human Rights Act 1998.

4.08 **Budget**

Throughout this Constitution the phrase "setting the budget" is used to denote the approving of the annual budget requirement (as regulated by the Local Government Finance Act 1992), and the determination of all of the components of the budget such as allocation to different services, schemes, and projects, setting the Council Tax, the creation of contingency funds (reserves and balances), the plan of capital expenditure, and strategy for funding capital expenditure through borrowing or other means.

The term "in-year budget" refers to the approved revenue budget, capital budgets, and respective funding plans for the year, together with contingency funds set aside at the start of the year (i.e. reserves and balances).

The budget and policy framework will be prepared in accordance with the arrangements described in the Budget and Policy and Framework rules in Part 4 - Standing Orders.

4.09 **Responsibility for Functions**

The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Leader/Cabinet.

ARTICLE 5 – THE LEADER AND DEPUTY LEADER

5.01 Role

The Leader will be a councillor elected to the position of Leader by the Council. The appointment will be subject to a valid enhanced criminal records check.

The Leader will hold office for four years from the first annual meeting of the Council following the County Council election, expiring on the day of the post-election annual meeting which follows his/her election as Leader, unless, at an earlier date:

- (a) he/she resigns from the office; or
- (b) he/she is no longer a councillor; or
- (c) he/she is removed from office by resolution of the Council.

If there is a vacancy in the position of Leader, the Leader will be elected at the first meeting of the Council following such vacancy for a term of office expiring on the day of the post-election annual meeting which follows his/her election, subject to (a) to (d) above.

The Leader will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution, unless otherwise delegated by him/her. All delegations by the Leader will be set out in Part 3 of this Constitution.

5.02 Functions of the Leader

The Leader shall be responsible for maintaining a list (which the Chief Executive will compile on the Leader's behalf) in [Part 3](#) of this Constitution setting out who will exercise executive functions. Executive functions can be exercised by the Leader, Cabinet, individual Cabinet Members, committees, individual local Members or officers. Any changes to Part 3 of the Constitution in relation to executive functions will be reported to the next appropriate meeting of the County Council.

The Leader will be Chairman of the Cabinet.

Only the Leader will exercise the following functions:

- (a) appointment of the Deputy Leader
- (b) appointment of the Cabinet
- (c) preparation of the Leader's Cabinet forward plan

5.03 **Deputy Leader**

The Deputy Leader will be a councillor appointed to the position of Deputy Leader by the Leader. The appointment will be subject to a valid enhanced criminal records check.

The Deputy Leader will hold office until the end of the term of office of the Leader, or until:

- (a) he/she is removed from office by decision of the Leader; or
- (b) he/she resigns from the office; or
- (c) he/she is no longer a councillor.

If for any reason the Leader is unable to act, or the office of the Leader is vacant, the Deputy Leader must act in his/her place.

If for any reason the Leader is unable to act, or the office of the Leader is vacant, and the Deputy Leader is unable to act or the office of Deputy Leader is vacant, the remaining members of the Cabinet must either act collectively in the Leader's place or they must arrange for a Cabinet Member to act in the place of the Leader.

5.04 **Role of the Deputy Leader**

- (a) The Deputy Leader will be Vice-Chairman of the Cabinet.
- (b) The Deputy Leader will exercise all functions reserved to the Leader in his/her absence.

ARTICLE 6 – THE CABINET

6.01 Role

The Cabinet will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution, as delegated by the Leader.

6.02 Form and Composition

The Cabinet will consist of the Leader of the Council and Deputy Leader together with at least 1, but not more than 8, councillors appointed to the Cabinet by the Leader, who will report the appointments, and any changes to these appointments, to the Council.

6.03 Cabinet Members

Cabinet Members shall be appointed by the Leader. Each appointment will be subject to a valid enhanced criminal records check.

They will hold office until the day of the post-election annual meeting or until:

- (a) they are removed from office, either individually or collectively, by decision of the Leader; or
- (b) they resign from office; or
- (c) they are no longer councillors.

6.04 Cabinet Associates

Other Members may, from time to time, be designated by the Leader as Cabinet Associates. Each appointment will be subject to a valid enhanced criminal records check.

A Cabinet Associate will not be a member of the Cabinet and will not participate in Cabinet decision-making but may work closely with a Cabinet Member(s). He or she will not be a member of any select committee relating to the specific responsibilities of the Cabinet Member(s) he or she is assisting or any other area to which they are assigned, but will be able to serve on unrelated select committees.

Cabinet Associates will not have delegated powers and will not be entitled to vote at Cabinet meetings.

The Leader will advise the Democratic Services Lead Manager in writing of the names of designated Cabinet Associates and of the Cabinet Member(s) they will assist. The Democratic Services Lead Manager will report the designation to the next meeting of the Council.

6.05 Cabinet Procedure Rules

(a) Delegation of executive decisions

The arrangements for the discharge of executive functions are set out in the executive arrangements adopted by the Council. The Leader has responsibility for the discharge of all executive functions. He/she can delegate any/all of these functions (except those reserved functions) to:

- (i) the Cabinet as a whole;
- (ii) a committee of the Cabinet;
- (iii) an individual member of the Cabinet;
- (iv) an officer;
- (v) a local committee;
- (vi) joint arrangements;
- (vii) a local Member in relation to their Division, or
- (viii) another local authority.

(b) Delegation by the Cabinet

The Leader will appoint the Cabinet and will determine the individual portfolios to be allocated to Cabinet Members. A record shall be kept of:

- (i) the names, addresses and electoral divisions of the Members appointed to the Cabinet by the Leader;
- (ii) the terms of reference and constitution of any executive committees that the Cabinet may appoint and the names of Cabinet Members appointed to them;
- (iii) the nature and extent of any delegation of executive functions to local committees, individual Cabinet Members, individual local Members, any other authority or any joint arrangements and the names of those Members appointed to any joint committee.

The Leader, Cabinet or a Committee in relation to decision making by officers within their statutory or delegated authority, may at any time require a particular issue or any aspect of delegated powers within their terms of reference to be referred to them for decision.

Table 2 in [Part 3](#) of this Constitution sets out the responsibility for executive functions exercised by Cabinet Members.

(c) Sub-delegation of executive functions

Where the Leader, Cabinet, or a committee of the Cabinet, is responsible for an executive function, they may delegate further to a local committee, joint arrangements, an individual Cabinet Member, an individual local Member in relation to their Division, or an officer.

(d) The Council's scheme of delegation and executive functions

Subject to paragraph (ii) below:

- (i) The Council's scheme of delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details set out in Part 3 of this Constitution.
- (ii) As and when the Leader amends the scheme of delegation in Part 3 relating to executive functions, the proper officer will report to the next meeting of the Council setting out the changes made by the Leader.

(e) **Cabinet meetings**

The Cabinet will meet at times to be agreed by the Leader. The Cabinet will meet at the Council's main offices or another location to be agreed by the Leader. Notice of the time and place of a Cabinet meeting will be published in line with procedure set out in Article 15 - Access to Information Rules.

(f) **Quorum**

The quorum for a meeting of the Cabinet is not fewer than three voting Members.

ARTICLE 7 – SCRUTINY FUNCTION (OVERVIEW & BUDGET SCRUTINY COMMITTEE AND SELECT COMMITTEES)

The Council will appoint a number of select committees to discharge the functions conferred by section 21 of the [Local Government Act 2000](#) and any other applicable legislation or regulation.

7.01 Select Committees - Terms of Reference

The number of select committees will vary from time to time as agreed by the Council. The select committees will between them cover all of the executive functions. The portfolio of responsibility of each select committee is summarised in the Schedule.

The terms of reference of the select committees appointed by the Council are set out as follows:

(a) General role

Within their agreed portfolio, select committees will:-

- (i) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any executive functions wherever they may be exercised;
- (ii) Make reports and/or recommendations to the Council and/or the Leader/Cabinet/Cabinet Member and/or any joint or local committee in connection with the discharge of any functions; make reports and/or recommendations to partners.
- (iii) Exercise the right to call in, for reconsideration, decisions made but not yet implemented by the Leader/Cabinet/Cabinet Member and/or any joint or local committees;
- (iv) Consider any matter affecting the County, part of the County or its inhabitants.

(b) Specific role

The select committees have three specific roles – scrutiny; overview, policy review and development; and performance management:

Within their agreed portfolios, the select committees will fulfil these roles by:-

Scrutiny

- i. Reviewing and scrutinising the decisions made by the Leader/Cabinet/Cabinet Members, any joint or local committee and/or officers both in relation to individual decisions and over time;

- ii. Questioning the Leader, Deputy Leader and members of the Cabinet and officers about their decisions and performance whether generally in relation to corporate plan policies and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- iii. Reviewing the performance of statutory partners with regard to the achievement of improvement targets to which they are signed up. The select committee can require partner organisations to provide information in relation to the particular target.
- iv. Scrutinising the Shareholder Board in respect of the performance of the companies for which the Council is the majority shareholder.
- v. Making reports and/or recommendations to the Leader/Cabinet/Cabinet Member and/or Council arising from the outcome of the scrutiny process.
- vi. Making reports and/or recommendations to partner authorities arising from the outcome of the scrutiny process.

Overview, policy development and review

- vii. Reviewing current policies and strategies and making recommendations to the Leader/Cabinet and/or the Council;
- viii. Undertaking in-depth analysis of policy issues and options to assist the Council and the Leader/ Cabinet in developing and setting of budget and the policy framework;
- ix. Considering matters referred to them by the Leader/Cabinet and reporting to the Leader/Cabinet with proposals;
- x. Monitoring the Leader's Cabinet forward plan and advising the Leader/Cabinet on matters within the remit of the select committee;
- xi. Reviewing and investigating matters which are not the direct responsibility of the County Council but which affect the economic, environmental and social well-being of the County.

Performance and Finance

- xii. Reviewing and commenting on draft service delivery plans and budgets including priorities, targets and performance indicators.
- xiii. Undertaking in-depth performance reviews with the relevant Cabinet Member, Strategic Director and Heads of Service.

- xiv. Monitoring service risk management measures and identifying to the Leader, Deputy Leader or Cabinet Members significant risks and concerns;
- xv. Anticipating and advising the Leader/Cabinet/Cabinet Member or Council on areas of performance which give rise to concern.

7.02 Overview & Budget Scrutiny Committee

The Overview and Budget Scrutiny Committee will take lead responsibility for the Council's overview and scrutiny function, ensuring that scrutiny focuses on key strategic issues, adds value, holds decision-makers to account, and contributes effectively to policy development.

Specific Role

- a) Determines select committee work programmes and appoints task groups, agreeing task group scoping documents prior to the commencement of work;
- b) Commissions reviews by the appropriate select committees as necessary, ensuring that proposed reviews take account of any impact on other Council services outside their remit, do not duplicate work being carried out elsewhere, and can be properly resourced;
- c) Reviews performance, finance and risk information for all County Council services, referring issues to the appropriate select committee for detailed scrutiny as necessary;
- d) Reviews the performance of and holds to account any trading companies established by the County Council;
- e) Acts as a resource to the Cabinet in the development of strategic policies;
- f) Holds the Leader and Deputy Leader to account, scrutinising the delivery and impact of corporate policies and decisions.

7.03 Adults and Health Select Committee (Health Scrutiny) Terms of Reference

In addition to its adult social care responsibilities the Adults and Health Select Committee will fulfil the council's statutory health scrutiny responsibilities.

The select committee may review and scrutinise health services commissioned or delivered in the authority's area within the framework set out below:

- (a) arrangements made by NHS bodies to secure hospital and community health services to the inhabitants of the authority's area;

- (b) the provision of both private and NHS services to those inhabitants;
- (c) the provision of family health services, personal medical services, personal dental services, pharmacy and NHS ophthalmic services;
- (d) the public health arrangements in the area;
- (e) the planning of health services by NHS bodies, including plans made in co-operation with local authorities, setting out a strategy for improving both the health of the local population, and the provision of health care to that population;
- (f) the plans, strategies and decisions of the Health and Wellbeing Board;
- (g) the arrangements made by NHS bodies for consulting and involving patients and the public under the duty placed on them by Sections 242 and 244 of the NHS Act 2006;
- (h) any matter referred to the scrutiny select committee by Healthwatch under the Health and Social Act 2012;
- (i) social care services and other related services delivered by the authority.

The select committee may require partner authorities to provide information in respect of matters relating to the health service in the authority's area.

In addition, the select committee will be required to act as consultee to NHS bodies within their areas for:

- (a) substantial development of the health service in the authority's area; and
- (b) any proposals to make any substantial variations to the provision of such services.

These terms of reference include health services provided from a body outside the local authority's area to inhabitants within it.

The Adults and Health Select Committee may refer to the Secretary of State for Health any contested proposals for substantial change or variation in service. The Chairman of that select committee will ensure all Members are notified when this power is utilised.

The Adults and Health Select Committee shall appoint a joint committee where an NHS body intends to consult on a substantial development or variation to health services that extends beyond the area covered by the select committee and agree:

- a) the size of any joint committee appointed for this purpose in consultation with other appropriate authorities which have an interest as consultees;
- b) the share of the Council's seats on each such joint committee; and
- c) the County Council's membership of any such joint committee in accordance with the wishes of political groups.

7.04 **Select Committee Procedure Rules**

a) Membership of select committees

Any Member of the Council (except the Leader, Deputy Leader and members of the Cabinet) may serve on a select committees. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

b) Co-optees

Select committees may co-opt non-councillors, as and when required, to provide a degree of independent advice and expertise. Co-opted members cannot have voting rights unless allowed by law.

c) Education representatives

The select committee dealing with education matters shall include in its membership the following voting representatives:

- (i) 1 Church of England diocesan representative;
- (ii) 1 Roman Catholic diocesan representative; and
- (iii) A minimum of 2 parent governor representatives.

This shall apply where the select committee's functions relate wholly or in part to any education functions which are the responsibility of the Leader/Cabinet/Cabinet Member. If the select committee deals with other matters, these representatives shall not vote on those other matters, though they may stay in the meeting and speak.

d) Meetings of select committees

The committees shall meet regularly following an agreed calendar of meetings. In addition, extraordinary meetings may be called from time to time as and when appropriate. A select committee meeting may be called by the select committee chairman, by any 3 members of the select committee.

e) Quorum

The quorum for select committees shall be one quarter of the total number of voting Members. A quorum may not be fewer than three voting Members.

f) Election of select committee chairmen

The chairmen and vice-chairmen of the select committees will be elected by the Council. The appointments of the Chairmen and Vice-Chairmen of the Adults and Health Select Committee and the Children and Education Select Committee will be subject to a valid enhanced criminal records check.

g) The party whip

When considering any matter in respect of which a member of the select committee is subject to an official party whip, the Member must declare the existence of the whip, and the nature of it before the commencement of the select committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

h) Setting work programmes

The Overview & Budget Scrutiny Committee will be responsible for setting select committee work programmes. The work programmes will be reviewed at each meeting of the Overview & Budget Scrutiny Committee and may include business for review on the Leader's/Cabinet's/Cabinet Member's or Council's behalf.

If select committees wish to add an item to their work programme and a decision is required before the next scheduled Overview & Budget Scrutiny Committee meeting, the views of the Committee will be sought by email and decided by a simple majority of the Members responding (which must include the Chairman and/or Vice-Chairman).

i) Requests from select committee members for inclusion of items on work programmes

Any member of a select committee shall be entitled to give notice to the proper officer that he/she wishes to include an item relevant to the functions of the select committee on the agenda for the next available meeting.

On receipt of such a request the proper officer will ensure that the Overview & Budget Scrutiny Committee is notified and that the item is included on the agenda for the next available meeting of the appropriate select committee.

j) Referral of matters to select committees ('councillor call for action')

- (i) Under the Councillor Call for Action arrangements, any Member of the Council may refer for scrutiny any local government matter which is relevant to the functions of a select committee by giving notice to the proper officer.
- (ii) On receipt of such a request the proper officer will ensure that the Overview and Budget Scrutiny Committee is notified and that it includes an item on the agenda for the next available meeting of the appropriate select committee.

- (iii) If requests are received which require a decision before the next scheduled Overview & Budget Scrutiny Committee meeting, the views of the Committee will be sought by email and decided by a simple majority of the Members responding (which must include the Chairman and/or Vice-Chairman).
- (iv) The Member referring the matter may make representations as to why it would be appropriate to scrutinise the matter.
- (v) If the Overview & Budget Scrutiny Committee decides that the matter should not be scrutinised, it must notify the Member of its decision and the reasons for it.
- (vi) The select committee must provide the Member with a copy of any report or recommendations which it makes to the Leader/Cabinet/Cabinet Member or Council in relation to the matter.

k) Select Committee Service Areas

Name	Relevant Services
Overview and Budget Scrutiny Committee	<p>Co-ordinates the Council's policy development and scrutiny work by agreeing work programmes for Select Committees, ensuring that reviews are focused on the Council's priorities and value for money, that reviews are cross-cutting where appropriate, and that work is not duplicated.</p> <p>Performance, finance and risk monitoring for all Council services</p> <p>Policy development and scrutiny for Cross-cutting/whole-Council issues, including:</p> <ul style="list-style-type: none"> ➤ Budget Strategy/Financial Management ➤ Improvement Programme, Productivity and Efficiency ➤ Equalities and Diversity ➤ Workforce Planning ➤ Corporate Performance Management ➤ Corporate and Community Planning ➤ Transformation ➤ New models of delivery ➤ Digital strategy

Name	Relevant Services
Adults and Health Select Committee	<p>Policy development, scrutiny and performance, finance & risk monitoring for adults' health and social care services:</p> <ul style="list-style-type: none"> ➤ Services for people with: <ul style="list-style-type: none"> ○ Mental health needs, including those with problems with memory, language or other mental functions ○ Learning disabilities ○ Physical impairments ○ Long-term health conditions, such as HIV or AIDS ○ Sensory impairments ○ Multiple impairments and complex needs ➤ Elderly, frail and dementia care ➤ Services for Carers ➤ Social care services for prisoners ➤ Safeguarding ➤ Care Act 2014 implementation ➤ Review and scrutiny of all health services commissioned or delivered within Surrey ➤ Public Health ➤ Statutory Health Scrutiny ➤ Review delivery of the Health and Wellbeing Strategy ➤ Health and Wellbeing Board
Children and Education Select Committee	<p>Policy development, scrutiny and performance, finance & risk monitoring for children's and education services:</p> <ul style="list-style-type: none"> ➤ Looked after children ➤ Corporate parenting ➤ Fostering ➤ Adoption ➤ Child Protection ➤ Children with disabilities ➤ Early Help (including Surrey Family Support Programme) ➤ Services for Young People (including Surrey Youth Support Service) ➤ Youth Crime reduction and restorative approaches ➤ Working together with partners ➤ Child Sexual Exploitation ➤ Schools and Learning ➤ Special Education Needs and Disability (SEND) ➤ Transition ➤ Further Education ➤ Early Years Education ➤ Services to improve achievements for those children in Surrey's care ➤ Virtual school ➤ School places ➤ School transport

Name	Relevant Services
Children and Education Select Committee - continued	<ul style="list-style-type: none"> ➤ Participation of young people not currently in employment , education or training ➤ Apprentices and skills for employment ➤ Adult and Community Learning
Communities Select Committee	<p>Policy development, scrutiny and performance, finance & risk monitoring for the following Council services:</p> <ul style="list-style-type: none"> ➤ Community Safety, including: <ul style="list-style-type: none"> ○ Crime and Disorder Reduction ○ Relations with the Police ➤ Fire and Rescue Service ➤ Cultural Services, including: <ul style="list-style-type: none"> ○ Library Services ○ Major cultural and community events ○ Heritage ○ Arts ○ Citizenship ○ Registration ➤ Sport ➤ Volunteering and Voluntary Sector Relations ➤ Customer Services ➤ Localism ➤ Trading Standards and Environmental Health Community engagement
Corporate Services Select Committee	<p>Policy development, scrutiny and performance, finance & risk monitoring for central services:</p> <ul style="list-style-type: none"> ➤ Finance ➤ Property estate and facilities management ➤ Emergency and Contingency Planning ➤ HR and Organisational Development ➤ IMT ➤ Procurement ➤ Legal and Democratic Services ➤ Orbis Partnership ➤ Communications ➤ Other Support Functions ➤ Health & Safety
Environment and Infrastructure Select Committee	<p>Policy development, scrutiny and performance, finance & risk monitoring for the Environment & Infrastructure directorate:</p> <ul style="list-style-type: none"> ➤ Planning ➤ Waste and recycling ➤ Transport Service Infrastructure ➤ Flood prevention and infrastructure ➤ Aviation ➤ Public transport – bus and rail ➤ Highways infrastructure ➤ Highway Maintenance ➤ Local Transport Plans and Strategies ➤ Road Safety

	<ul style="list-style-type: none"> ➤ Street lighting ➤ Parking regulation and enforcement ➤ Rights of way ➤ Active travel including cycling and walking infrastructure, promotion and cycle training
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Name	Relevant Services
Environment and Infrastructure Select Committee - continued	<ul style="list-style-type: none"> ➤ Concessionary Travel ➤ Community Transport ➤ Economic Development and the Rural Economy ➤ Economic Prosperity, including Local Enterprise Partnerships ➤ Housing ➤ Countryside ➤ Minerals ➤ Air quality ➤ Climate change ➤ Energy ➤ Gypsy and Traveller sites ➤ Biodiversity and wildlife ➤ Tourism ➤ Europe ➤ Broadband

ARTICLE 8 – REGULATORY AND OTHER COMMITTEES

8.1 The Council will appoint committees with the terms of reference set out below with functions of those committees contained in Part 3 of this Constitution and these committees will follow Parts 2 and 3 of Standing Orders as apply to them:

ARTICLE 8A – HEALTH & WELLBEING BOARD

The Council will appoint a Health and Wellbeing Board to discharge the functions conferred by the Health and Social Care Act 2012 and in accordance with regulations as set out below.

8A.1 Membership

In accordance with Regulations, the political proportionality rules do not apply to this Committee.

In accordance with section 194 of the Health and Social Care Act 2012 the membership of the Health and Wellbeing Board is to consist of—

- (a) at least one councillor of the local authority, nominated by the executive leader of the local authority. The executive leader of the local authority may, instead of or in addition to making a nomination, be a member of the Board,
- (b) the director of adult social services for the local authority,
- (c) the director of children’s services for the local authority,
- (d) the director of public health for the local authority,
- (e) a representative of the local Healthwatch organisation for the area of the local authority,
- (f) a representative of each relevant clinical commissioning group,
- (g) such other persons, or representatives of such other persons, as the local authority thinks appropriate. At any time after a Health and Wellbeing Board is established, a local authority must, before appointing another person to be a member of the Board under subsection (g), consult the Health and Wellbeing Board,
- (h) such additional persons as the Health and Wellbeing Board think appropriate.

8A.2 Functions

The Health and Wellbeing Board has the following functions under the Health and Social Care Act 2012:

1. a duty to encourage integrated working (section 195 of the Act) and:
 - a. for the purpose of advancing the health and wellbeing of the people of Surrey, to encourage persons who arrange for the provision of any health or social care services in Surrey to work in an integrated manner;
 - b. must, in particular, provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of

arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services;

- c. may encourage persons who arrange for the provision of any health-related services in its area to work closely with the Health and Wellbeing Board; and
- d. may encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together.
- e. To undertake a Joint Strategic Needs Assessment (JSNA) for Surrey having regard to any guidance issued by the Secretary of State and ensuring the involvement of the Local Healthwatch organisation, the people who live and work in Surrey and each relevant District and Borough Council (sections 116 and 116a of the Local Government and Public Involvement in Health Act 2007) and to oversee and assure the translation of that JSNA into a Joint Health and Wellbeing Strategy (JHWS) (section 196 (1) of the Act).
- f. To give the County Council its opinion on whether the County Council, in the exercise of its functions, is giving due regard to the JSNA and the JHWS.

8A.3 Terms of Reference

In accordance with section 194(11) of the Health and Social Care Act 2012, the Health and Wellbeing Board is a committee of the local authority and, for the purposes of any enactment, is to be treated as if it were a committee appointed by the authority under section 102 of the Local Government Act 1972.

Regulations may provide that any enactment relating to a committee appointed under section 102 of that Act of 1972—

- (a) does not apply in relation to a Health and Wellbeing Board, or
- (b) applies in relation to it with such modifications as may be prescribed in the regulations.

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 modifies provisions in primary legislation relating to a committee appointed under section 102 of the Local Government Act 1972 (c.70) (“the 1972 Act”) in so far as those provisions relate to Health and Wellbeing Boards and provides that certain provisions do not apply to Health and Wellbeing Boards. The following do not apply or are modified as prescribed:

- a) Health and Wellbeing Boards can appoint a sub-committee to carry out certain functions of the Board and to advise the Board.
- b) A sub-committee of the Board can arrange for functions under section 196(2) of the 2012 Act to be carried out by an officer of the authority.

- c) All Members of the Board have voting rights unless the local authority directs otherwise.

The terms of reference and working arrangements for the Health and Wellbeing Board not set out in this article are to be determined by the Health and Wellbeing Board in accordance with applicable legislation and regulations at its first meeting and subject to review and revision by the Board as may be necessary.

Article 8B – SURREY PENSION FUND COMMITTEE

The County Council has appointed a Pension Fund Committee and delegated to it responsibility for its statutory functions as the administering authority for the Surrey Pension Fund.

8B.1 Membership

The Surrey Pension Fund Committee shall be made up of:

- Six members of the authority
- Two representatives from Districts and Boroughs of the Fund
- One representative from all other employers in the Fund
- One representative (trade union) from employee members of the Fund (SCC members of staff are not entitled to membership due to restrictions in section 104, Local Government Act 1972).

Representatives of employers and employee members of the Fund are signed off by the Chief Executive. All councillor members are elected by Annual Council.

8B.2 Voting

All members of the Surrey Pension Fund Committee, including the Employer and Scheme Member representatives shall have full voting rights.

8B.3 Functions and Responsibilities

Full details of functions and responsibilities can be found in Part 3 of the Constitution – paragraph 6.20.

8B.4 Publication of Pension Fund Committee information

Details of the Pension Fund Committee are published on the County Council's website.

8B.5 Knowledge and Skills

A member of the committee must have knowledge and understanding of the law relating to pensions, and any other matters which are prescribed in Regulations.

ARTICLE 8C – AUDIT AND GOVERNANCE COMMITTEE

The County Council has set up an Audit and Governance Committee to monitor, review and report on the governance arrangements of the County Council. Full details of its membership and functions can be found in Part 3 of the Constitution – paragraphs 6.7 to 6.9 and in Part 6 – Granting Dispensations.

ARTICLE 8D – PLANNING AND REGULATORY COMMITTEE

The Council has established a Planning & Regulatory Committee with responsibility for the following non-executive functions under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 Act as amended, where these functions have not been delegated to officers:

- Planning and Development Control
- Commons Registration
- Licensing and Registration Functions
- Health and Safety (other than that undertaken in the Council's capacity as an employer)
- Births, Deaths and Marriages
- Rights of Way & Highways
- Functions relating to elections
- Development Plans

The remit of the Committee is set out in greater detail within Part 3, Responsibility for Functions and Scheme of Delegation – Sections 1 and 2. The Surrey Codes for Best Practice in Planning Procedures and Rights of Way can be found in Part 6 of the constitution. The rules about public speaking at Planning & Regulatory Committee are set out in Part 4 - Standing Orders.

ARTICLE 8E – PEOPLE, PERFORMANCE AND DEVELOPMENT COMMITTEE

The Council has established a People, Performance and Development Committee. This will comprise of between four and six Members. The committee must be proportionate and include at least one member of the Cabinet.

The People, Performance and Development Committee's remit includes policies on staff pay & conditions, arrangements for consultation with unions, resolving disputes and promoting development and training. The Committee is also responsible for appointing and dismissing chief officers. Full details of its Terms of Reference and functions can be found in Part 3, paragraphs 6.10 to 6.12.

ARTICLE 8F – APPOINTMENTS SUB COMMITTEE

This is a Sub-Committee of the People, Performance and Development Committee (PPDC). Its role is to appoint Deputy Chief Officers and determine the conditions of employment (including variation to fixed term contracts) of such officers. Four Members of the PPDC will sit on the Sub-Committee, and its membership must be

proportional. It will be chaired by the Chairman or Vice-Chairman of PPDC. Functions can be found in Part 3, paragraphs 6.13 to 6.15.

ARTICLE 8G - MEMBER CONDUCT PANEL

The Member Conduct Panel determines, after consulting the Independent Person, whether a member or co-opted member of the Council has breached the Members' Code of Conduct, having regard to the Council's published arrangements for dealing with standards allegations. It decides what further action (if any) needs to be taken in the event that the member has breached the Members' Code of Conduct. Functions can be found in Part 3, paragraphs 6.16 to 6.18. The Code of Conduct and arrangements for dealing with standards allegations can be found in Part 6 of the Constitution.

ARTICLE 8H - APPEALS AND REPRESENTATION PANEL

The Panel will oversee the arrangements in relation to rights of appeal against decisions taken by or on behalf of the Council. Functions can be found in Part 3, paragraphs 6.4 to 6.6.

ARTICLE 9 – LOCAL COMMITTEES AND JOINT COMMITTEES

9.01 Local Committees and Joint Committees

The Council will establish local committees and/or jointly participate in joint committees, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

The Council will consult with relevant parish and town councils and the chairmen of relevant parish meetings when considering whether and how to establish local committees or joint committees.

9.02 Form, composition and function

- (a) **Local committees.** The Council has established local committees to discharge functions in the Surrey district/borough areas of the county, with the membership of each committee comprising the county councillors representing the electoral divisions which fall within the respective district/borough areas.

The membership of the committees may also include an equal number of co-opted district/borough councillors with voting rights in relation to those matters set out in Section 2 of the Scheme of Delegation.

The Council has established joint committees in partnership with District and Borough Councils the membership of which comprises the county councillors representing the electoral divisions which fall within the respective district/borough areas, together with a member of the Council's cabinet if not already included, and an equal number of councillors from the relevant district or borough, together with any representation from its Executive as required by the regulations.

Each joint committee operates according to its own Constitution, which will be published on the County Council's website as an annex to this Constitution.

- (b) **Delegations.** The Council and the Leader have included details of the delegations to local committees and joint committees in Part 3 of this Constitution, including the functions delegated (showing which are the responsibility of the Leader/Cabinet and which are not), the composition and membership of the committees, budgets and any limitations on delegation.

9.03 Cabinet members on local committees

A member of the Cabinet may serve on a local committee if eligible to do so as a Councillor. Where a joint committee is discharging executive functions a cabinet member will need to be appointed to that committee.

ARTICLE 10 - JOINT ARRANGEMENTS

10.01 The Council or the Leader/Cabinet, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

10.02 Joint arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executives to exercise functions which are not executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The Leader/Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) Except as set out below, the Leader/Cabinet may only appoint Cabinet Members to a joint committee and those Members need not reflect the political composition of the local authority as a whole.
- (d) The Leader/Cabinet may appoint Members to a joint committee from outside the Cabinet in the following circumstances:
 - the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Leader/Cabinet may appoint to the joint committee any councillor who is a Member for an electoral division which is wholly or partly contained within the area;
 - the joint committee is between the County Council and a district council and relates to executive functions of the County Council. In such cases, the Leader/Cabinet may appoint to the joint committee any councillor who is a Member for an electoral division which is wholly or partly contained within the area.

In both of these cases the political balance requirements do not apply to such appointments.

- (e) Details of any joint arrangements including any delegations to joint committees will be found in the Council's Scheme of Delegation set out in Part 3 of this Constitution.

10.03 Delegation to and from other local authorities

- (a) The Council may delegate non-executive functions to another local authority or, in certain circumstances, the Cabinet/Executive of another local authority.
- (b) The Leader/Cabinet may delegate executive functions to another local authority or the Cabinet/Executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation of non-executive functions from another local authority shall be reserved to the Council meeting. The decision in respect of executive functions shall be reserved to the Leader/Cabinet.

10.04 Contracting out

The Council, for functions which are not executive functions, and the Leader/Cabinet for executive functions, may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the [Deregulation and Contracting Out Act 1994](#), or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

ARTICLE 11 - OFFICERS

11.01 The Council will engage such staff as it considers necessary to carry out its functions. Persons will be appointed for the following posts in accordance with the Officers Employment Procedure Rules below:

- (a) Chief Executive and Head of Paid Service
- (b) Monitoring Officer
- (c) Chief Finance Officer
- (d) Such other posts as are referred to in legislation as "Chief Officer" posts
- (e) Other posts as agreed between the Chief Executive and the Chairman of the Council.

11.02 Functions of the Chief Executive and Head of Paid Service

- (a) Overall corporate management and operational responsibility, including overall management responsibility for all officers.
- (b) Principal adviser to Members.
- (c) Ensuring the proper conduct of the Council's affairs and the maintenance of a record of Council's decisions.
- (d) Representing the Council with other agencies and externally.
- (e) Determining and publicising the overall management structure for the Council and where appropriate reporting to the Council on these matters.
- (f) Supporting the Council's civic role through the work of the Chairman of the County Council, the High Sheriff of Surrey and the Lord Lieutenant of Surrey.
- (g) In consultation with the Monitoring Officer, considering applications from members of staff for exemption from political restriction in respect of a post they hold with the Council.
- (h) In consultation with the Monitoring Officer, considering applications that the Council be directed to include any post in the list of politically restricted posts.

11.03 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available on the Council's website.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Council or to the Leader/Cabinet in relation to an executive function, if he or she

considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- (c) **Maintaining high standards of conduct.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct.
- (d) **Receiving and dealing with allegations of misconduct.** The Monitoring Officer will receive and deal with allegations that a Member has breached the Member Code of Conduct in accordance with the arrangements set out in Part 6 of the Constitution.
- (e) **Access to information.** The Monitoring Officer will ensure that all decisions with the reasons for those decisions and relevant officer reports and background papers, are made publicly available as soon as possible.
- (f) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions on executive functions are in accordance with the budget and policy framework.
- (g) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (h) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

11.04 Functions of the Chief Finance Officer

- (a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the Council or to the Leader/Cabinet in relation to an executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

- (d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

11.05 **Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer**

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

11.06 **Functions of the Designated Scrutiny Officer**

- (a) Promote the role of the authority's overview and scrutiny boards.
- (b) Provide support to the authority's overview and scrutiny boards.
- (c) Provide support and guidance to:
 - i. Members of the authority
 - ii. Members of the Cabinet and
 - iii. Officers of the authority
 in relation to the functions of the authority's overview and scrutiny boards.

11.07 **Conduct**

Officers will comply with the [Officer Code of Conduct](#) and the Member/Officer Protocol set out in Part 6 of this Constitution.

11.08 **Officer Employment Procedure Rules**

- (a) The appointment and dismissal of staff will comply with Part 5 of Standing Orders.
- (b) The Council will publish and follow Equal Opportunities policies in relation to the recruitment of all staff.
- (c) The Council will establish a People, Performance and Development Committee of between four and six Members. The committee will be proportionate, but must include at least one member of the Cabinet. Except for the appointment and dismissal of the Chief Executive, which is dealt with below, the following shall be a function of the committee:
 - i. the appointment of Officers to those posts as are identified in paragraph 84 of Part 5 of Standing Orders as being appointments that can be made by Members;
 - ii. the dismissal of and taking disciplinary action against Chief Officers;

- iii. appointing a designated independent person in accordance with paragraph 86 of Part 5 of Standing Orders.

Any appointments and dismissals made under (i) and (ii) above will only take effect where no well-founded objection has been received from any member of the Cabinet.

- (d) For such appointments the Chief Executive will be responsible for ensuring the preparation of a proper job description, statement of job accountabilities and a person specification, prior to advertising posts in such a manner as to attract the best possible candidates. Arrangements will be made for details to be sent to any person on request. The Chief Executive will then be responsible for drawing up a short list of candidates which he/she considers capable of performing the job satisfactorily from which the People, Performance and Development Committee will make a final appointment. Where no suitable person has applied for a post, further arrangements for advertising the post will be made. In relation to the appointment of a Chief Executive such arrangements will be made by the People, Performance and Development Committee with advice from specialist personnel staff.
- (e) Determination of the conditions of employment (including variations to fixed term contracts) of the Chief Executive, Chief Officers and such other posts as are defined in paragraph 84 Part 5 of Standing Orders will be made by the People, Performance and Development Committee.
- (f) All employees of the Council, other than those referred to in paragraph (c) above, will be formally appointed by the Chief Executive or other designated officers under authority delegated by the Council.

1. Appointment of Chief Executive

- (a) The Council will approve the appointment of the Chief Executive/Head of Paid Service following the recommendation of such an appointment by the People, Performance and Development Committee.
- (b) The Council may only make or approve the appointment of the Head of Paid Service where no well-founded objection has been made by any member of the Cabinet.

2. Other appointments

- (a) **Other officers.** Appointment of officers other than those referred to in paragraphs 11.08 (c) apart from assistants to political groups, is the responsibility of the Chief Executive or his/her nominee, and may not be made by councillors.
- (b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group, and the law.

3. Recruitment and appointment

- (a) Declarations
 - (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether he/she is the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons.
 - (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant Chief Officer or an officer nominated by him/her.
- (b) Seeking support for appointment.
 - (i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
 - (ii) Subject to paragraph (iii), no councillor will seek support for any person for any appointment with the Council.
 - (iii) Nothing in paragraphs (i) and (ii) above will preclude a councillor from giving a written reference for a candidate for submission with an application for appointment.

4. Disciplinary action

- (a) **Suspension.** The Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.
- (b) **Independent person.** No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.
- (c) Councillors will not be involved in the disciplinary action against any officer other than a Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

5. Dismissal

Councillors will not be involved in the dismissal of any officer other than a Chief Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

ARTICLE 12 – FINANCE, CONTRACTS AND LEGAL MATTERS

12.01 The management of the Council’s financial affairs will be conducted in accordance with Financial Regulations.

Every contract made by the Council will comply with Procurement Standing Orders.

Any contract of a nature set out in Procurement Standing Orders entered into on behalf of the local authority in the course of the discharge of an executive function shall be made in writing. Such contracts must either be signed by at least two officers of the authority or made under the common seal of the Council confirmed/verified by at least one officer.

Procurement Standing Orders can be found in Part 5 of the Constitution.

ARTICLE 13 – REVIEW AND REVISION OF THE CONSTITUTION

13.01 Changes to the Constitution

- (a) **Approval.** Apart from those changes referred to in Article 4, changes to this Constitution will only be approved by the Council.
- (b) **Change from a leader and cabinet form of executive to an elected mayor and cabinet, or vice versa.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals, and comply with legislative requirements.

ARTICLE 14 – SUSPENSION AND INTERPRETATION OF THE CONSTITUTION

14.01 Suspension of the Constitution

- (a) **Limit to suspension.** The Articles of this Constitution may not be suspended. Only Standing Orders may be suspended by the Council in accordance with SO27.
- (b) **Procedure to suspend.** The motion to suspend Standing Orders will not be moved without notice, unless at least half the total number of councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved taking account of the purposes of the Constitution set out in Article 1.

14.02 Interpretation

The ruling of the Chairman as to the interpretation of Standing Orders and the proceedings of the Council shall not be challenged at any meeting of the Council.

ARTICLE 15 – ACCESS TO INFORMATION RULES

15.1 Background

- a) The Local Government Act 1972 (“the 1972 Act”) Part VA (as amended) sets out the statutory requirements in respect of rights of access of the public to Meetings and Reports of the County Council, its Committees, Sub-Committees, Boards and Panels.
- b) Section 9 FA (6) of Part 1A of the Local Government Act 2000 (“the 2000 Act”), applies the requirements set out in Part VA of the 1972 Act in respect of rights of access of the public to Meetings and Reports to Select (Overview and Scrutiny) Committees.
- c) The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Access to Information Regulations”) made pursuant to the 2000 Act set out the statutory requirements in respect of rights of access of the public to Meetings and Reports of the Executive and the publication of Executive Decisions.
- d) The Openness of Local Government Bodies Regulations 2014 made pursuant to the Local Audit and Accountability Act 2014 (‘the Openness of Local Government Bodies Regulations’) set out further provisions regarding the publication of certain records of Non-Executive Decisions made by Officers under delegated powers.

15.2 Public Access to Information Rules:

a) Scope

These rules allow the public rights of access to meetings and information and reflect the Council’s policy of open, transparent and accountable decision-making. They apply to all public meetings of the Council.

b) Additional rights to information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

c) Rights to attend meetings

- i. Members of the public may attend all meetings subject only to the exceptions in these rules.
- ii. Where the Cabinet meets to consider a key decision, the meeting must be held in public, unless exempt or confidential information is to be discussed.

d) Notice of meeting

- i. The Council will give at least five clear days’ notice of any meeting by posting details of the meeting at County Hall and at the venue of

the meeting if outside County Hall, except where the special urgency rule applies.

- ii. A notice of meetings will also be published on the Council's website.

e) Access to agenda and reports before the meeting

- i. The Council will make copies of the agenda and reports open to the public available for inspection on the Council's website and at the designated office at least five clear days before the meeting.
- ii. If an item is added to the agenda later, each such report will be made available to the public as soon as the report is completed and sent to councillors, and the revised agenda will be open to inspection from the time the item was added to the agenda.

f) Supply of copies

The Council will supply copies of:

- (i) any agenda and reports which are open to public inspection;
- (ii) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (iii) a copy of the agenda and reports will be made available at the meeting for public use only.

g) Access to minutes after the meeting

The Council will make available copies of the following for six years after a meeting:

- (i) the minutes of the meeting or records of decisions taken, together with reasons, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (ii) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (iii) the agenda for the meeting; and
- (iv) reports relating to items when the meeting was open to the public.

h) Background papers

The proper officer will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (i) disclose any facts or matters on which the report or an important part of the report is based; and
- (ii) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information (as defined in Rule (m)) and in respect of Cabinet reports, the advice of a political adviser.

i) Public inspection of background papers

The list of background papers will be included when a copy of the whole or part of a report for a meeting is made available for inspection by members of the public.

At least one copy of each of the documents included in that list, will be available for inspection by the public at the main Council offices and on the Council's website. The Council will make these documents available for public inspection for four years after the date of the meeting.

(j) Summary of public's rights

A written summary of the public's rights to attend meetings and to inspect and copy documents will be published on the Council's website.

k) Exclusion of access by the public to meetings

Where any meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Exempt information means information falling within the following 7 categories (subject to the qualifications set out below):

Category	Description of Exempt Information
1.	Information relating to any individual.
2.	Information which is likely to reveal the identity of an individual.
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6.	Information which reveals that the authority proposes - <ul style="list-style-type: none"> (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

l) Qualifications:

Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under –

- i. the Companies Acts (as defined in Section 2 of the Companies Act 2006);
- ii. the Friendly Societies Act 1974;
- iii. the Friendly Societies Act 1992;
- iv. the Industrial and Provident Societies Acts 1965 to 1978;
- v. the Building Societies Act 1986; or
- vi. the Charities Act 1993.

Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

Information which -

- (a) falls within any of paragraphs 1-7 above; and
- (b) is not prevented from being exempt by virtue of qualifications above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Any member of the public can formally request that a report that contains exempt information be heard in public under the relevant section of the procedural matters item at the formal meeting. Any request would need to be put in writing to the Democratic Services Lead Manager. The request should contain the reasoning behind the belief that it should be held in public so that a public interest test can be applied.

m) **Orderly conduct and misbehaviour – lawful powers to exclude**

Lawful powers may be used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

Members of the public exercising their right to take photographs, film, audio-record and report at a meeting may be excluded if their activity or behaviour is disruptive to the conduct of the meeting.

n) **Exclusion of access by the public to reports**

If the proper officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule (k), the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

o) **Decisions to be taken at a meeting held in private**

The Council will produce public notices and follow the procedures set out in Access to Information Rule 6.05 (m) - Procedures prior to a private meeting of its intention to hold all or part of a Cabinet meeting (including its committees) in private.

p) **Reporting of public meetings**

Any person attending a meeting in public for the purpose of reporting the proceedings will, so far as practicable, be provided with reasonable facilities for taking their report.

15.3 SPECIFIC MEMBERS' RIGHTS OF ACCESS TO INFORMATION

a) Select Committees

Subject to paragraph () below, a member of a select committee will be entitled to copies of any document which is in the possession or control of the Cabinet, its committees, or individual Cabinet Members and which contains material relating to any business transacted at a public or private meeting of the Cabinet, its committees, or individual Cabinet Members or any decision which has been made by an officer of the authority in accordance with executive arrangements.

A copy of the document must be provided as soon as reasonably practicable and in any case no later than 10 clear days after the request has been received. Where it is determined that, a member of a select committee is not entitled to a copy of a document or part of any such document for a reason set out under paragraph (i) a written statement must be provided to the relevant select committee setting out the reasons for the decision.

(i) Limit on rights

A member of a select committee will not be entitled to:

- any document that is in draft form;
- any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision it is reviewing or scrutinising or intends to scrutinise; or
- the advice of a political adviser.

b) Joint Arrangements

- i. The Access to Information Rules will apply to joint arrangements.
- ii. If all the members of a joint committee are members of the Cabinet/Executive in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.
- iii. If the joint committee contains members who are not on the Cabinet/Executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

c) Local and joint committees

Local and joint committees will comply with the Access to Information rules in Part VA of the Local Government Act 1972.

Agendas and notices for local and joint committee meetings which deal with both functions of the Leader/Cabinet and functions which are not the responsibility of the Leader/Cabinet will state clearly which items are which.

d) Cabinet

i. Notice of key decisions (Forward Plan)

A notice will be published at least 28 clear days before the Cabinet (or its committees), Cabinet Member or other executive decision maker intends to make a key decision.

ii. Contents of notice of decisions

The notice of decisions will contain matters which the Cabinet has reason to believe will be the subject of a key decision to be taken by the Cabinet, a committee of the Cabinet, an individual Cabinet Member, or under joint arrangements in the course of the discharge of an executive function. It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- a. that a key decision is to be made on behalf of the local authority;
- b. the matter in respect of which a decision is to be made;
- c. where the decision taker is an individual, his/her name and title, if any, and where the decision taker is a body, its name and details of membership;
- d. the date on which, or the period within which, the decision will be taken;
- e. a list of the documents submitted to the decision taker for consideration in relation to the matter;
- f. the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
- g. that other documents relevant to those matters may be submitted to the decision maker; and
- h. the procedure for requesting details of those documents (if any) as they become available.

The notice of decisions will contain particulars of the key decision but may not contain any confidential, exempt information or particulars of the advice of a political adviser or assistant.

e) Agenda and Reports

Any Member of the Council will on request be entitled to receive the agenda and any related reports or other documents for any or all meetings of the Cabinet, any committees of the Cabinet or any committees/boards of the Council of which they are not appointed members.

Requests for agendas should be made by e-mail or in writing. All requests will cease to be effective following the next Annual Meeting of the Council unless specifically reaffirmed at that time.

(Note: Any notice referred to in these paragraphs should be made by e-mail or in writing to the Democratic Services Lead Manager).

f) Material relating to previous business

All Members will be entitled to inspect any document which is in the possession or under the control of the Cabinet, or its committees, and which contains material relating to any business previously transacted at a meeting of the Cabinet unless either (i) or (ii) below applies:

- (i) it contains exempt information falling within paragraphs 1, 2, 4, 5 and 7 of the categories of exempt information as set out in paragraph 15.2 (k) above; or
- (ii) it contains the advice of a political adviser.

g) Material relating to key decisions

All Members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet, or its committees, which relates to any key decision unless paragraph (i) or (ii) above applies.

h) Nature of rights

These rights of a Member are additional to any other right he/she may have.

i) Confidentiality

Members of the Council will not disclose information which has been given to them in confidence or which is exempt without the consent of the Council.

Information from Articles suggested be transferred to Part 4 – Standing Orders

Standing Orders are the written rules, set out in law and others agreed by Council, which regulate the proceedings and business of the Council. The continuing or 'standing' nature of these rules means that they do not lapse until the Council decides to suspend, change or delete them.

There are six sections to Standing Orders:

1. Council: Meetings and Procedures
2. Constitution and Appointment of Cabinet and Committees
3. Cabinet and Committees: Meetings and Procedure
4. Proceedings and Business
5. Appointment and Dismissal of Staff
6. Authentication of Documents

The information removed from the Articles is divided below into the relevant sections of Standing Orders and if agreed Standing Orders will be renumbered accordingly.

3. CABINET AND COMMITTEES: MEETINGS AND PROCEDURE

HOW CABINET MEETINGS ARE CONDUCTED

Chairing meetings

- (a) If the Leader is present he/she will preside. In his/her absence the Deputy Leader will preside.

Business at Cabinet and Cabinet Member meetings

- (b) Business for meetings of the Cabinet/Cabinet Member will be agreed by the Leader, together with other members of the Cabinet, the Chief Executive and/or Strategic Directors of the Council.
- (c) The business at Cabinet meetings will include:
- i. The proper officer will make sure that an item is placed on the agenda of the next available meeting of the Cabinet/Cabinet Member where a select committee, or the full Council have resolved that an item be considered by the Cabinet;
 - ii. matters referred to the Cabinet (whether by a select committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the scrutiny select committee Procedure Rules or the Budget and Policy Framework Rules;
 - iii. consideration of reports from select committees, local committees, any other committees of the Council, where the subject matter

relates to more than one portfolio area or as determined by the Leader, and reports from borough/district scrutiny,

- iv. matters set out in the agenda for the meeting, which shall indicate which are key decisions and which are not in accordance with the Access to Information Rules.
- (d) The Cabinet will always formally respond to reports and recommendations made to it by any committees of the Council. Responses to reports and recommendations of select committees must be made within two months of receipt of the report. The Cabinet will also respond to reports from borough/district scrutiny committees within two months.

Consultation

- (e) All reports to the Cabinet from any member of the Cabinet or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and the appropriate select committees, and the outcome of that consultation. Reports to the Cabinet or Cabinet Members about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

Placing items on the Cabinet agenda

- (f) The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of a Cabinet meeting and may require the proper officer to call such a meeting in pursuance of their statutory duties. In other circumstances, where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of a Cabinet meeting.

Cabinet Member meetings

- (g) Cabinet Members will meet to exercise executive functions delegated to them by the Leader as set out in Table 2 of Part 3 of the Constitution. The business at Cabinet Member meetings will include:
- (i) matters referred to the Cabinet Member (whether by a select committee or by the Council) for reconsideration by the Cabinet Member in accordance with the provisions contained in the select committee Procedure Rules or the Budget and Policy Framework Rules;
 - (ii) consideration of reports from select committees, local committees, any other committees of the Council where the subject matter relates to the Cabinet Member's portfolio area; and

- (iii) matters set out in the agenda for the meeting, which shall indicate which are key decisions and which are not in accordance with the Access to Information Rules.
- (h) The Cabinet Member will always formally respond to reports and recommendations made to him/her by any committees/boards of the Council. Responses to reports and recommendations of select committee must be made within two months of receipt of the report.

Key decisions

- (i) A “key decision” means an executive decision which is likely either –
 - (i) to result in the Council incurring expenditure, or making of savings with a value of £0.5m or over, and which are significant having regard to the budget for the service or function to which the decision relates; or
 - (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county.
 - (iii) “Key decisions” may only be made in accordance with the requirements of the Cabinet Procedure Rules.

Procedure before taking key decisions

- (j) Subject to Rule (e) (general exception) and Rule (f) (special urgency), a key decision may not be taken unless:
 - (i) notice has been given to the chairman of the appropriate select committee in connection with the matter in question, and made publicly available at the Council's offices;
 - (ii) at least 5 clear days have elapsed since the publication of the notice; and
 - (iii) where the decision is to be taken at a meeting of the Cabinet, its committees, or an individual Cabinet Member, notice of the meeting has been given in accordance with Standing Order (3.02(d) (notice of meetings)).

(k) Urgent decision making

In the event that any matters arise in circumstances rendering it impossible for the Leader/Cabinet or Council to give instructions within sufficient time in the normal conduct of their business for such matters to be properly dealt with, the Chief Executive (or in his/her absence a member of the Corporate Leadership Team) shall have delegated authority to take or authorise all

necessary steps to deal with the matters sufficiently to protect the Council's and the public's interests, provided that he or she shall first consult:

- i. The Chief Finance Officer and/or the Monitoring Officer (or their representative) and;
- ii. Either the Leader (or in his/her absence, the Deputy Leader, or in his/her absence another Cabinet Member) (in respect of executive functions) or the Chairman (or in his/her absence, the Vice-Chairman or chairman or vice-chairman of the relevant committee) (in respect of non-executive functions).

Any decisions taken in accordance with this Standing Order will be reported to the next meeting of the appropriate Member level body.

General exception

- (l) Where the publication of the intention to make a key decision via a notice under Standing Order (j) is impracticable then subject to Standing Order (m) (special urgency), the decision may still be taken where:
 - (i) the proper officer has informed the chairman of the appropriate select committee, or if there is no such person, each member of that select committee in writing, by notice, of the matter to which the decision is to be made;
 - (ii) the proper officer has made copies of that notice available to the public at the offices of the Council and on the Council's website; and
 - (iii) at least 5 clear days have elapsed since the proper officer complied with (i) and (ii).
- (m) As soon as reasonably practicable after the proper officer has complied with the above, he or she must make available at the offices of the Council and on the Council's website a notice setting out the reasons why compliance with Rule (a) and (b) is impracticable.

Special urgency

- (n) If there is not time to follow Standing Order (k) (general exception) then the decision can only be taken if the decision maker obtains the agreement of the chairman of the relevant select committee that the decision cannot reasonably be deferred. If there is no chairman of the select committee, or if the chairman is unable to act, then the agreement of the Chairman of the Council, or in his/her absence, the Vice-Chairman will suffice.
- (o) As soon as reasonably practicable after the decision maker has obtained agreement under paragraph (f) that the making of the decision is urgent and

cannot reasonably be deferred, the decision maker will make available at the offices of the Council and on the Council's website a notice setting out the reasons why the decision is urgent and cannot reasonably be deferred.

Reports to Council on special urgency decisions

- (p) In any event the Leader will submit at least one report annually, and at such intervals as may be determined, to the Council containing details of each of the executive decisions taken in the circumstances set out in Standing Order (f) above (special urgency) since the last such report. The report will include the particulars of the decisions so taken and a summary of the matters in respect of which those decisions were taken.

When a select committee can require a report

- (q) A report can be required if a select committee thinks that a key decision has been taken which was not:
- included in the notice of decisions; or
 - the subject of the general exception procedure; or
 - the subject of an agreement with the select committee chairman, or the Chairman/Vice-Chairman of the Council.
- (r) The select committee may require the Cabinet to submit a report to the Council. The power to require a report rests with the select committee, but is also delegated to the proper officer, who shall require such a report on behalf of the select committee when so requested by the chairman or any five Members. Alternatively the requirement may be raised by resolution passed at a meeting of the select committee.

Cabinet's report to Council

- (s) The Cabinet will prepare a report for submission to the next available meeting of the Council. The report to Council will set out particulars of the decision, the individual or body making the decision, and if the Cabinet is of the opinion that it was not a key decision the reasons for that opinion.

RECORD OF DECISIONS

Recording of executive decisions made at meetings

- (t) As soon as reasonably practicable after any meeting of the Cabinet, any of its committees, or an individual Cabinet Member at which an executive decision was made, the proper officer, or if the proper officer was not present at the meeting, the person presiding, will ensure that a written statement is produced for every executive decision made. This statement will include:

- (i) a record of the decision including the date it was made;
- (ii) a record of the reasons for the decision;
- (iii) details of any alternative options considered and rejected by the decision-making body at the meeting at which the decision was made;
- (iv) a record of any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision; and
- (v) in respect of any declared conflict of interest, a note of dispensation granted by the Chief Executive.

Decisions by individual Members

- (u) As soon as reasonably practicable after an individual Member has made an executive decision, that Member will produce or instruct the proper officer to produce a written statement of that executive decision which includes :
 - (i) a record of the decision including the date it was made;
 - (ii) a record of the reasons for the decision;
 - (iii) details of any alternative options considered and rejected by the member when making the decision;
 - (iv) a record of any conflict of interest declared by any Cabinet Member who is consulted by the Member which relates to the decision; and
 - (v) in respect of any declared conflict of interest, a note of dispensation granted by the Chief Executive.

Decisions by officers

- (v) As soon as reasonably practicable after an officer has made a decision which is an executive decision, the officer will produce a written statement which includes:
 - (i) a record of the decision including the date it was made;
 - (ii) a record of the reasons for the decision;
 - (iii) details of any alternative options considered and rejected by the officer when making the decision;
 - (iv) a record of any conflict of interest declared by any Cabinet Member who is consulted by the officer which relates to the decision; and
 - (v) in respect of any declared conflict of interest, a note of dispensation granted by the Chief Executive.

Inspection of documents following executive decisions

- (w) After a meeting of a decision-making body at which an executive decision has been made, or after an individual Member or an officer has made an executive decision the proper officer will ensure that a copy of:

- (i) any records prepared in accordance with individual decisions made under (b) and (c) above; and
- (ii) any report considered at the meeting or, as the case may be, considered by the individual Member or officer and relevant to a decision recorded in accordance with (b) or (c) or, where only part of the report is relevant to such a decision, that part, will be available for inspection by members of the public, as soon as is reasonably practicable, at the main Council offices and on the Council's website.

PROCEDURES PRIOR TO PRIVATE MEETINGS

Notice of private meetings – 28 days

- (x) The Cabinet will give notice of its intention to hold all or part of a meeting in private at least 28 clear days before the meeting. This notice will be made available at the Council's main offices, be published on the Council's website and will include a statement of the reasons for the meeting to be held in private.

Notice of private meetings and response to representations received – 5 days

- (y) A further notice of the intention to hold a meeting in private will be published in the same locations at least five clear days prior to the meeting. This notice will include a statement of the reasons for the meeting to be held in private, a summary of any representations received about why the meeting should be open to the public and a statement of the response to any such representations.

Exception to requirement to give notice of private meetings

- (z) Where the date by which a meeting must be held makes compliance with this regulation impracticable, the meeting may only be held in private where the Cabinet has obtained agreement that the meeting is urgent and cannot reasonably be deferred from:
 - (i) the chairman of the relevant select committee; or
 - (ii) if there is no such person, or if the chairman of the relevant select committee is unable to act, the Chairman of the County Council; or
 - (iii) where there is no chairman of either the relevant select committee or the Chairman of the County Council, the vice-chairman of the County Council.
- (aa) As soon as reasonably practicable after the Cabinet has obtained agreement under this provision to hold a private meeting, it will make available at the

Council's main offices and on the Council's website a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred.

PROCEDURES PRIOR TO PUBLIC MEETINGS

- (bb) Notice of the time and place of Cabinet (including any Cabinet committees) and individual Cabinet Member decision making meetings will be displayed at the Council's main offices and published on the Council's website:
 - i. at least five clear days before the meeting; or
 - ii. where the meeting is convened at shorter notice, at the time that the meeting is convened.

- (cc) An item of business may only be considered at a public meeting—
 - i. where a copy of the agenda or part of the agenda including the item has been available for inspection by the public for at least five clear days before the meeting; or
 - ii. where the meeting is convened at shorter notice, a copy of the agenda including the item has been available for inspection by the public from the time that the meeting was convened.

BUDGET AND POLICY FRAMEWORK RULES

The framework for executive decisions

- (dd) The Council will be responsible for the adoption of its budget and policy framework as set out in Article 4. Once a budget or a policy framework is in place, it will be the responsibility of the Cabinet to implement it. In agreeing a budget and policy framework, the Council shapes and to some extent limits the decisions which the Cabinet can take within the context of plans, policies and budgets.

Process for developing the budget and policy framework

- (ee) The Cabinet will publicise by publishing details on the Council's website a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework, and its arrangements for consultation after publication of those initial proposals. The appropriate select committee will be formally consulted at this stage.

- (ff) Following consultation, the Cabinet will then draw up firm proposals having regard to the responses to that consultation. The Cabinet will take any response from a select committee into account in drawing up firm proposals for submission to the Council, and its report to Council will reflect the comments made by consultees and the Cabinet's response.

- (gg) The Council will limit the extent of in-year changes to the approved budget and policy framework which can be undertaken by the Cabinet in accordance with paragraphs 6.06 (c) to (g) of these rules.
- (hh) Note: Where the Cabinet has submitted a draft plan or strategy to the Council and the Council has any objections to it, the process in Part 4 of Standing Orders shall apply.

Decisions outside the budget or policy framework

- (ii) If the Cabinet, a committee of the Cabinet, an individual Cabinet Member, officers, local committees or joint arrangements discharging executive functions want to make a decision which they consider may be contrary to or not in full accordance with the approved policy framework and in-year budget, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer.
- (jj) If the advice of those officers is that the decision would not be in line with the policy framework or would fall outside the limits of budget virement (as defined in paragraph 6.06 (e)), then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 6.06 (d) below shall apply.

Urgent decisions outside the budget or policy framework

- (kk) The Cabinet, a committee of the Cabinet, an individual Cabinet Member, officers, local committees or joint arrangements discharging executive functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by Council if the decision is a matter of urgency. However, the decision may only be taken:
 - i. if it is not practical to convene a quorate meeting of the full Council; and
 - ii. if the chairman of the appropriate select committee agrees that the decision is a matter of urgency.
- (ll) The reasons why it is not practical to convene a quorate meeting of full Council and the chairman of the select committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the chairman of the select committee, the consent of the Chairman of the Council, and in the absence of both, the Vice-Chairman, will be sufficient.
- (mm) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

Virement

- (nn) The approved in-year budget (as defined in paragraph 4.09) represents the limits within which the Cabinet has discretion to use and allocate resources. Any decision on executive functions which would incur expenditure beyond the approved in year budget, or from any additional income (or savings) achievable, requires the agreement of the Council.
- (oo) On the advice of the Chief Finance Officer, the Leader shall determine the requirements for and, if required, shall set the financial limit(s) within which budgets may be transferred by officers between budget heads within service areas without reference to and approval of the Cabinet. Such limits will be recorded in the Council's Financial Regulations.
- (pp) The Cabinet will control virement by reference to the individual service or function budget heads approved by the Council and contained in the published in-year budget book. Officer virement will be restricted to budget transfers between budgets categorised by the Chief Finance Officer as "local risk" budgets.
- (qq) The Cabinet will determine a framework for determining the treatment of year end budget underspends and overspends, and the limitations on the virement of budgets between years. The framework will be published in the in-year budget book.

In-year changes to policy framework

- (rr) The responsibility for agreeing the budget and policy framework lies with the Council, and decisions on executive functions must be in line with it. No changes to any policy and strategy which make up the policy framework may be made by such decision makers except those changes:
 - (i) which will result in the closure or discontinuance of a service or part of service to meet a budgetary constraint;
 - (ii) necessary to ensure compliance with the law, ministerial direction or government guidance;
 - (ii) in relation to the policy framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration;
 - (iv) which relate to policy in relation to schools, where the majority of school governing bodies agree with the proposed change.

Such changes should be reported to the next meeting of the Council.

Call-in of decisions outside the budget or policy framework

- (ss) Where the appropriate select committee is of the opinion that an executive decision is, or if made would be, contrary to the policy framework, or contrary to or not wholly in accordance with the approved in year budget, then it shall seek advice from the Monitoring Officer and/or Chief Finance Officer who shall prepare a report.
- (tt) In respect of functions which are the responsibility of the Leader/Cabinet, the Monitoring Officer's report and/or Chief Finance Officer's report shall be to the Leader/Cabinet with a copy to every Member of the Council. Regardless of whether the decision is delegated or not, the Leader/Cabinet must meet to decide what action to take in respect of the Monitoring Officer's report and to prepare a report to Council if the Monitoring Officer or the Chief Finance Officer conclude that the decision was a departure, and to the select committee if the Monitoring Officer or the Chief Finance Officer conclude that the decision was not a departure.
- (uu) If the decision has yet to be made, or has been made but not yet implemented, and the advice from the Monitoring Officer and/or the Chief Finance Officer is that the decision is or would be contrary to the policy framework or contrary to or not wholly in accordance with the approved in year budget, and/or virement rules relating to it, the select committee may refer the matter to Council. In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter. At the meeting it will receive a report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer. The Council may either:
- (i) endorse a decision or proposal of the executive decision taker as falling within the existing budget and policy framework. In this case no further action is required, save that the decision of the Council be minuted and circulated to all councillors in the normal way;
- Or*
- (ii) amend the policy concerned to encompass the decision or proposal of the body or individual responsible for that executive function and agree to the decision with immediate effect. In this case, no further action is required save that the decision of the Council be minuted and circulated to all councillors in the normal way;
- Or*
- (iii) where the Council accepts that the decision or proposal is contrary to the policy framework or contrary to or not wholly in accordance with the in-year budget, and does not amend the existing framework to accommodate it, require the Cabinet to

reconsider the matter in accordance with the advice of either the Monitoring Officer or Chief Finance Officer.

Call-In of local committee decisions by the Cabinet

- (vv) The Cabinet may call-in for review and final determination any executive decision taken by a local committee which has significant policy or budgetary implications, subject to notice of call-in being given within 5 working days of publication of the decision.
- (ww) Notice of call-in may be given by the Leader or Deputy Leader, or any three or more members of the Cabinet.
- (xx) All members of the local committee will be notified that an executive decision taken by the committee has been called in.
- (yy) The decision will be considered by the Cabinet at its next appropriate meeting in discussion with the local committee chairman and no action will be taken to implement it in the meantime.
- (zz) The local committee chairman may attend the Cabinet meeting for the consideration of the matter and speak on the item.
- (aaa) The Cabinet may accept, reject or amend the decision taken by the local committee. A report on the decision taken by the Cabinet will be made to the next appropriate meeting of the local committee, and to the whole Council for information.

SCRUTINY PROCEDURES

Attendance by witnesses

- (bbb) Select committees may examine and review decisions made or actions taken in connection with the discharge of any Council or executive functions as appropriate. As well as reviewing documentation, in fulfilling the scrutiny role the select committee may require the Leader, Deputy Leader or any Member of the Council, and/or any senior officer to attend before it to explain in relation to matters within the select committee's remit:
 - (i) any particular decision or series of decisions;
 - (ii) the extent to which the actions taken implement Council policy; and/or
 - (iii) their performance

and it is the duty of those persons to attend if so required.

- (ccc) Where any Member or officer is required to attend a select committee under this provision, the select committee chairman will inform the proper officer. The proper officer shall inform the Member or officer in writing giving at least

10 working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the select committee. Where the account to be given to the select committee will require the production of a report, then the Member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

- (ddd) Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, then the select committee shall, in consultation with the Member or officer, arrange an alternative date for attendance.
- (eee) When officers appear to answer questions, their evidence will be confined, as far as possible, to questions of fact and explanation relating to policies and decisions. Officers may explain what the policies are and how administrative factors may have affected the choice of policy measures and the manner of their implementation. Officers may be asked to explain and justify advice that they have given in relation to the exercise of executive functions prior to decisions being taken, and to justify decisions they themselves have taken under the Scheme of Delegation where they fall within the terms of the matter under scrutiny. As far as possible, officers should avoid being drawn into discussion of the merits of alternative policies where this is politically contentious, and should certainly not venture an opinion as to whether one policy option is preferable to another.

Attendance by others

- (fff) A select committee may invite people other than those people referred to in paragraph (m) above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, partner authorities, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.

Call in

- (ggg) The intention is that call in powers will be used exceptionally by select committees.
- (hhh) When a decision is made by the Leader, Cabinet, individual Cabinet Members, a committee of the Cabinet or local Members in relation to their local area, or a key decision is made under joint arrangements or by officers, the formal record of the decision shall be published not later than three working days after the decision is taken. An information bulletin will be published on the S-Net on the day after the meeting summarising the decision taken pending publication of the record.
- (iii) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of

5 working days after the publication of the decision, unless the appropriate select committee objects to it and calls it in.

- (jjj) During that period, a decision may be called in for scrutiny by the select committee chairman or vice-chairman or any three or more other select committee members from more than one political group. The chairman shall call a meeting of the select committee within 10 working days of the expiry of the period referred to in paragraph (ii) above, and where possible after consultation with the decision maker(s).
- (kkk) If, having considered the decision, the select committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Council. If referred to the decision maker it shall then reconsider within a further 7 working days, amending the decision or not, before adopting a final decision.
- (lll) If following an objection to the decision, the select committee does not meet in the period set out in paragraph (iii) above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the select committee meeting, or the expiry of that further 10 working day period in paragraph (iii), whichever is the earlier.
- (mmm) If the matter was referred to Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no remit to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget.
- (nnn) Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole, or a committee of it, a meeting will be convened to reconsider within 10 working days of the Council's request. Where the decision was made by an individual, the individual will reconsider within 5 working days of the Council's request.
- (ooo) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- (ppp) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

EXCEPTION

- (qqq) The call-in procedure set out above shall not apply where the decision being taken is urgent in accordance with Rule 6.05(f) (special urgency). A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The chairman of the select committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the chairman of the select committee, the Chairman of the Council's consent shall be required. In the absence of both, the Chief Executive's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

Member referral of matters to select committees

- (rrr) Any Member of the Council may refer to a select committee any local government matter which is relevant to the functions of the committee.
- (sss) The Member referring the matter may make representations as to why it would be appropriate to scrutinise the matter.
- (ttt) If the select committee decides not to scrutinise the matter, it must notify the Member of its decision and the reasons for it.
- (uuu) The select committee must provide the Member with a copy of any report or recommendations which it makes to the Leader/Cabinet/Cabinet Member or Council in relation to the matter.

Reports from select committees

- (vvv) The select committees will report their views and recommendations to the Leader/Cabinet/Cabinet Member, Council or partner organisations as appropriate. Select committees may report direct to the Council where they wish to draw its attention to issues of interest or concern, or where they wish to enlist the Council's support or invite it to express a view.
- (www) If a select committee cannot agree on one single final report to the Leader/Cabinet/Cabinet Member or Council as appropriate, then a minority report may be prepared and submitted for consideration by the Leader/Cabinet/Cabinet Member or Council with the majority report.
- (xxx) Select committees will have access to the Leader's Cabinet Forward Plan and timetable for decisions and intentions for consultation and may respond in the course of the Leader's/Cabinet's/Cabinet Member's consultation process in relation to any key decision.

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MINUTES OF THE MEETINGS OF
CABINET HELD ON 18 JULY AND 26
SEPTEMBER 2017

Any matters within the minutes of these Cabinet meetings may be the subject of questions and statements by Members upon notice being given to the Democratic Services Lead Manager by 12 noon on Monday 9 October 2017.

Please note that the minutes of the 26 September 2017 Cabinet meeting will be issued as a supplementary agenda.

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**MINUTES OF THE MEETING OF THE CABINET
HELD ON 18 JULY 2017 AT 2.00 PM
AT ASHCOMBE SUITE, COUNTY HALL, KINGSTON UPON THAMES,
SURREY KT1 2DN.**

These minutes are subject to confirmation by the Cabinet at its next meeting.

Members:

*Mr David Hodge (Chairman)	*Mr Mike Goodman
*Mr John Furey (Vice-Chairman)	*Mrs Mary Lewis
*Mrs Helyn Clack	*Mr Colin Kemp
Mrs Clare Curran	*Mr Tim Oliver
*Mr Mel Few	*Ms Denise Turner-Stewart

* = Present

Members in attendance:

Mr Chris Botten	Mr Jonathan Essex
Mrs Bernie Muir	Mr Bob Gardner
Mr Stephen Cooksey	Mrs Hazel Watson

PART ONE
IN PUBLIC

115/17 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Mrs Curran.

116/17 MINUTES OF PREVIOUS MEETING: [Item 2]

The minutes of the meeting held on 27 June 2017 were confirmed and signed by the Chairman.

117/17 DECLARATIONS OF INTEREST [Item 3]

Mr Oliver declared an interest in relation to Items 6 and 17 and stated that he would leave the room during the discussion and voting on this item.

Mr Kemp also declared an interest in relation to Item 11 but stated his intention to participate in the voting and discussion in relation to the item.

118/17 PROCEDURAL MATTERS [Item 4]

1 MEMBERS' QUESTIONS [Item 4a]

Four questions were received. The questions and responses are attached as Appendix 1.

Supplementary Questions

Q1. In response to a request, from Mrs Watson, for the names of the unsafe care homes the Cabinet Member responded that he would need to check with the Legal Team and provide names after the meeting. He also went on to

state that a provider failure protocol was in place and that a safety team visits the care homes on a regular basis to ensure that problems highlighted by the Care Quality Commission were being corrected. New residents would not be moved into an unsafe care home and as a last resort current residents could be moved out.

Q3. In response to a supplementary question from Mr Essex the Leader confirmed that there was a forecast overspending of approximately £24m. He also stated that annex 2 of the agenda report was welcome and that there were very stiff savings targets for the next few years and onwards.

119/17 PUBLIC QUESTIONS [Item 4b]

There were four questions received from the public. The questions and responses are attached as Appendix 2.

Karin Barratt and Andrea Collings were invited to give their supplementary questions and they would be responded to together.

Karin Barratt made the following points:

- Budget options models for Beeches was drawn up with service users
- When comparing costs of 1b with model 5 this was not far off from the preferred option of parents.
- Was the £150k for spot purchasing on top of, or contained within, costs given?
- The Disability Team seemed to be unaware of what was available for spot purchasing and she was having difficulty finding the right person to speak to about this.

Andrea Collings made the following points:

- The number of hours was not judged on need but on number of hours accessed. There was a need to identify barriers to getting through the assessment process.
- Short breaks were not advertised through the Council and it was mainly through word of mouth that parents got to hear of it. She was concerned that Cabinet could not be confident of making a value for money decision.
- Travel costs to venues outside of the county would need to be added on.
- Many families would be happy to keep their children under children's services until the age of 19 years when they finished school, rather than they transfer to adult services at 18 which was an additional cost.

The Leader thanked Karin Barratt and Andrea Collings for the details statements and explained that the concerns raised would be picked up in the debate under item 6.

120/17 PETITIONS [Item 4c]

There were no petitions.

121/17 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

No representations were received.

122/17 REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

Responses to reports from the Environment & Infrastructure Select Committee are attached as Appendices 3 and 4.

Mr Oliver declared a prejudicial interest and left the room at this point.

123/17 RECOMMENDATIONS FOR AWARDS OF CONTRACTS AND GRANTS TO PROVIDE SHORT BREAKS IN SURREY [Item 6]

The Cabinet Member for Education gave a very detailed introduction to this report that described how high-quality, locally delivered short breaks made a huge difference to over 2,200 children and young people with special educational needs and/or disabilities (SEND) in Surrey each year. Short breaks enabled children and young people to achieve better outcomes by having fun, seeing their friends and trying new activities, whilst also giving families a much needed break from caring. Alongside this, Surrey County Council (SCC) had a range of statutory duties and responsibilities that it needed to fulfil in relation to short breaks provision.

The report also set out proposed funding awards for a range of short breaks in Surrey, including overnight residential and play and leisure services, and specific grant-funded projects. Acknowledging the vital role played by short breaks, SCC has maintained the budget at £3.1 million, at a time of significant financial challenge.

Due to the commercial sensitivity involved in the contract award process, the names of the providers are listed in this report; however, all financial details and a summary of evaluation scores have been circulated in a Part 2 report as agenda item 17.

It was explained that Surrey County Council (SCC) had a legal duty to review its contracts with providers of short breaks every 3-5 years. This allowed new providers to have the opportunity to bid and which could lead to improved provision coming from new ideas and input.

The council were aware that changes in provision could cause uncertainty and it was recognised that this can be particularly difficult for families of children with special educational needs and disabilities. All parents have to have a high level of trust when they pass their children to the care of another person, but this was particularly so when the child or young person had special needs which may prevent them from speaking or acting for themselves.

Short breaks were closely linked to the SEND 2020 Development Plan through which the development of independence in children and young people was encouraged. Changes can be for the better and, after a settling in period, many families should feel the benefit of the recommissioning which has been done in line with their suggestions following a wide ranging consultation process

She explained what short breaks were and how many people used them and stressed the importance of the role played by short breaks in that the County Council had protected the budget of £3.1 million for short break services in Surrey when many other services are experiencing reduction.

Council officers had worked with families at each stage of the process of recommissioning in order to use the opportunity to respond more fully to their needs. They would also continue to work with families of users of The Beeches to ensure that children settle into new places. In response to a parent query she stated that if Beeches was to be leased at £0.6m this would need to come out of the £1.3m for the service. It was important to stick with the financial envelope in order not to detriment others. It was also stated that if enough of The Beeches users were to transfer to Applewood it would be possible to TUPE (Transfer of Undertakings Protection of Employment) Beeches staff to Applewood.

Representatives of Family Voice had worked particularly closely on this project, and the Cabinet Member paid tribute to them for this. She went on to summarise the process that had been followed and stressed that parents had input at every stage and that the procurement process likewise included council professionals alongside Family Voice and parents of children with SEND.

She highlighted the key benefits of agreeing the recommendations as being:

- an overall increase of 4.5% in hours of play and leisure opportunities;
- fairer distribution of play and leisure short breaks across the county – aligning provision to need- so that these can be provided more locally for more families;
- prioritising of funding for residential short breaks with providers required to appropriately address a range of complex health and behaviour needs, and
- securing quantified commitments from providers to deliver added social value and social capital over and above the Council's funded offer. This was likely to total around £ 3 million.

It was recognised that there were a small minority of families who felt that the provision they had enjoyed up to now was going to be adversely affected by the proposed new contracts and grant awards. Some parents were anxious that a change of provider would mean the loss of familiar faces and activities at their child's play and leisure facility. Most of those parents had been users of The Beeches specialist residential provision in Reigate which had been operated by Surrey and Borders Partnership NHS Foundation Trust (SBP). They and their children had been happy with the care provided by Beeches and many had enjoyed the close proximity of The Beeches to Brooklands School. It was recognised by several members of Cabinet that The Beeches had a particular ambiance that might be difficult to replicate.

However, SBP decided not to bid for funding from SCC to provide overnight specialist short breaks in future. This meant that 17 families would need access to overnight respite at other settings from 1st December this year. SBP have also confirmed that they are not looking to dispose of or to lease out the Beeches buildings. Those affected had been offered opportunities to discuss their future options with Social Workers, Commissioning Officers, herself and the Cabinet Member for children also went to meet them. Many had decided to take up short breaks at Applewood which is SCC run with good quality provision and was closest to The Beeches.

Social workers and officers continue to work with families that are still undecided and anxious about alternative provision. She explained plans to increase staffing capacity at Applewood and the provision of a Nurse Trainer to ensure staff had the ability to deal with most of the health needs of the children and young people who used to use The Beeches.

In a very small number of cases where the proposed providers at Cherry Trees and White Lodge, plus the SCC provision at Applewood and Ruth House, could not meet the very specific complex health needs of a few children, spot purchasing would be used, as it has been in the past, to source suitable provision.

Mr Chris Botten and Mrs Bernie Muir addressed the Cabinet and made the following points:

- That numbers needing this kind of service was suppressed.
- There was a history of suspicion regarding the modelling and in particular the NHS wanting to take funding from them to social services.
- That parents felt they had to fight every hour of every day to get the right service for their children.
- There were lessons to be learned and issues to be resolved.
- That spot placements was not a resilient solution to families with differing needs.
- That the main concern of residents with autistic children was the transition of moving from current to new services.

The Cabinet Member for Education responded with empathy and stated that an expected increase of 27% in Autistic Spectrum Disorder had been taken into account within the report and that new providers would be ready to take on the more complex users. She acknowledged that transition was not always easy but that children would not be excluded at the first hurdle and staff would work with them to assist in the transition.

The Cabinet Member for Health stated that she would take questions back to the Health and Wellbeing Board on the statements made by Mr Botten. She thanked the parents for coming to speak to Cabinet and stated how impressed she had been with the breadth of the consultation even though it didn't contain provision at The Beeches.

The Cabinet Member for Economic Prosperity reported that assurance would be needed over the life of the contract with good monitoring. He also reported that he and the Leader were to meet with Surrey MPs to discuss financial concerns.

The Cabinet Member for Education was sure that the service could be provided where needed dependent on funding. She also explained that a monitoring group was to be set up with Family Voice which would look at not only the contract details but how residents/families felt on the ground.

The resolution was unanimous.

RESOLVED:

That the proposed contract and grant awards for short breaks in Surrey be approved.

Reasons for Decisions:

- I. The new proposals will enable families of children with SEND to achieve better outcomes from their short breaks, because they have been co-designed with families (supported by Family Voice Surrey) in response to what they told us was most important.
- II. Current contracts for short breaks services are ending on 30 November 2017 and the Council has statutory duties to provide these services, so we have to secure future provision for families.
- III. As a result of the legally compliant short breaks tender there will be a 4.5% increase in hours of play and leisure short breaks and these services will be provided more locally.
- IV. Awarding block contracts and grants for a minimum of three years and four months will give families certainty about the short breaks offer, whilst also securing high-quality provision and value for money for the Council.

Mr Oliver returned to the meeting.

124/17 SURREY COUNTY COUNCIL'S CABINET ADOPTION OF THE REVISED SURREY APPROVED SYLLABUS FOR RELIGIOUS EDUCATION [Item 7]

The Cabinet Member for Education introduced the report that explained that the Agreed Syllabus for Religious Education (RE) must be reviewed by the local Standing Advisory Council on Religious Education (SACRE) at least every five years.

She explained how RE encourages understanding of different faiths and from understanding comes deeper tolerance and sensitivity. In the prevention of radicalisation, the idea that one's beliefs are understood and acknowledged has an important part to play. In this context the work of SACRE was very important. She thanked County Councillors Colin Kemp, Mike Goodman and Keith Taylor as well as Margaret Hicks (retired) who were on SACRE and worked on the syllabus.

The key changes to the syllabus were outlined on page 68 of the agenda which were all practical changes to ensure a flow through the education system giving coherence and logical flow being essential if children were to have a clear understanding of the beliefs of others and to succeed in the examination system.

The new syllabus must be adopted formally by the County Council before it is recommended to Surrey schools.

The resolution was unanimous.

RESOLVED:

That the 2017 revised Agreed Syllabus for Religious Education in Surrey be adopted.

Reason for Decision:

There had been a number of significant changes in curriculum delivery, content and in guidance from the Department of Education since the existing syllabus was adopted, rendering it no longer fit for purpose. There had been a complete review of the content by qualified teachers and the Advisor to the SACRE and the revised syllabus could now be recommended for adoption by schools in September 2017. The action being proposed will have benefits for the residents of Surrey in as much as teachers will be able to begin a new academic year by teaching a more relevant RE curriculum that complies with national guidance, prepares young people well for examination courses in RE, and more accurately reflects the values and beliefs of citizens in this country.

**125/17 SUNBURY MANOR SECONDARY SCHOOL, SUNBURY ON THAMES
[Item 8]**

The Cabinet Member for Education presented the report that detailed a forecast need for additional Secondary Places in Spelthorne by 2020. Many Primary Schools within the vicinity of Sunbury Manor Secondary School had had bulge classes and permanent expansions; consequently the need for additional Secondary School places was emerging.

This report provided the Business Case for the expansion of Sunbury Manor School, a standalone academy. The school currently operated as an eight Form of Entry (Published Admission number of 240 and a total school capacity of 1200 places) co-educational 11-16 school with a specialist centre for pupils with communication and interaction needs. The school was currently rated 'Good' by Ofsted.

The proposal was to expand the school by one 1 form of entry to 9 forms of entry per year from September 2020. A form of entry is normally 30 students. The school would change its Published Admission Number from 240 to 270 and grow incrementally over a five year period to total school capacity of 1350 places. This would provide, in total, an additional 150 secondary places in the Sunbury area of Spelthorne.

The expansion would enable Surrey County Council to meet the forecast demand for secondary school places in Spelthorne borough. Any existing surplus places at the school are in upper years, as the larger intake years (year 7 pupils) replace these smaller older year groups these vacant places will be reduced.

The resolution was unanimous.

RESOLVED:

That, subject to the agreement of the detailed financial information for the expansion as set out in Part 2 of this agenda as agenda item 18, the business case for the provision of an additional form of entry (30 places per year) providing, in total, 150 secondary places at Sunbury Manor School from September 2020 be approved.

Reason for Decision:

The proposal supports the Authority's statutory obligation to provide sufficient school places to meet the needs of the population in Spelthorne Borough by providing Year 7 places when and where they are needed.

126/17 MONTHLY BUDGET MONITORING REPORT [Item 9]

The Leader of the Council presented the budget monitoring report for the third month of the 2017/18 financial year, covering the period up to 30 June 2017.

He explained that in February the council had set its budget for 2017/18 in the face of significant rising demand pressures (particularly in social care); falling Government funding and continuing restraint on the ability to raise funds locally. To balance 2017/18's budget the council had to make plans to deliver unprecedented £104m savings. This challenge came on top of making over £494m savings since 2009.

He said that after three months of the new financial year, services have already achieved over £38m of savings with another £30m on track for delivery. While this early progress was good, £6m savings were considered at serious risk and £7m of savings were considered to be unachievable in 2017/18 (including nearly £3m each in Early Help and Waste Disposal, plus £1m due to delays in Fire & Rescue Service savings). Whilst £9m of savings had yet to be identified fully, Cabinet Team and Senior Management had held discussions which were progressing.

He also explained that in setting the 2017/18 budget, the council faced significant demand and cost pressures, mostly in social care. The first three months of this financial year had seen pressures intensify above what was expected even a short time ago. For example, in Children's Services, increasing demand was adding a further £9m pressure. In Public Health, retendering of a major contract was adding £2m pressure.

He said that whilst there were some offsetting forecast underspends, such as in Schools and SEND, at this early stage of the financial year and before the council has identified mitigating actions, the combined impact of the lower savings and rising demand was £24m forecast overspend for 2017/18.

He stated that the report showed there was some way to go before a sustainable medium term financial plan was achieved. There were many reasons for the need to restore the financial position and as pointed out by the Section 151 and Monitoring Officers, was the requirement of the Local Government Finance Act to ensure our spending does not exceed our resources. Given the gravity of this forecast position, it was vital that members and officers continue to identify and implement ways to mitigate the impact of savings shortfalls and service pressures. The council needed to

identify and implement alternative savings and cost reductions quickly to address the ongoing issues affecting the 2017/18 budget and the council's future financial sustainability.

Other Cabinet Members were invited to highlight the key points and issues from their portfolios, as set out in the annex to the report.

The resolution was unanimous.

RESOLVED:

That the report be noted, including the following:

1. Early forecast revenue budget outturn for 2017/18, ahead of identifying mitigating actions, was £24m overspend, as detailed in Annex, paragraph 1 of the submitted report. This includes: £9m savings to be identified, £7m savings considered unachievable, and £11m service pressures.

2. Forecast savings for 2017/18 total were £88.5m against £104.0m target, as set out in the Annex, paragraph 28 of the submitted report.

3. The Section 151 Officer's commentary and the Monitoring Officer's Legal Implications commentary, as set out in paragraphs 15 to 18 of the submitted report.

4. That the following revenue budget virements, as detailed in the Annex, paragraph 27 of the submitted report be approved:
 - £6.9m from Central Income & Expenditure to Budget Equalisation Reserve;

 - and
 - £0.12m from Budget Equalisation Reserve for sums carried forward to support corporate apprenticeships.

5. That the following capital budget carry forward, funding adjustment and re-profile requests be approved:
 - £45.9m net movement on the Property service capital budget comprising £10.0m carried forward from 2016/17 and £55.9m rescheduled from 2017/18 to the remaining years of the capital programme, as set out in the Annex, paragraph 45) of the submitted report.

 - £1.0m net movement on the Information Technology and Digital capital

budget, comprising £0.9m carried forward from 2016/17 and £0.1m brought forward from the remaining years of the capital programme, as set out in the Annex, paragraph 46 of the submitted report.

Reasons for Decisions:

This report is presented to comply with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval and action as necessary.

127/17 LEADERSHIP RISK REGISTER [Item 10]

The Cabinet Member for Business and Property Services introduced the Surrey County Council Leadership risk register as at 30 June 2017.

The Cabinet Member for Environment and Highways stated that closer links with borough colleagues be included under L4 on the register.

In response to a query from the Cabinet Member for Health, regarding the retirement of the Chief Executive, the Leader explained that:

- *He had spoken with People, Performance and Development Committee and was to meet with them next week to look at the role of a new chief executive and following that meeting a job description would be drafted.*
- *Potential candidates would be sought for far and wide to ensure quality of candidate and to get the right person for the job.*
- *The process would be open, fair and transparent.*

RESOLVED:

That the content of the Surrey County Council Leadership risk register (Annex 1 to the report) was noted and the control actions put in place by the Statutory Responsibilities Network endorsed.

Reason for Decision:

To enable the Cabinet to keep Surrey County Council's strategic risks under review and to ensure that appropriate action is being taken to mitigate risks to a tolerable level in the most effective way.

128/17 ANNUAL REPORT OF THE SHAREHOLDER BOARD [Item 11]

As part of its strategy to innovate in developing new models of delivery and to benefit from the freedoms introduced by the Localism Act, Surrey County Council had made investments and created trading companies to deliver income and efficiencies and in doing so has established a Shareholder Board, which reports annually to the Council. The purpose of the Board was to safeguard the council's interest as shareholder and to take decisions in matters that required the approval of the Council as owner of a company. The Leader of the Council requested Cabinet approval for the Annual Report of the Shareholder Board, which would be presented to full County Council at its meeting on 10 October 2017.

RESOLVED:

That the Annual Report of the Shareholder Board, attached as Annex A to the submitted report, be endorsed and that the Cabinet present the report to Council at its meeting on 10 October 2017.

Reasons for Decision:

To inform the Council about the activities of the Shareholder Board.

The Shareholder Board has been established in accordance with best practice governance to ensure effective oversight and alignment with the strategic objectives and values of the Council.

129/17 INVESTMENT BOARD ANNUAL REPORT [Item 12]

The Investment Strategy agreed by Cabinet in July 2013 was developed in response to the requirement for the Council to enhance its financial resilience in the longer term. In facilitation of this strategy, Cabinet approved the business case for the creation of a property company and associated subsidiaries in May 2014 in order to achieve a balanced property portfolio (across sectors and geographies) to generate an income for the Council. The property company, Halsey Garton Property Ltd, and its subsidiaries are referred to in this report as “the Halsey Garton Property Group” (HGP).

The Investment Board was created in March 2017 to approve property investment acquisitions, property investment management expenditure, property investment disposals and the provision of finance to HGP for the purposes of the strategy. Prior to this an Investment Advisory Board was in place to make recommendations for Cabinet decision. The annual report details the investment property portfolio and forms part of the changed governance arrangements. A further report providing more detailed portfolio information was provided as a part 2 confidential annex (agenda item 19).

RESOLVED:

That the Annual Report of the Investment Board be endorsed.

Reason for Decision:

To inform the Cabinet about the activities of the Investment Board. The Investment Board are responsible for the delivery of the agreed Investment Strategy. The Investment Strategy was created by the council to deliver an ongoing and resilient source of income to provide financial support to the council's front line services. Investments undertaken as a result of the strategy agreed in 2013 are successfully delivering a net income stream to the council.

130/17 AWARD OF CONTRACT FOR PROPERTY INVESTMENT ADVISORY SERVICES [Item 13]

The Cabinet Member for Property and Business Services introduced the report that explained how Cabinet had reviewed the Investment Strategy in

March 2017 and confirmed its ambitions to grow the investment portfolio further in order to secure an income stream in support of the council's services. It was recognised that the strategy requires the support of a property investment advisor to provide the necessary skills and level of support required to expand the investment portfolio.

This report sought approval to award a contract for Surrey County Council under the Homes and Communities Agency (HCA) Framework Agreement for the provision of property investment advisory services to commence on 1 September 2017 as detailed in the recommendations. The role of the Investment Advisor was to provide resource and necessary skills to undertake strategic property investment advice (Portfolio Management), advice on the acquisition and disposal of assets (Investment Management) and ongoing Asset Management services to support Finance, Property and Legal Services in meeting the objectives set by Cabinet in connection with the revised Investment Strategy.

The Cabinet Member for Property and Business Services highlighted details of the procurement process, including the results of the evaluation process and, in conjunction with the Part 2 report, demonstrated why the recommended contract award delivers best value for money. He also explained that regular monitoring of performance would take place.

The Leader stated that he was pleased there had been the amount of interest shown in this contract with 13 showing initial interest which led to 8 bidders. He also stressed the need to increase the long term income stream for the council.

Due to the commercial sensitivity involved in the contract award process the financial details of the recommended supplier has been circulated as a Part 2 report (agenda item 20).

RESOLVED:

That a contract is awarded to CBRE under the Homes and Communities Agency framework for three years from 1 September 2017 with an option to extend for one year.

Reason For Decision:

In March 2017 Cabinet set out its ambitions for the further growth of the Investment Portfolio and the procurement of a property investment advisor to provide the necessary skills and level of support required. The proposed procurement will support the Council to grow its portfolio and increase the level of income received from investments thereby enhancing its financial resilience over the longer term.

131/17 WINTER SERVICE COST SAVINGS PROPOSALS [Item 14]

Mr Stephen Cooksey was given the opportunity to speak to this item as a Member previously involved with the task group under the previous council. He made the following statements:

- Policy change 2 was rejected by the task group as it was thought that one mini gritter was not enough for the whole county.

- If the grit bins were not surveyed how would it be known if they were being used or needed refilling.
- Policy change 4 should be reviewed after one year to see if it was working.
- That saving recommendation 3 should be removed unless local committees could change officer recommendations.

The Cabinet Member for Highways introduced the report and responded to Mr Cooksey's concerns as follows:

- That the overall season length will be reduced in line with other authorities, but that the ability to react to an early cold spell will be still available.
- The second mini gritter had not been widely used since it was added to the fleet and that routes have sufficient access for larger vehicles except in limited areas where a single mini gritter provides sufficient coverage and therefore felt comfortable having just the one mini gritter.
- Members and the public reported when grit bins were empty and were encouraged to do so. Grit bins reported as needing refilling would be refilled. To stop surveying would save money and wasted journeys.
- That policy changes 4 and 5 needed to be viewed together as each helped to deliver the other. An in-house solution for software to manage grit bins is expected to be in place by next year.
- A full list of routes that no longer meet the criteria as well as suggested changes for each area would be presented to every local/joint committee and not just chairmen, as it was recognised their local knowledge would be valuable in compiling the final gritting routes.
- The recommendations were supported by Environment and Infrastructure Select Committee with a few small amendments.

RESOLVED:

1. That the policy changes, policy amendment and savings recommendation summarised in paragraph 17 of the report be approved.
2. That Environment and Infrastructure Select Committee recommendations as detailed within paragraph 14 of the report be noted.

Reason for Decisions:

To enable savings of £340,000 from the Winter Service Budget identified in the Medium Term Financial Plan to be realised.

132/17 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS/ INVESTMENT BOARD TAKEN SINCE THE LAST CABINET MEETING [Item 15]

This Annex set out the decisions taken by individual Cabinet Members/Investment Board since the last meeting of the Cabinet. Members were given the opportunity to comment on them.

RESOLVED:

To note the decisions taken by Cabinet Members / Investment Board since the last meeting as set out in Annex 1 to the report.

Reason for Decision:

To inform the Cabinet of decisions taken by Cabinet Members / Investment Board under delegated authority.

133/17 EXCLUSION OF THE PUBLIC [Item 16]

RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

134/17 RECOMMENDATIONS FOR AWARDS OF CONTRACTS AND GRANTS TO PROVIDE SHORT BREAKS IN SURREY [Item 17]

The Cabinet Member for Education highlighted the commentary from the S151 Officer.

The decision was unanimous.

RESOLVED:

That contracts and grants be awarded to the providers as detailed in the report for the provision of short breaks services to commence on 1 December 2017.

Reason for Decision:

See Minute 123/17.

Mr Oliver, having declared a prejudicial interest, left the room for this item.

135/17 SUNBURY MANOR SECONDARY SCHOOL, SUNBURY ON THAMES [Item 18]

This Part 2 report, in relation to item 6, contained information which is exempt from Access to Information requirements by virtue of paragraph 3 – Information relating to the financial or business affairs of any particular person (including commercially sensitive information to the bidding companies). The information contained within may not be published or circulated and will remain sensitive until contract award in September 2017.

The decision was unanimous.

RESOLVED:

1. That the business case for the project to expand Sunbury Manor School by 150 additional places, at a total cost, as set out in the Part 2 report be

approved. The academy is providing a contribution, as detailed in paragraph 4 of the submitted report.

2. That the arrangements by which a variation of up to 10% of the total value may be agreed by the Deputy Chief Executive and Strategic Director for Children, Schools and Families, in consultation with the Cabinet Member for Property and Business Services, the Cabinet Member for Education and the Leader of the Council be approved.

Reasons for Decisions:

The proposal delivers and supports the Authority's statutory obligation to provide sufficient school places to meet the needs of the population in Spelthorne Borough.

136/17 INVESTMENT BOARD ANNUAL REPORT [Item 19]

Resolution and Reasons for Decisions – refer to the Part 1 report, item 12.

137/17 AWARD OF CONTRACT FOR PROPERTY INVESTMENT ADVISORY SERVICES [Item 20]

The Cabinet Member for Property and Business Services commended this award of contract to Cabinet stating that it was self financing and fees were proportionate. Members were pleased that quality had been considered above cost during the process.

RESOLVED:

That the information within the Part 2 report be noted, in conjunction with the recommendations made in the Part 1 report (item 13).

Reasons for Decision:

Building on the existing property investment strategy approved in July 2013, in March 2017 Cabinet approved growth of the Investment portfolio and procurement of a property investment advisor to provide the necessary skills and level of support required to expand the portfolio.

138/17 INVESTMENT DISPOSAL [Item 21]

The Leader commended this disposal to Cabinet and it was unanimously agreed.

RESOLVED:

That Surrey County Council sells its investment in the company, as outlined in paragraph 15 of the submitted report and authority be delegated to the Chief Executive to agree such terms for the sale in consultation with the Leader and in consideration of the advice of the Director of Finance.

Reasons for Decision:

The proposed sale of the Council's shares will deliver a capital receipt in support of its capital programme and provide it with an option to take

advantage of the financial flexibility in the use of the receipts for the funding of transformation expenditure should it choose to do so.

139/17 PUBLICITY FOR PART 2 ITEMS [Item 22]

It was agreed that non-exempt information may be made available to the press and public, where appropriate.

Meeting closed at 4.27 pm

Chairman