

SECTION B
LEADER'S SCHEME OF DELEGATION OF
EXECUTIVE FUNCTIONS

GENERAL

No individual Cabinet Member shall have power to act as an individual except in cases of urgency relating to an Executive Function which falls within that Cabinet Member's portfolio.

1. Cabinet Terms of Reference

- 1.1 To act as the main focus of day-to-day political leadership and decision making, as well as of democratic accountability, at corporate level.
- 1.2 To carry out all the local Authority's functions which are not the responsibility of any other part of the local Authority, whether by law or under the Constitution.

1.3 To propose to the Council:

1.3.1 the Council's Guiding Principles;

1.3.2 the key policies, and associated resource strategies, which comprise the Council's policy framework, as well as changes to that framework, including:

- (a) The Council's Strategic Plan (Improvement Plan) and Performance Improvement Plan (Annual Performance Report);
- (b) The Council's Annual Revenue and Capital Budgets, and levels of Council Tax.

Comment: Amended titles

taking advice from the ~~appropriate Overview and Scrutiny committee, interested agencies or groups, the local community, and others, as~~ appropriate;

Deleted: Co-ordinating Committee or

Comment: No longer exists

1.3.3 ~~upon any matter relating to any of the Council's powers and functions.~~

Deleted: or

Comment: Grammatical change

1.4 To guide Cabinet Members and Directors on:

1.4.1 policy development, co-ordination, and implementation;

1.4.2 determination of relative priorities for action; and

1.4.3 the effective and efficient operation of the Council, and of its various services.

- 1.5 To ensure effective implementation of the Council's strategies and plans, including monitoring and reviewing performance, and considering the need for major changes in delivery or new developments to improve service standards and quality.
- 1.6 To receive reports from appropriate officers of the Council, and/or Cabinet Members, on significant matters requiring consideration/decision, and/or proposals for new or amended policy and its implementation.
- 1.7 To have discretion to seek the advice or comments, of the Overview and Scrutiny Committees, and other relevant bodies, in relation to significant matters before making a decision.
- 1.8 To establish standing Cabinet Committees, where appropriate, as a means of transacting more efficiently discrete aspects of the work of the Cabinet.
- 1.9 To appoint (on a task and finish basis) ad hoc panels to assist in a key aspect of policy development, consisting of officers working with the relevant Cabinet Members.
- 1.10 To establish topic forums to promote dialogue with, and partnership working on, matters of significance to the Council, the community, and other key local organisations which work closely with the Council.

Deleted: Co-ordinating Committee and/or

Comment: No longer exists

2. Names and Electoral Divisions of the Leader and Other Cabinet Members Appointed by the Leader and their Portfolios

- 2.1 The Cabinet will take decisions collectively as a group, (although individual Cabinet Members may take decisions individually in an emergency, as set out in paragraph 3 below).

The individual Cabinet Members listed below are allocated personal portfolios of responsibility. (These individual portfolios may be changed by the Leader at any time). The individual Cabinet Members will each work closely with, and take professional advice from, a range of senior officers within the Authority, as appropriate to their particular responsibilities, with the ability to convene meetings of such staff as needed. Each portfolio holder also will liaise with, consult and inform other Cabinet Members on individual matters likely to affect their portfolios.

2.1.1 Name of Leader: **County Councillor Aaron Shotton**
 Electoral Division: **Connah's Quay Central**
 Portfolio and Functional Area of Responsibility: **Chair of the Cabinet, Finance**

Deleted: , Regeneration, Enterprise

Deleted: and Assets

2.1.2 Name of Deputy Leader: **County Councillor Bernie Attridge**
 Electoral Division: **Connah's Quay Central**
 Portfolio and Functional Area of Responsibility: **Environment**

- 2.1.3 Name: **County Councillor Christine Jones**
Electoral Division: **Sealand**
Portfolio and Functional Area of Responsibility: **Social Services**
- 2.1.4 Name: **County Councillor Chris Bithell**
Electoral Division: **Mold East**
Portfolio and Functional Area of Responsibility: **Education**
- 2.1.5 Name: **County Councillor Kevin Jones**
Electoral Division: **Bagillt East**
Portfolio and Functional Area of Responsibility: **Waste Management Strategy, Public Protection & Leisure**
- 2.1.6 Name: **County Councillor Helen Brown**
Electoral Division: **Aston**
Portfolio and Functional Area of Responsibility: **Housing**
- 2.1.7 Name: **County Councillor Billy Mullin**
Electoral Division: **Broughton North East**
Portfolio and Functional Area of Responsibility: **Corporate Management**

2.1.8 Name: **Councillor Derek Butler**
Electoral Division: **Broughton South**
Portfolio and Functional Area of Responsibility: **Economic Development**

3. Delegations of Executive Functions to Cabinet Members

Normally, decisions will be taken collectively by the Cabinet, but individual Cabinet Members can take decisions within their portfolios which they consider to be urgent to protect the interest of the Council, subject to prior consultation with the Leader or Deputy and the Chief Executive or the appropriate Director(s) and, where necessary, other Cabinet Members. If there is uncertainty as to whether a matter falls within a particular portfolio, the Leader will make a determination as to which is the relevant Cabinet Member. The Leader can take urgent decisions in the absence of the appropriate portfolio holder.

4. Delegation of Executive Functions to Officers

4.1 There are delegated to Chief Officers, under Section 15 of the Local Government Act 2000, functions within their responsibility, in the terms set out in Sections A and C of Part 3 of this part of the Constitution.

4.2 Social Services

The statutory responsibilities of Director of Social Services are in Flintshire discharged by the Director of Community Services and that post holder has responsibility for both Children's Social Services and Adult Social Care.

Deleted: In view of the fact that, under the Council's organisational structure, Social Services functions are allocated between Adult Social Care and Education, Recreation and Children's Services and due to the fact that it is a statutory requirement to designate a Director of Social Services, the designated Director shall be the Director of Adult Social Care and the allocation of Social Services functions is set out in the attached protocol at Appendix 1 to this Section. ¶

4.3 Recording of Officer Decisions

Following consultation and in accordance with arrangements agreed with the appropriate Cabinet member, officer delegated decisions of Executive functions shall be recorded and reported to Cabinet.

Comment: Deleted in view of the fact that under the Council's organisational structure Social Services functions are allocated between Adult Social Care and Education & Recreation due to the fact that it is a statutory requirement to designate

Comment: Updated as Social Services functions are no longer split between Adult Social Care and Education.

5. **Appointments to Bodies undertaking or advising upon Executive Functions**

Members will be appointed to the following bodies:-

5.1 **Adoption Panel**

Comprises two Flintshire members, two Wrexham members, two representatives from BCUHB and four independent members.

Deleted: Decisions taken by officers under delegated Authority will be open to scrutiny, and a sufficient record will be made of such decisions, in order that they may be available for consultation if required and for ensuring that all those who need to know are informed promptly of the decision.

Comment: The current wording is ambiguous and confusing.

Terms of Reference:

- (a) To make recommendations in respect of the following to the Head of Children's Services.
 - (1) to consider each application for approval and to recommend whether or not a person is suitable to act as a foster parent;
 - (2) where it recommends approval of an application to recommend the terms on which the approval is given, for example, as to the numbers and ages of children, or whether the approval relates to any particular named child, or to any particular type of placement;
 - (3) to recommend whether or not a person remains suitable to act as a foster parent, and whether or not the terms of his approval remains appropriate;
 - (i) on the first review
 - (ii) on the occasion of any other review when requested to do so by the fostering service provider.

5.2 **Foster Care Panel**

This comprises five Flintshire members, 3 representatives from BCUHB and four independent members.

Terms of Reference:

- (a) To make recommendations in respect of the following to the Head of Children's Services:-

- (1) whether fostering is in the best interests of a child;
- (2) whether applicants are suitable to be approved as foster parents; and
- (3) whether approved fosters are suitable to be adopters for a child.

5.3 Children's Forum

This comprises the Cabinet Members for Education, Social Services, Housing and Corporate Management, one Member from each political group and other persons as determined by the Cabinet at its meetings of the 1 August 2006 and 13 December 2011.

Terms of Reference:

1. Ensuring that the Chief Executive and Cabinet Members are involved in setting priorities and strategic direction for vulnerable children, specifically children on the Child Protection Register and children looked after.
2. Ensuring that the Chief Executive and Cabinet Members are well informed about the progress and well-being of vulnerable children for whom the Authority holds significant responsibility.
3. Overseeing the Authority's development of a robust approach to corporate parenting.

5.4 It has been decided to carry on with the following Boards:-

- Health & Safety
- Single Status

a) **The Health & Safety Board**

Terms of Reference:

1. To inform Cabinet decisions and authorise necessary action
2. Raising our profile and development of relationships between all departments
3. Sharing of information eg. topical health & safety issues nationally and corporately
4. Forum for learning from shared experience and ideas
5. Forum for providing advice
6. Forum for establishing mutually agreed standards, policies and practices (encouraging ownership, consistency)
7. Help avoid 'duplication'
8. Forum for monitoring safety standards
9. Forum for benchmarking

Deleted: and reinvention of wheels

b) **Single Status Board**

Terms of Reference:

To provide strategic direction, guidance and support in the implementation of Single Status and associated matters.

The Boards will comprise:

One member from each political group plus the Cabinet member for Corporate Management and relevant officers. The Leader will also attend all Board meetings, diary permitting.

5.5 Planning Strategy Group

Eleven members comprising the Cabinet Member responsible for Town & Country Planning, members of the Planning and Development Control Committee and relevant officers. The working group may co-opt other members from time to time.

To make recommendations to Council, Cabinet, the Cabinet Member for Environment, Environment Overview & Scrutiny Committee, Constitution Committee, Planning and Development Control Committee or to the Head of Planning, as appropriate, in relation to:-

1. Improvements to the planning process within Flintshire including alterations to the Flintshire Planning Code of Practice, the workings of the Planning and Development Control Committee and the procedures for dealing with the various types of application processed by the Planning Service.
2. Review the performance of the Planning Service.
3. Monitor and consider the findings and implications from planning appeal decisions.
4. Establish and review Member and officer planning training programmes.
5. Lead the progression of the Local Development Plan and the production or amendment of planning policies or planning guidance.
6. Respond to consultations from Welsh Government on matters relating to Planning where timescales permit.
7. Provide a forum for improved links with other services critical to the Planning Service such as Housing, Welsh Water/Dwr Cymru or to the soon to be established Single Environment Body.
8. Any topics referred to it by the Planning and Development Control Committee or the Chair of that Committee, County Council, or Overview and Scrutiny Committee, or by the Constitution Committee, or Cabinet Member, or by the Head of Planning, or by the Head of Legal and Democratic Services.

5.6 The Joint Consultative Committee

This committee comprises eighteen members comprising nine employer representatives and nine employee representatives and

relevant officers.

Terms of Reference:

To foster good industrial relations and facilitate communications within the Council through a Forum for consultation on corporate issues between representatives of elected Members of the Council and Trade Union representatives from each of the main recognised Trade Unions represented at Flintshire.

5.7 The Education Consultative Committee

The membership of this committee comprises eighteen members, nine from the Local Education Authority and nine Union representatives, together with relevant officers.

Terms of Reference:

Consultative forum between the Council and education staff regarding staff issues and any other relevant matters and to make recommendations to the Council.

5.8 School Performance Monitoring Group

The membership of this is the Cabinet member for Education, the Chair of Lifelong Learning Overview & Scrutiny, the co-opted members of Lifelong Learning Overview & Scrutiny and relevant officers.

Terms of Reference:

1. Key stage results
2. Other attainment information, including outcomes for "vulnerable" learners.
3. Estyn reports
4. Welsh Government banding information
5. Attendance
6. Exclusions
7. School contexts and contextualised performance.

5.9 Tenant Working Group

The membership is the Cabinet member for Housing plus three other members, the Chair of the Tenant Federation and three other tenants and relevant officers.

Terms of Reference:

1. To implement the Customer Involvement Strategy and action
2. Receive progress reports
3. Annually review the Customer Involvement Strategy

5.10 The Voluntary Sector Grants Panel

Membership is eight members and relevant officers.

Terms of Reference:

To provide recommendations to the Chief Executive on Council funding from the £21K available in the community chest fund to third sector organisations.

5.11 Inclusion Service Steering Group

The membership comprised two members, Inclusion Service Management Team, Primary, Secondary and Special School Headteachers, Primary & Secondary ALNCos, Parent Partnership representatives.

Terms of Reference:

To review and monitor service policy, provision, delivery and efficiency.

5.12 Welsh in Education Strategic Forum

This forum comprises Menter Iaith, Mudiad Meithrin, Director of Lifelong Learning, Principal Primary Officer, Principal Secondary Officer, Cabinet member for Lifelong Learning, Ysgol Maes Garmon – representing Welsh Secondary, St Richard Gwyn Catholic High School – representing Catholic Schools, Ysgol Gwenffrwd – representing Flintshire Welsh Primary Schools, Ysgol Penarlq – representing Flintshire English Medium Schools, Acting Headteacher – Ysgol Croes Atti, Menter Iaith Sir – Flint, Coleg Cambria, SWFFLAG, Flintshire Governors Association, Urdd and relevant officers.

Deleted: parent representative, Children & Young People's Partnership,

Deleted: Athrawon Bro, 2 Headteachers, 3 Principal Learning Advisers, Head of Development & Resources, Governor representative, Pupil Support Manager, College representative

Terms of Reference:

1. To agree, implement and review a coordinated approach that best delivers the requirements of the Welsh Government's Welsh-medium Education Strategy.
2. To be responsible for the delivery of the action plan incorporating seven key outcomes.
3. To monitor, evaluate and consider the impact of the delivery of the action plan in raising standards in Welsh first and second language.
4. Forum representatives are expected to consult with and feedback to their respective associate stakeholders.

6. Joint Committees

Joint Committee	Function	Name of Members Allocated
Clwydian Range AONB		Councillor Nigel Steele-Mortimer Councillor Carolyn Thomas Councillor Nancy Matthews

7. **TAITH**

The Cabinet has established a joint committee known as 'Taith' with Gwynedd County Council, Conwy County Borough Council, Denbighshire County Council and Wrexham County Borough Council. The aims of Taith are to develop and adopt a transport strategy and subsidiary strategies for the areas of the member Authorities. The Committee consists of two elected Councillors from each of the member Authorities. The Cabinet has delegated authority to Taith to make decisions, enter into contracts and incur expenditure in pursuance of the aims, and in accordance with the constitution of Taith.

8. **The North Wales Trunk Road Agency Joint Committee**

The Cabinet has established a joint committee known as 'The North Wales Trunk Road Agency Joint Committee' with Conwy County Borough Council, Denbighshire County Council, Wrexham County Borough Council, Gwynedd County Council and the Isle of Anglesey County Council. The Committee consists of two elected Councillors from each member Authorities. The Cabinet has delegated responsibility to the Joint Committee for supporting Gwynedd Council (as lead Authority) and the other member Authorities in delivering services pursuant to an agency agreement between the National Assembly for Wales and Gwynedd Council, relating to the maintenance and improvement of trunk roads in the areas of the member Authorities, in accordance with the constitution of the Joint Committee.

9. **North Wales Residual Waste Joint Committee**

The Cabinet has established a joint committee known as the North Wales Residual Waste Joint Committee with Conwy County Borough Council, Denbighshire County Council, Gwynedd County Council and Isle of Anglesey County Council. The Committee consists of two elected Councillors from each authority (one voting and one non-voting). Flintshire County Council is the lead authority and has entered into an inter-authority agreement with the other four authorities which sets out the constitution of the Joint Committee and its decision making powers.

10. **Regional School Effectiveness and Improvement Service Joint Committee (RSEIS)**

At its meeting on 18 September 2012 the Cabinet confirmed the establishment of this Joint Committee of the 6 North Wales Local Authorities and its membership and proposed terms of reference were detailed in the report to that meeting. Each of the 6 Authorities is represented by one member and its chief education officer on the Joint Committee.

