



Meeting of the City Council

28 January 2015

Report title	Changes to the Constitution	
Referring body	Standards Committee, 8 January 2015	
Councillor to present report	Cllr Ian Brookfield	
Wards affected	All	
Cabinet Member with lead responsibility	n/a	
Strategic director	Kevin O'Keefe – Director of Governance	
Originating service	Democratic Services	
Contact employee(s)	Carl Craney	Democratic Services Officer 01902 555046 carl.craney@wolverhampton.gov.uk
Report to be/has been considered by	Constitution Review Group	14 October 2014
	Special Advisory Group	5 November 2014
	Pensions Committee	10 December 2014
	Standards Committee	8 January 2015

Recommendation(s) for action or decision:

The Council is recommended to:

approve the changes to the Constitution in respect of Parent Governor representatives on the Children and Young People Scrutiny Panel and the governance arrangements of the Local Government Pension Scheme as administered by the Council under delegation to the Pensions Committee as detailed in the appendices to the respective reports (as amended) and specifically as follows:

1. To include details of the role and responsibilities of local authority parent governor representatives appointed to the Children and Young People Scrutiny Panel.
2. That a maximum of two parent governor representatives to be appointed or re-appointed to the Children and Young People Scrutiny Panel at Annual Council.

3. To require co-opted members, church representatives and parent governor representatives to sign and abide by the Councillors Code of Conduct as a condition of being a member of the Children and Young People Scrutiny Panel.
4. The eligibility conditions for parent governor representative at maintained schools to stand for election, as a local authority parent governor representative.
5. To give authority to the Monitoring Officer to appoint a returning officer to make all the necessary arrangements and to determine all matters relating to the holding of an election of a parent governor representative, where there is a vacancy.
6. To give discretion to the returning officer not to arrange a ballot for a vacancy where the places to be filled is equal to or exceeds the number of parent governor representatives candidates for election.
7. To appoint parent governor representative for a maximum period of two years following an election and confirmation at annual Council.
8. To state that parent governor representatives can, at the discretion of the Chair and Vice Chair of the Children and Young People Scrutiny Panel in consultation with the Director of Governance, be disqualified if they do not attend panel meetings for a period of six months.
9. a) Those amendments required to the Constitution under the Public Service Pensions Act 2014;
b) Those amendments which are ancillary to those required under the Public Service Act 2013;
c) Those amendments requested in order to facilitate good governance and efficient operation of the West Midlands Pension Fund;

1.0 Purpose

- 1.1 This report seeks the endorsement of changes to the Constitution in respect of of Parent Governor representatives on the Children and Young People Scrutiny Panel and the governance arrangements of the Local Government Pension Scheme as administered by the Council under delegation to the Pensions Committee

2.0 Background

- 2.1 The Standards Committee, at the meeting held on 8 January 2015 considered suggested amendments to the Constitution in respect Parent Governor representatives on the Children and Young People Scrutiny Panel and the governance arrangements of the Local Government Pension Scheme as administered by the Council under delegation to the Pensions Committee. A link to the respective reports are set out below:
<http://wolverhampton.moderngov.co.uk/ieListDocuments.aspx?CId=200&MId=4371&Ver=4>
- 2.2 With regard to the disqualification of parent governor representatives the suggested wording was amended by the Standards Committee with responsibility for discretion to disqualify a parent governor who does not attend panel meetings for a period of six months being granted to the Chair and Vice Chair of the Children and Young People Panel in consultation with the Director of Governance (recommendation 8 above refers).

3.0 Financial implications

- 3.1 There are no direct financial implications associated with the proposed amendments pertaining to Parent Governor representatives.
- 3.2 There are direct financial implications for West Midlands Pension Fund resulting from the governance amendments relating to pensions, specifically the costs of training and servicing the Pension Board. These will be reflected in the Fund's Service Plan 2015 – 2020.
- 3.3 The proposed changes to the Constitution will further clarify the financial governance and procedural rules that underpin the Fund's ability to operate effectively and efficiently. [CN/20012015/V]

4.0 Legal implications

- 4.1 The proposed changes to the Council's Constitution comply with the requirements of the Parent Governor Representatives (England) Regulations 2001 and national guidance parent governor representatives on local authority scrutiny committees (2005) published by the Centre for Public Scrutiny.
- 4.2 The 2013 Act requires local government pension schemes to have established the Pensions Board by 1 April 2015. Further, Section 37 of the Local Government Act 2000 requires local authorities to have in place a constitution detailing the governance of the authority including those with decision making powers and responsibilities. Failure to adhere to these requirements exposes the Council to significant challenge and potential interference from the Secretary of State. [RB/19012015/A]

5.0 Equalities implications

5.1 There are no equalities implications arising from the recommendations contained in this report.

6.0 Environmental implications

6.1 There are no environmental implications arising from the recommendations contained in this report.

7.0 Human resources implications

7.1 There are no human resources implications arising from the recommendations contained in this report.

8.0 Corporate landlord implications

8.1 There are no corporate landlord implications arising from the recommendations contained in this report.

9.0 Schedule of background papers

9.1 Reports to Standards Committee – 8 January 2015