

LOCAL AUTHORITY TRADING COMPANIES (e.g. Surrey Choices) – wholly or partially owned by the Council to deliver services, income and other benefits such as economic regeneration within the scope of the report as submitted to Cabinet for approval.

Current companies

- Surrey Choices (wholly owned)
- SE Business Services (wholly owned)
- Halsey Garton Property (wholly owned)
- Bandstand Square Developments (partially)
- Babcock 4S (partially)
- TRICS Consortium (partially)
- FutureGov (partially)
- Municipal Bonds Agency (minority)

Shareholder Board

- Leader
- Deputy Leader
- Cabinet Member for Business Services & Resident Experience
- Chief Executive

Advisers

- Deputy Chief Executive
- Director of Finance (s151)
- Director of Legal & Cultural Services (Monitoring Officer)
- Strategic Finance Manager (Secretary to the Board)

Governance

Cabinet – takes the decision to create or invest in a trading company based on a business case. These decision are subject to the normal council scrutiny processes.

Shareholder Board – responsible for taking decisions on behalf of the council where these are of a more strategic nature. Its specific reserved powers are outlined in each of the companies' Articles of Association. Approves annual business plans

LATC Directors – control of the day-to-day operation of the company (something that the council cannot do)

Service Commissioners – monitor and evaluate the performance and quality of commissioned services provided on behalf of SCC by a LATC (commissioner – provider relationship)

Audit & Governance Committee receives audit reports for the companies 100% owned by the Council.

Scrutiny

Council Overview Board can scrutinise the Shareholder Board in respect of the performance of the Companies, including end of year accounts, for which the Council is the majority shareholder. It may also review the performance of and hold to account any trading companies established by the County Council.¹

¹ Part 2, Article 7, Constitution of Surrey County Council, May 2015

Individual Scrutiny Boards are able to call the directors of the LATC to account for the quality and ability of the LATC to deliver those statutory services it has been commissioned to provide.

Service Scrutiny Boards may also review the performance management systems of the services within their remit which may include the contract monitoring of an LATC e.g. Adult Social Care's commissioning of Surrey Choices.

INVESTMENT STRATEGY (e.g. Property Investment)

Investment Advisory Board (IAB)

Members:

- Leader
- Deputy Leader
- Cabinet Member for Business Services & Resident Experience
- Cabinet Member for Adult Social Care
- Cabinet Associate for Assets & Regeneration
- Chief Executive

Advisers:

- Director of Finance (s151 Officer)
- Director of Legal & Cultural Services (Monitoring Officer)
- Chief Property Officer
- Strategic Finance Manager (Board Secretary)

The IAB is responsible for providing appropriate evaluation of opportunities (including business cases), prior to Cabinet approval and for the strategic management of the overall portfolio of investments consistent with the aims of the Investment Strategy. The IAB will also regularly review actual outcomes of each investment.

Scrutiny

Currently, the Chairman of COB receives, on request, copies of the minutes and reports of the IAB as part of a recommendation made by COB in June 2016.

Following any recommendation made by the IAB to Cabinet to acquire a property this decision becomes subject to the normal council scrutiny processes.

INVESTMENT PANEL (all large revenue and capital decisions)

Membership

Director of Finance (chair)

Chief Property Officer

Chief Internal Auditor

Head of IT & Digital

Two front line service directorate representatives drawn from Council Performance Team (CPT)

Purpose

The Panel is an officer panel that supports and assures the cabinet in making decisions on capital and large revenue investments. The panel scrutinises and reviews business cases for capital schemes and *Invest to Save* proposals with the aim of ensuring robust business cases support project proposals, so ensuring value for money.

If the business cases are to be added to the next five year capital programme they must be first approved by the Capital Working Group. This must be prepared and submitted in the autumn, during budget setting, prior to Full Council approving the five year medium term financial plan (MTFP) in February. To join the in-year programme business cases for consideration by the Capital Working Group and approval by Cabinet on an individual basis.

Once Cabinet has included a scheme in the capital programme, a business case must go to the Investment Panel before Cabinet considers a report to approve an option and commence the project.

The Director of Finance may also approve shorter business cases for capital or *Invest to Save* schemes below £100,000. Any capital or *Invest to Save* scheme over £100,000 in value needs a business case for Investment Panel to agree.

Scrutiny

Business cases considered by the Investment Panel and added to the capital programme are added to the Cabinet Forward Plan and are then subject to normal scrutiny processes by the relevant Scrutiny Board.

JOINT PUBLIC PARTNERSHIPS

ORBIS²

Surrey County Council, East Sussex County Council and Brighton & Hove City Council have entered into a partnership to create an integrated business services organisation that will provide Human Resources and Organisational Development, Property Services, Technology & Information, Procurement, Finance and Business Operations.

Governance

Cabinet(s) retains responsibility for setting the budget for Orbis, agreeing entry of new partners to Orbis.

The Orbis Joint Committee has delegated powers to oversee the delivery of the Orbis services, approve its business plan and performance measures. It may also make recommend proposals to meet the Orbis budget set by the respective councils.

Arrangements are underpinned by an Inter-Authority Agreement.

Scrutiny

The Council Overview Board may review the performance of Orbis and make recommendations to the Surrey County Council Cabinet. It has a role in coordinating scrutiny of Orbis with its equivalent committee at East Sussex County Council – Audit & Best Value.

ORBIS PUBLIC LAW

Orbis Public Law is a new partnership between the legal services of Brighton & Hove City Council, East Sussex County Council, Surrey County Council and West Sussex County Council. The team provides local government expertise and can assist with matters relating to all areas of law.

Governance

Decision making is delegated to the Orbis Public Law Joint Committee as per part 3 of the constitution. There is one member per constituent authority. The Orbis Public Law Joint Committee oversees the delivery of the services delivered jointly through the Orbis Public Law partnership of the Councils ('OPL'). It can recommend proposals to meet the annual budget for OPL, set by each of the Councils. Approve the OPL Business Plan and performance measures. Monitor the OPL Business Plan and performance of OPL and make recommendations to the constituent authorities regarding revisions to the Terms of Reference of the Orbis Public Law Joint Committee.

² Surrey County Council, Cabinet papers, <https://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=462&MId=4848&Ver=4> (28/09/2015).

Scrutiny

The Council Overview Board may review the delivery of Orbis Public Law and make recommendations to the Surrey County Council Cabinet. Decisions could also be called-in by Council Overview Board.

TRADING STANDARDS SERVICE³

This is a joint trading standards service comprising SCC and Bucks CC hosted by SCC and is overseen by a joint committee.

Governance

Cabinet retains responsibility for deciding to permit new organisations to join the partnership and determine the membership of the Joint Committee.

Buckinghamshire County Council & Surrey County Council Joint Trading Standards Service Committee has delegated executive powers from both Councils formerly discharged by the previous Trading Standards Services such as agreeing performance measures, budget and service variations.

Arrangements are underpinned by an Inter-Authority Agreement.

Scrutiny

The Resident Experience Board may scrutinise the performance and quality of the Trading Standards Service.

SURREY WASTE PARTNERSHIP

This partnership sets targets for recycling, reducing and managing waste in the most sustainable and cost-effective way. The partnership has no powers or delegated authority from Surrey's local authorities.

The strategy is managed by the Surrey Waste Partnership which is made up of:

- The 11 borough and district councils who are responsible for collecting household waste.
- Surrey County Council who is responsible for disposing of this waste.

Governance

³ Surrey County Council, Cabinet papers, <https://mycouncil.surreycc.gov.uk/ielIssueDetails.aspx?IId=11241&PlanId=0&Opt=3#A17740> (21/10/2014).

Currently there is a two tier system of decision making which reflects the split in roles and responsibilities between the County Council and the Districts & Boroughs.

Scrutiny

The Economic Prosperity, Highways and Environment Board may scrutinise the delivery of the waste strategy and has a reference group tracking the proposals for a new single approach to waste in Surrey which is scheduled for a Cabinet decision in December 2016.

LOCAL ENTERPRISE PARTNERSHIPS (Enterprise M3⁴ & Coast to Capital⁵)

Governance

These strategic partnerships are voluntary and aim to drive economic and employment growth.

The Department for Communities and Local Government sets flexible requirements and standards for discharging of Local Growth Funds through Local Enterprise Funds' Growth Deals but does not set the structure of the LEP.

Locally the two LEPs have assurance frameworks and are overseen by a Board with membership drawn from the private and public sector of that area. These both in practice operate differently.

In Surrey the Leader is on the Board of Coast to Capital and the Deputy Leader on Enterprise M3. These Boards are responsible for the oversight of the LEP and its strategic direction, financial probity, supervising activity and ensuring accountability. The reports and minutes of the Boards are public unless they are confidential and published on the LEPs websites.

Coast to Coast operates a Board structure as above, M3 adds a Joint Leaders Board drawn from the leaders of all 16 local authorities plus their Chief Executive to further strengthen governance and help deliver the strategic economic plan.

Scrutiny

COB can hold the Leader and Deputy Leader to account through scrutiny of their portfolio. They could be questioned on their roles on the LEP Boards and what they have achieved. The bids for funding from the Growth Fund are approved by Cabinet and could be part of scrutiny undertaken by the Economic Prosperity, Environment and Highways Board who could also review the impact of these bids.

⁴ <https://www.enterprisem3.org.uk/the-board>

⁵ <http://www.coast2capital.org.uk/about-us/coast-to-capital-board.html>

OTHER STATUTORY & NON-STATUTORY PARTNERSHIPS

Statutory Safeguarding Boards

These boards have strategic roles and are made up of statutory partners from the local authority, health and the police among others.

Section 13 of the Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals (other than the local authority) that should be represented on LSCBs. In order to provide effective scrutiny, the LSCB should be independent. It should not be subordinate to, nor subsumed within, other local structures. The Chief Executive appoints an independent Chair and holds them to account.

The Care Act 2014 made Safeguarding Adults Board statutory though Surrey had long operated a Board. The guidance in this case states that although it is not a requirement, the local authority should consider appointing an independent chair to the SAB who is not an employee or a member of an agency that is a member of the SAB.

Annual reports are submitted to the local authority chief executive and leader are considered by the Cabinet and Scrutiny Boards as appropriate.

Corporate Parenting Board⁶

Forms part of the governance structure of Children's Services so its effectiveness could be reviewed by the Social Care Services Board which already receives the annual corporate parenting report and strategy.

Health and Social Care Integration

The latest phase of health and social care integration in England is the Sustainability and Transformation Plan (STP). There are three plans which affect Surrey:

- Surrey Heartlands (contained within local authority boundaries)
- Sussex and East Surrey (includes East & West Sussex County Councils and Brighton & Hove City Council)
- Frimley (includes Berks, Hants, Bracknell Forest, Windsor & Maidenhead and Slough)

These are NHS operational plans, though there is an expectation of Local Authority engagement and involvement.

Governance

⁶ http://snet.surreycc.gov.uk/snet/snetpages.nsf/LookupWebPagesByTITLE_RTF/Corporate+parenting+board+--+latest+news+and+events?opendocument

Each STP has a lead accountable officer.

Governance arrangements for the STPs are not defined in regulations or statute. Department of Health guidance does articulate that the STP is a joint plan across sovereign organisations, and does not replace individual organisation governance arrangements.

Surrey Heartlands has established a Committee-in-Common to agree its plan. Cabinet delegated authority to the Cabinet Member for Health and Wellbeing, Chief Executive and Strategic Director for Adult Social Care and Public Health to act as Council representatives for this Committee-in-Common.

Cabinet delegated authority to the Chief Executive, in consultation with the Leader of the Council and Cabinet Member for Wellbeing and Health, to sign off the Frimley Health and Care and Sussex and East Surrey Sustainability and Transformation Plan submissions and associated delivery plans on behalf of the Council through its membership of the relevant Sustainability and Transformation Plan Transformation / Programme Boards.

Engagement with the other STP footprints has been varied and formal arrangements are still in the process of being defined.

Scrutiny

The model for scrutiny is currently under development with the Council's Wellbeing and Health Scrutiny Board seeking a formal regional approach to retain oversight of the plans.

3SC

Devolution falls under the current remit of COB.

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