

## **ARTICLE 11 – OTHER ARRANGEMENTS**

### **11.1 Introduction**

- (a) For the purposes of discharging some of its executive and non-executive functions the Council has various powers to enter into arrangements:
  - (i) with any person or body to joint discharge such functions; and/or
  - (ii) for the exercise of those functions on its behalf and/or on behalf of others.
- (b) Further details relating to these arrangements are set out in Part 1 of this Article.
- (c) In some cases, the Council has a statutory duty to make arrangements for the creation of various bodies that are not actually Committees, but which exercise powers that directly or indirectly relate to some of the Council's functions. Further details relating to such bodies is set out in Part 2 of this Article.
- (d) The Council also has / operates various informal partnerships/arrangements with other external bodies. Some of these are identified in Part 3. This list is not intended to be comprehensive.

## **PART 1 – JOINT ARRANGEMENTS**

### **11.2 Joint Arrangements**

- (a) The approval of Full Council and/or the Executive will be required for the entering into of Joint Arrangements.
- (b) The nature of the joint arrangements made will vary according to the circumstances.
- (c) Some arrangements will be contractual in nature and will require the delivery of specified outcomes.
- (d) The Council may also establish joint arrangements with one or more local authorities or with the executive of any such authority to exercise functions of any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a joint committee with any such other local authority.
- (e) Details of various joint arrangements including delegated powers and powers of recommendation (where appropriate) appear in the appendix to Part 1 of this Article.

### **11.3 Access to information**

The Access to Information Procedure Rules in Part 2 of this Constitution will generally apply to a Joint Committee to the extent as provided for in that Part.

#### 11.4 **Contracting out**

The Council 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 unless legislation otherwise expressly allows.

### **Appendix to Part 1 Joint arrangements**

#### 11.5 **DORCHESTER MARKETS INFORMAL JOINT PANEL**

- (a) This Panel will carry out its functions subject to the Lease dated 26 June 2001 to T. Ensor and Son (Dorchester) Limited and any subsequent variation, renewal or replacement of that Lease.
- (b) Constitution. Six (6) elected members to be appointed by the Dorchester Town Council. Eight (8) Members of the Council, of whom two (2) should represent wards wholly or mainly within the area of the former Dorchester Borough Council (except where such appointment would result in an appointee being a member of the town council). Where such an appointee subsequently becomes a member of the Dorchester Town Council that member shall cease to be a member of the Informal Joint Panel and Dorset Council shall then consider the appointment of an alternative member not being a member of the town council.
- (c) Previous operational duties of the Panel (now currently exercised by T. Ensor and Son (Dorchester) Limited under the terms of their Lease)
  - (i) Day to day control and management of the markets and tolls at the sites and locations on which the same are existing or entitled at the 1st October 1978.
  - (ii) Hours of opening.
  - (iii) Arrangement of stalls.
  - (iv) Agreements and licences for market tenants.
  - (v) Insurance pertaining to Market days.
- (d) Duties of the Panel that are still to be exercised by the Panel
  - (i) Appointment to the posts of Clerk of the Markets and Deputy Clerk of the Markets and other markets personnel.
  - (ii) The settlement of financial matters, review of rents, fees, tolls and charges relating to the market operation, subject to the budget and

other arrangements referred to in the 1984 Agreement relating to Dorchester Market.

- (iii) Frequency of meetings and times.
- (e) Duties of the Panel that are now to be exercised in conjunction with Dorset Council or Town Council
  - (i) Grant or renewal of leases, tenancies, etc. for periods not exceeding 3 years.
  - (ii) Matters affecting food hygiene and food safety. (NB: Subject to the powers and duties of Dorset Council under the relevant statutes and at common law).
  - (iii) Extension of days on which markets operate.
  - (iv) Arrangements for market and car parks on market days.
  - (v) Financial regulations and audit.
  - (vi) the making of byelaws and regulations governing the use of the market.
  - (vii) Prosecution under market byelaws and legal proceedings within the purview of the committee subject to proper legal advice.
  - (viii) Insurance pertaining to non-Market days.

#### 11.6 THE STOUR VALLEY AND POOLE PARTNERSHIP JOINT COMMITTEE

- (a) The Stour Valley Partnership Joint Committee (“the SVPPJC”) is established between the Council and Bournemouth Christchurch and Poole Council (“the Participating Councils”). In the case of this Council, Members are Executive Members.
- (b) The constitution of the SVPPJC is set out in the Stour Valley and Poole Partnership Agreement of 1 April 2014 and as amended.
- (c) The functions delegated to the SVPPJC by the Participating Councils are set out in the Delegated Functions Pro forma attached to the Collaboration Agreement, which are as follows. Save as otherwise mentioned the SVPJC's functions shall comprise the statutory functions of each of the Participating Councils under each of the following enactments (which for the avoidance of doubt shall include any modification or re-enactment of the same and all subordinate legislation made under the relevant enactment):
  - (i) Collection of Local Taxes - Local Government Finance Act 1992;
  - (ii) Business Rates - Local Government Finance Act 1988;
  - (iii) Housing Benefits - The Social Security Contributions and Benefits Act 1992;
  - (iv) Sundry debtor recovery;

- (v) On-street and off-street parking enforcement – Bournemouth Christchurch and Poole Council only;
  - (vi) Local Government Act 1972 s.111, in so far as its use is calculated to facilitate or is incidental or conducive to the discharge of any of the functions referred to in paragraphs (a) and (b) of paragraph 9 of Part II of this Appendix; and Local Government Act 2000 s.2, in so far as its use relates to the promotion or improvement of the economic, social and/or environmental well-being of the whole of the Participating Councils areas or any part thereof in respect of matters directly related to the discharge of the functions delegated.
- (d) In performance of the statutory functions referred to in Part I the SVPPJC shall also undertake the following activities on behalf of the Participating Councils:
- (i) manage contracts for the delivery of a revenues and benefits service across the administrative areas of the Participating Councils;
  - (ii) supervise and monitor the Responsible Council and the Head of Revenues and Benefits in the performance of their duties and functions under the Collaboration Agreement;
  - (iii) approve and implement the Business Plan;
  - (iv) approve and implement the annual action plan;
  - (v) seek to influence and advise central government on revenues and benefits policies;
  - (vi) commission research and associated public opinion surveys etc. on revenues and benefits;
  - (vii) ensure that the legal and statutory functions delegated to it by the Participating Councils are being discharged effectively;
  - (viii) liaise with the Head of Revenues and Benefits to ensure that a strategic policy for revenues and benefits is formulated and approved;
  - (ix) assist the Participating Councils in meeting their respective responsibilities (including but not limited to) under the Local Government Act 1999 (best value duty); Local Government Act 2003 (duties under the Code of Practice for Workforce Matters); and
  - (x) authorising Officers under the Local Government Act 1972 section 223, Local Government Finance Acts 1998 and 1992 and any other enactments directly or indirectly relating to the delegated functions and activities of the Stour Valley Partnership Joint Committee, to act on behalf of each of the participating councils in relation to the exercise of the whole or any part of such functions and activities, including in particular but without prejudice to the generality of the foregoing: to appear on behalf of the participating councils or any one or more of them in recovery proceedings for Council Tax and Non-Domestic

Rates; to sign completion notices for Council Tax and NNDR purposes; and to sign Attachment of Earnings Orders for Council Tax.

#### Terms of Reference

- (e) The SVPPJC will be responsible for:
  - (i) The delivery of those delegated functions that the Participating Councils have agreed should be delivered through the SVPPJC within the budget and to the agreed standards as set out in Appendix E of the relevant Delegated Function Proforma;
  - (ii) making recommendations on changes to service standards, significant investment in Information Technology or other assets; and the performance of services for third parties; and
  - (iii) ensuring all Participating Councils remain fully informed and engaged.

#### Proceedings of SVPP Joint Committee

- (f) the proceedings of the SVPPJC can be found in the Stour Valley and Poole Partnership Agreement of 1 April 2014.

#### 11.8 **BOURNEMOUTH, DORSET AND POOLE MINERALS AND WASTE POLICY JOINT ADVISORY COMMITTEE**

- (a) Terms of Reference: To oversee the production of minerals and waste development documents relating jointly to Bournemouth, Dorset and Poole and to approve these for consultation, and to recommend the submission and adoption of final documents to the three parent authorities.
- (b) Membership: 4 Members of Dorset Council and 4 Members of Bournemouth Christchurch and Poole Council to include in each case at least one Member from the Executive of each Council.

#### 11.9 **TRICURO EXECUTIVE SHAREHOLDER GROUP**

- (a) Terms of reference: the purpose of the Executive Shareholder Group (“ESG”) is to act on behalf of the shareholder Councils – Dorset Council and Bournemouth Christchurch and Poole Council) in scrutinising performance against the care contract and Business Plan, review value for money and investment plans, define the strategic direction of Tricuro Support Limited and Tricuro Limited, review risks and approve reserved matters (listed within the Shareholders’ Agreement). The terms of reference are set out below.
- (b) Membership: the ESG will have a membership consisting of 10 Elected Members; 5 from Dorset Council and 5 from Bournemouth Christchurch and Poole Council.
- (c) The chairperson of the ESG shall be selected from the members of ESG and shall rotate between a member nominated by each of the Councils on an annual basis.

#### 11.10 **DORSET LOCAL ENTERPRISE PARTNERSHIP**

This is a company limited by guarantee and its Articles set out the arrangements for local authority participation.

#### 11.11 JOINT PUBLIC HEALTH BOARD

(a) **Role**

The Joint Public Health Board (the Board) is a joint executive body for the delivery of the public health functions carried out by the shared public health service (known as Public Health Dorset) on behalf of Dorset Council and Bournemouth, Christchurch and Poole Council. The Board will continue to be the joint executive for so long as the two councils are working in partnership.

(b) **Membership**

The Board will consist of two voting members drawn from the executives of each of the two partner councils (a total of four members), plus a nominated Director from Dorset Clinical Commissioning Group. Each council may at any time appoint replacement members to serve on the Board provided that any such member must be a member of that authority's executive. Notice of any change should be provided to the Democratic Services Manager of Dorset Council as the host authority for the shared service.

Each authority may also nominate one non-executive member to attend the Board as a non-voting member.

(c) **Chairmanship**

The Chairman shall rotate each meeting and it will be usually an executive from the Council hosting that particular meeting.

(d) **Quorum**

The quorum for meetings of the Board shall be one voting member from each of the two councils.

(e) **Frequency of meetings**

The Board shall meet as a minimum four times a year, usually in July, November, February and May and subject to room availability the venue for meetings will rotate meeting by meeting around the offices of the two partners.

Additional meetings of the Board shall take place as determined by the Board in order to fulfil its work programme.

Further meetings shall be convened if requested by any two members of the Board.

(f) **Officers**

The lead officer for the Board shall be the Director of Public Health. As host authority Dorset Council will convene meetings of the Board and will provide administrative, financial and legal advice.

(g) **Standing Orders**

The business of the Board shall be regulated by the standing orders and

procedure rules of Dorset Council as the host authority except to the extent that they are superseded by the Shared Service Agreement between the two partner councils.

(h) **Terms of Reference**

- I. Discharge of the public health functions of the two councils under the Health and Social Care Act 2012 through the shared service.
- II. Approve, monitor and provide assurance on the delivery of the functions referred to in I. (above) via an annual Public Health Business Plan.
- III. Receive and respond to reports from any subgroups of the Board.
- IV. Monitor progress and performance in the delivery of mandated public health programmes across and within the two local authorities. In doing so, draw on local and national indicators and outcome measures.
- V. Acting within the requirements of the Code of Practice in Local Government Publicity, seek to influence and advise, local and central government and other agencies on public health issues.
- VI. Ensure that the shared service (Public Health Dorset) provides effective and timely public health advice to the NHS and local Councils.
- VII. Support the host authority and the Director of Public Health in the performance of their functions.
- VIII. Receive and approve the annual budget; monitor budget spend in accordance with the Ring-fenced Grant conditions as set out by Public Health England.

## **PART 2 – STATUTORY BODIES**

### **11.12 Statutory Arrangements**

- (a) The purposes of a statutory body that the Council is required to create are quite diverse and include review panels and scrutiny boards.
- (b) Where the Council is required to make arrangements for the creation of, and appointment to, such bodies then powers relating to such arrangements may sometimes be delegated to a Committee, Board and/or Officer. Information relating to such delegations are identified in Functions of the Council – Part 3(1) of the Constitution.
- (c) Details of various statutory bodies created by the Council appear in the appendix to Part 2 of this Article.

### **Appendix to Part 2 Statutory bodies**

### **11.13 PENSION BOARD**

Role/Terms of Reference and Membership

- (a) The Pension Board shall be responsible for:

- (i) securing compliance with all relevant legislation and other requirements relating/imposed in relation to any pension scheme for which the Council is the administering authority; and
  - (ii) ensuring the effective and efficient governance and administration of any such pension scheme and any connected scheme.
- (b) The Pension Board shall not have any responsibility for any operational investments of any pension scheme.
  - (c) The Pension Board will consist of 6 persons consisting of 3 member representatives and 3 employer representatives. Of the 3 employer representatives, 1 shall be a nominated representative of Dorset Council, 1 shall be nominated by Bournemouth, Christchurch and Poole Council and 1 by the remaining scheme employers. 1 of the 3 member representatives shall be from a trade union recognised by Dorset Council and Bournemouth, Christchurch and Poole Council.
  - (d) The quorum of the Pension Board shall be 4 persons made up of an equal number of member representatives and employer representatives.
  - (e) Save to the extent that the law expressly allows, the Pension Board cannot appoint any Sub-Committee.

#### 11.14 DORSET POLICE AND CRIME PANEL

##### Terms of Reference

- (a) To review and make a report or recommendation on the draft Police and Crime plan or draft variation, given to the Panel by the Police and Crime Commissioner.
- (b) To review the performance of the Police and Crime Commissioner against objectives in the Police and Crime Plan, put questions to the Commissioner at a public meeting, and make a report or recommendation (as necessary) on the annual report.
- (c) To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments made by the Police and Crime Commissioner.
- (d) To review and make a report to the Commissioner on the proposed appointment of the Chief Constable.
- (e) To review and make a report and recommendation (as necessary) to the Commissioner on the proposed precept.
- (f) To review or scrutinise decisions made, or other actions taken, by the Police and Crime Commissioner in connection with the discharge of the Commissioner's functions.
- (g) To fulfil functions in relation to complaints about conduct matters in accordance with the responsibilities placed on the Panel by the Police Reform and Social Responsibility Act 2011.
- (g) To appoint an Acting Police and Crime Commissioner if necessary.



Membership (12):

10 members to be drawn from Dorset Council (5) and Bournemouth, Christchurch and Poole Council (5) and independent members (2).

#### 11.15 ADULT PLACEMENT APPROVAL PANEL

Terms of Reference

- (a) To consider assessments for approval of prospective adult placement carers.
- (b) To consider reviews of adult placement carers which seek a change in approval e.g. short to long term.
- (c) To consider complaints about adult placement carers.
- (d) To consider appeals against decisions.
- (e) To consider major change in adult placement carers' circumstances.
- (f) To receive updates on any breakdown on long-term adult placement.
- (g) To contribute to the quality assurance process relating to assessment and approval of adult placement carers.

Membership:

- (a) The Chairperson will be
  - (i) senior member of staff with no responsibility for the management of anyone who carries out assessments of prospective carers; or
  - (ii) a person who is completely independent of the scheme and who has the necessary skills and experience.
- (b) The Vice-Chairperson will be a team manager of an adult fieldwork/purchaser team to substitute for the Chairperson.
- (c) 1 team manager of an adult fieldwork/purchaser team.
- (d) 1 carer either currently using or who has previously used the adult placement scheme.
- (e) 1 ex-service user or service user from a neighbouring adult placement scheme.
- (f) 1 ex-adult placement carer or carer from a neighbouring adult placement scheme.
- (g) 2 elected members.
- (h) 2 people with knowledge of vulnerable adults and adult placement.

- (i) The Adult Placement Manager and/or Adult Placement workers not involved with the presenting of prospective adult placement carers will act as advisers to the panel.

#### 11.16 CHILDREN OUT OF SCHOOL MANAGEMENT COMMITTEE

##### Terms of Reference:

- (a) In relation to the Children Out of School Service;
- (b) To be consulted on all major policies and procedures for the Service (including attendance, behaviour, admission and curriculum);
- (c) To ensure compliance with relevant Council protocols and policies;
- (d) To adopt the 'support and challenge' function similar to a school governing body;
- (e) To be consulted on any significant inspection process e.g. OfSTED;
- (f) To report as necessary to the Director for Children's Services, and at least annually.

##### Membership:

Elected members (2)  
 Headteachers of maintained school (2)  
 Education Psychologist (1)  
 Head of Children Out of School Service (1)  
 Representative of the Connexions Service (1)  
 Representative of the Education Welfare Service (1)  
 Representative from the Lifelong Learning Service (1)  
 Representative from a local Further Education College (1)  
 Representative of the Health Service (1)  
 Parent representative (1)  
 Member of the Children Out of School Service staff (1)  
 Representative from the Dorset Youth Offending Team (1)  
 Representative from the Bournemouth, Dorset and Poole Learning Skills Council (1)

#### 11.17 DORSET COMMUNITY SAFETY PARTNERSHIP

##### Terms of Reference:

- (a) The purpose of the Community Safety Partnership is to deliver safer communities as set out in the Crime and Disorder Act 1998 and relevant legislation. In doing this the partnership will co-ordinate community safety activity in Dorset at a strategic level; to reduce crime and the fear of crime, to address the risk, threat and harm to victims and local communities, and also to facilitate the strengthening of Dorset's communities in the delivery of local initiatives.
- (b) To do this the Community Safety Partnership will:

- i) Be a partnership body accountable for the delivery of safer communities including duties placed upon it by the Crime and Disorder Act 1998 and subsequent legislation in a transparent and open way.
- ii) Deliver the functions related to the duties through the most relevant group within the overall community safety partnership structure.
- iii) Develop strong linkages to local community safety partnerships and other partnerships/groups with similar objectives including the Partnership Co-ordinating Groups (PCGs) to assist in the delivery of local delivery priorities.
- iv) Develop appropriate mechanisms for the engagement of communities in tackling crime and fear of crime and accountability of community safety partners to the community.
- v) Hold partners accountable under section 17 of the Crime and Disorder Act 1998 for access to and use of resources and skills needed to mainstream community safety issues. This will include advice and recommendations to individual partners in appropriate circumstances. In this regard to ensure the effective and lawful share of information between partners about Dorset and its people to tackle crime.
- vi) Monitor performance against community safety priorities at a local level and hold Partnership Co-ordinating Groups (PCGs) to account for delivery.
- vii) To be sighted on emerging threats and issues in Dorset.
- viii) To meet the requirements of the Domestic Violence, Crime and Victims Act (2004) as amended and statutory guidance in relation to domestic homicide reviews (DHRs)
- ix) Contribute to the implementation of the Dorset Safeguarding Adults Board (SAB) and Local Safeguarding Children's Board Strategies by ensuring that all work undertaken by the CSP demonstrates clear links with the wider safeguarding agenda.
- x) Publish an annual Community Safety Plan, setting out the priorities for tackling crime and disorder and the projects being implemented.

#### Membership:

##### Core:

- (i) Dorset Council
- (ii) Dorset Police (Superintendent)
- (iii) Dorset Clinical Commissioning Group
- (iv) Dorset and Wiltshire Fire and Rescue Authority
- (v) Dorset, Devon and Cornwall Community Rehabilitation Company
- (vi) National Probation Service

The quorum for meetings of the CSP shall be 3 core members

##### Other members:

- (i) Other community safety partners such as the Youth Offending Service, Public Health, Adult and Children's Services, Office of the Police and Crime Commissioner, Dorset Association of Town and Parish Councils and Dorset and Wiltshire Fire and Rescue Service are invited to attend meetings of the Dorset CSP if they wish.

- (iii) A representative from each of the PCGs and lead officers for theme areas will be required to attend meetings in order to explain performance and actions.
- (iii) Members of the group will be supported by officers as required.

#### 11.18 **COMPLAINTS REVIEW PANEL (statutory)**

Terms of Reference:

To consider representations (including complaints) made in respect of the discharge of social services functions or about any failure to discharge those functions, and to make recommendations to the Director for Adult and Community Services or Director for Children's Services (or the officers for the time being with such responsibilities) on any matters arising from a review.

Membership:

3, consisting of either:

- (i) ordinarily no less than two independent persons sitting with one elected member of the relevant Overview Committee as applicable; or
  - (ii) subject in each individual case to the agreement of the Chairman and Vice-Chairman of the Standards Committee, three independent persons where:
    - the Council has or could be deemed to have a financial interest in the outcome of the complaint; or
    - the Council's public reputation is likely to be affected by the outcome of the complaint; or
    - other circumstances exist which, in the opinion of the Director for Adult and Community Services or Children's Services (or the officers for the time being with such responsibilities), render it appropriate.
- (c) An independent person will always be the Chairman. A member of the relevant Scrutiny Committee will be drawn from a list of six members.

#### 11.20 **CORPORATE PARENTING BOARD**

Terms of Reference:

The Corporate Parenting Board (the Board) will assist Dorset Council and its partners to understand and fully comply with legal duties and responsibilities across all services, as they discharge those duties to looked after children and care leavers.

The Corporate Parenting Board will promote member and workforce engagement, commitment and understanding of the Corporate Parenting principles introduced by the Children and Social Work Act 2017. Ensuring the local authority is 'an active,

strong and committed corporate parent – in line with the corporate parenting principles’.

The Corporate Parenting Board will hold to account the council and its partners for their role in the delivery of services and statutory responsibilities to looked after children and care leavers as recommended in statutory Corporate Parenting guidance.

The Board will have access to good qualitative and quantitative management information from the council and its partners, in order to monitor performance effectively against outcomes and track delivery of promises and commitments as stated to the Children in Care Council.

The Board will ensure young people know how their voice, insights and lived experiences have impacted decision making and service development and delivery.

### **Board Management**

The Corporate Parenting Board will meet a minimum of seven times a year. Corporate Parenting Board meetings will be attended by members of the Children in Care Council and their representatives, with support from the Children’s Participation Service.

The Board will have regular membership from:

- (i) Seven elected members of the Council on a politically proportionate basis.
- (ii) Children in Care Council (CiCC) representatives.
- (iii) Although not a full member of the board the Cabinet Member responsible for Children’s services(s) is invited to attend all meetings.

The Board will have regular representation from the Children’s Services Directorate in the form of:

- (i) The Director of Children’s Services
- (ii) The Safeguarding and Standards Lead Officer
- (iii) The Lead Officer for Looked After Children
- (iv) The Corporate Parenting Officer

The Board will request regular representation from:

- (i) Relevant Partners
- (ii) The Virtual School Head
- (iii) Children’s Rights, Advocacy and Participation Services
- (iv) Children’s Health and Mental Health Service
- (v) The Police and Youth Offending Service
- (vi) Foster Carers representative (or other parent forum)
- (vii) Also in non-regular attendance – sufficiently senior representatives from Children’s Services Directorate and other directorates and agencies to attend for specific issues in order to offer advice and assistance as requested by the Board.

## Membership:

- (a) The Board will have regular membership from seven elected members of the Council and will also include named substitute elected members when they are not available to attend.
- (b) The Board will have regular representation from the Children's Services Directorate in the form of:
  - (i) The Executive Director, People (Children's) (or the officer for the time being with such responsibilities)
  - (ii) The Head of Care and Protection (or the officer for the time being with such responsibilities)
  - (iii) The Lead Officer for Children in Care
  - (iv) The Corporate Parenting Officer
- (c) The Board will have regular representation from the Children's Rights Service.
- (d) The Board will seek representation from the Dorset Parent Carer Council (or other parent forum) with an expectation that the Dorset Parent Carer Council can select when they wish to attend.
- (e) The Board will invite through Children's Rights Service regular representation from two young people.

11.21 **DORSET ADOPTION AGENCY'S PANEL (statutory)**

## Terms of Reference:

- (a) To consider the case of every child referred to it by the Adoption Agency and to make a recommendation to the Agency as to whether the child should be placed for adoption. NB under the Adoption Agencies (Panel and Consequential Amendments Regulations 2012, only those children for whom a Placement Order application is not required (e.g. those where birth parents have given signed consent) will be referred to the Adoption Panel.
- (b) In cases where placement for adoption is recommended as above, to consider and, as appropriate, give advice to the Agency about proposed contact arrangements between the child and any person.
- (c) To consider the case of every prospective adopter referred to it by the Adoption Agency and make a recommendation to the Agency as to whether the prospective adopter is suitable to adopt a child.
- (d) In cases where suitability to adopt is recommended, to consider and give advice, as appropriate, to the Agency about the number of children the prospective adopter may be suitable to adopt, their age range, sex, likely needs and background.
- (e) To consider any case referred to it by the Adoption Agency under Regulation 27(6) (decision not to approve) or regulation 29(4) (decision to terminate approval) of the Adoption Agencies Regulations 2005 and to make a recommendation to the Agency as to whether the prospective adopter is/continues to be suitable to adopt a child.

- (f) To consider proposed placements for adoption referred to it by the Adoption Agency and make a recommendation to the Agency as to whether a child should be placed for adoption with particular prospective adopters.
- (g) In cases where a proposed placement for adoption is recommended, to consider and, where appropriate, give advice to the Agency about:
  - (i) the Agency's proposals for the provision of adoption support services;
  - (ii) the Agency's proposed arrangements for allowing any person contact with the child; and
  - (iii) whether the parental responsibility of any parent, guardian or prospective adopter should be restricted and, if so, the extent of any such restriction.
- (i) Provide a quality assurance feedback to the Agency every six months on the quality of reports being presented to the Panel.
- (j) Receive feedback on the progress of children who have been placed with suitable adopters.

#### Membership:

There is a central list of Adoption Panel members who attend some or all of the Panel meetings. Included in this central list as a minimum requirement are:

- (i) the Chairperson who is independent of the Agency and who is considered by the Director for Children's Services (or the officer for the time being with such responsibilities) to have the skills and experience necessary for chairing the Panel and who, as Chairperson, would ensure that the work of the Panel is carried out efficiently and effectively in accordance with the Adoption Agency Regulations.
- (ii) one person with the skills and experience to act as Vice-Chair;
- (iii) at least one social work member with at least 3 years post-qualifying experience in child care social work, including adoption work. They may or may not be employed by Dorset Council
- (iv) one Agency Medical Adviser;
- (v) at least one other person who is independent of the Agency and who has relevant professional experience, or personal experience of adoption;
- (vi) Dorset Council includes in its central list a number of independent members and social work members, two medical advisers, and one elected member;
- (vii) in order to be quorate at least 5 members must be present which must include the Chairperson or Vice-Chair, an independent person (if the Vice-Chair is chairing and is not independent) and a social work member.

## 11.22 DORSET AGENCY FOSTERING PANEL (statutory)

### Terms of Reference:

- (a) The Fostering Panel is constituted according to the requirements of the Fostering Services Regulations 2011, with additional reference to the National Minimum Standards for Fostering 2011.
- (b) The Panel meets to consider:
  - (i) each application for approval and to recommend to the Agency whether or not a person is suitable to act as a foster parent;
  - (ii) where it recommends approval of an application, to recommend the terms on which approval is to be given;
  - (iii) to recommend whether or not a person remains suitable to act as a foster parent, and whether or not the terms of approval remain appropriate:
    - on the first review carried out in accordance with the regulations [28(2)], and
    - on the occasion of any other review when requested to do so by the fostering service provider in accordance with the regulations [28(5)], and
    - to consider any case referred to it under regulation 27(9) (proposal not to approve) and regulation 28(10) (proposal to remove approval).
- (c) The Fostering Panel shall also:
  - (i) oversee the conduct of assessments carried out by the fostering service provider; and provide quality assurance feedback to the fostering service provider on the quality of reports presented.
  - (ii) advise on the procedures under which the annual reviews are carried out by the fostering service provider and periodically monitor their effectiveness.
  - (iii) give advice and make recommendations on such other matters or cases as the fostering service provider may refer to it.

### Membership:

There is a central list of Fostering Panel members who attend some or all of the panel meetings. Included in this central list as a minimum requirement are:

- (i) the Chairperson who is independent of the Agency and who is considered by the Director for Children's Services (or the officer for the time being with such responsibilities) to have the skills and experience necessary for chairing the Panel and who, as Chairperson, would ensure that the work of the Panel is carried out efficiently and effectively in accordance with the Fostering Agency Regulations.



- (ii) one person with the skills and experience to act as Vice-Chair.
- (iii) at least one social work member with at least 3 years relevant post-qualifying experience. They may or may not be employed by Dorset Council.
- (iv) at least one other person who is independent of the Agency and who has relevant professional or personal experience.
- (v) Dorset Council includes in its central list a number of independent members and social work members, and two elected members.
- (vii) in order to be quorate at least 5 members must be present which must include the chairperson or Vice-Chairperson, an independent person (if the Vice-Chairperson is chairing and is not independent) and a social work member.

### 11.23 DORSET LOCAL ACCESS FORUM

#### Terms of Reference:

- (a) To respond to the Draft and Provisional Maps of Open Access Land prepared for Dorset and to advise on the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area, as described in the Countryside and Rights of Way Act 2000.
- (b) To contribute in an advisory capacity to the development of Rights of Way Improvement Plans for Dorset Council and Bournemouth, Christchurch and Poole Council areas.
- (c) To promote the appropriate use of opportunities to enjoy the countryside.
- (d) To advise upon the management and maintenance of access, balancing the provision of access against the needs of biodiversity, wildlife management and of landowners and managers.
- (e) To advise on developing additional opportunities for everyone to enjoy the rights of way and access network, in particular for those with disabilities.
- (f) The Forum will have no executive functions.

#### Membership:

- (g) 1 member of Dorset Council;
- (h) 1 member of Bournemouth, Christchurch and Poole Council;
- (i) Up to 19 independent members;
- (j) Membership of the Forum is open to all members of the public and is widely advertised. Members will, through consultation, represent an area of interest rather than the views of any specific organisation to which they belong. In this way the Forum will represent a broad spectrum of views within Dorset. Membership of the Forum is required by legislation to be balanced between representatives of user and land management interests.

**11.24 SCHOOLS FORUM (INCLUDING TRANSITIONAL)**

## Terms of Reference:

- (a) To be consulted on the school funding formula – the Council will consult the Forum on:
  - (i) any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with Regulations made under section 47 of the School Standards and Framework Act 1998, and
  - (ii) the financial effect of any such change.
  - (iii) Consultation under paragraph (a) shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.
- (b) To be consulted on contracts applying to schools – the Council will at least one month prior to the issue of invitations to tender consult the Forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the authority's schools budget where either:
  - (i) the estimated value of the proposed public services contract is not less than the specific threshold which applies to the Council in pursuance of Regulation [5(1) of the Public Contracts Regulations 2015]; or
  - (ii) the estimated value of the proposed public supply contract is not less than the specific threshold which applies to the Council in pursuance of Regulation [5(1) of the Public Contracts Regulations 2015].
- (c) To be consulted on the following financial issues – the Council shall consult the Forum annually in respect of the Council's functions relating to the schools budget, in connection with the following:
  - (i) the arrangements to be made for the education of pupils with special educational needs;
  - (ii) arrangements for the use of pupil referral units and the education of children otherwise than at school;
  - (iii) arrangements for early years education;
  - (iv) arrangements for insurance;
  - (v) prospective revisions to the Council's scheme for the financing of schools;
  - (vi) administrative arrangements for the allocation of central government grants paid to schools via the Council; and
  - (vii) arrangements for free school meals.

- (d) The Council will consult the Forum on such other matters concerning the funding of schools as it sees fit.
- (e) To be consulted on matters of policy which also have a major financial implication.
- (f) To assist in the establishment of priorities for decision making purposes where the draft budget strategy indicates either that:
  - (i) additional monies are expected to be available; or
  - (ii) there will be a shortfall in monies available compared to the current financial year.
- (g) To scrutinise the sources of funding of the Children's Services budget for Education.
- (h) To provide a channel of information to those involved in Education in schools on the process, sourcing and decisions taken on the Education budget and, in particular, that delegated to schools.
- (i) To act as the principal channel by which those involved in management, leadership or teaching in schools may convey their views on Education Services budget matters to the Council's elected members and officers.
- (j) To oversee the work of relevant sub groups set up from time to time such as the Needs-led Group, the Headteachers' Reference Group on Schools Capital and Admissions and the Contracts and Support Services Group.
- (k) To decide from time to time on behalf of schools whether any additional such groups should be set up involving school representation with the aim of minimising consultation workload for schools and to review annually the number and need for such groups.

Membership:

- (l) Voting
  - Headteachers (3 nominated by the Primary Heads Association, 1 nominated by the Dorset Association of Middle Schools); Headteachers\*, 2 nominated by the Dorset Association of Secondary Headteachers, 2 nominated by the Special School Headteachers Association of Dorset);
  - 3 representatives of the Professional Teacher Associations nominated by the Dorset Teachers' Council;
  - school governors nominated by the Association of Dorset School Governors; and
  - 1 Member appointed by the Executive\*

\*or a substitute appointed by them.
- (m) Observers
  - 2 representatives of voluntary aided schools nominated by the Diocesan Liaison Committee;
  - 1 representative nominated by Dorset Association of Middle Schools Headteachers;

- 1 representative nominated by Bournemouth, Dorset and Poole Learning and Skills Council;
- 1 representative nominated by the Early Years Development and Childcare Partnership; and
- Other Members.

#### 11.25 **STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION**

Terms of Reference:

- (a) To advise the LEA about Religious Education and Collective Worship;
- (b) To require the LEA to review a current Agreed Syllabus (the LEA sub group may not vote on this issue);
- (c) To publish an Annual Report;
- (d) To advise the LEA on methods of teaching, teaching materials and teacher training; and
- (e) To deal with applications from Heads of Council Schools for total or partial exemption from providing Christian worship. Criteria for such a determination relates to family backgrounds, ages and aptitudes of pupils. The determination made by SACRE becomes legally binding until reviewed after five years or after a further application has been received.

Membership:

3 elected members to serve on the Local Education Authority Panel (Committee D).

The other Committees are:

- A - Christian and other religious denominations which reflect the principal religious traditions in the area, not including the Church of England;
- B - people representative of the Church of England; and
- C - people representative of Teacher Associations

### **PART 3 – NON-STATUTORY BODIES**

#### 11.26 **COUNCIL FARMS LIAISON PANEL**

Terms of Reference:

- (a) To discuss policies and issues relating to the Council Farms Estate.
- (b) To provide the members for a Council Farms Interview Panel to select tenants for Council Farms on an ad-hoc basis. All members of the Panel are required to undertake appropriate training so that they can sit upon Interview Panels. These will comprise:
  - (i) in the case of starter farms, four members of the Liaison Panel, two being elected members, one of whom should be either the Chairman or Vice-Chairman if possible, and where possible the Council Farms Tenants' Association representative and one other non-elected representative;

- (ii) in the case of Promotion Farms, three members of the Panel, two of these being elected members, one of whom should be either the Chairman or Vice-Chairman if possible, and one other non-elected representative other than the Council Farms Tenants' Association representative.

Membership:

- 6 Members of the Council
  - 1 representative of the Council Farms Tenants' Association
  - 1 representative of the National Farmers' Union
  - 1 representative of the Country Landowners' Association
  - 1 representative of the Dorset Advisory Service (or an organisation with similar objectives)
- (c) In appropriate cases, the Transport and General Workers' Union will be consulted by the Principal Land Agent when the Liaison Panel is considering a policy which may have an impact on the Union's members.

#### 11.27 **DORSET AONB PARTNERSHIP BOARD**

Terms of Reference:

- (a) To ensure the development and adoption of a statutory management plan for the Dorset AONB as required by the Countryside and Rights of Way Act 2000, by April 2004.
- (b) To develop and promote a vision for the Dorset AONB.
- (c) To co-ordinate and endorse the production and implementation of the Dorset AONB Management Plan.
- (d) To review and monitor the progress towards the development and implementation of the Management Plan and achievement of its objectives.
- (e) To consider, debate and recommend courses of action on the main issues relating to the Dorset AONB.
- (f) To accommodate new requirements resulting from changes in national legislation and policy relevant to the Dorset AONB.
- (g) To consider and review the management structure to enable the future implementation of the Management Plan.
- (h) To receive, review and approve the work programmes of the AONB Core Team, and Annual Business Plans and Annual Reports, giving consideration to financial and resources issues.

Membership:

Representatives of relevant local authorities, agencies and other organisations (one representative each).

#### 11.28 **DORSET COAST FORUM**

## Terms of Reference:

- (a) To encourage co-operation and dialogue between the different interests and users of the Dorset coast.
- (b) To encourage the gathering and dissemination of knowledge and the carrying out of the necessary research in relation to the physical processes, natural environment and human use of the Dorset Coastal Zone.
- (c) To develop a greater understanding among authorities, other agencies and interest groups involved with the planning and development of the Dorset coast.
- (d) To consider the strategic long term and wide area issues facing the Dorset coast.
- (e) To review existing national, regional and local coastal policies and work towards the production of integrated policies specific to the Dorset Coastal Zone.
- (f) To promote a sustainable approach to the management, use and development of the Dorset Coastal Zone, to ensure that the inherent natural and cultural qualities of the Dorset coast are maintained or enhanced for the benefit of future generations.
- (h) To represent the interests of the Dorset coastal community and seek to influence decision-making bodies at regional, national and European levels.

## Membership:

2 Members of the Council, plus representatives of a wide range of local authority, industry, environmental and user groups with an interest in Dorset's Coastal Zone.

11.29 **JOINT NEGOTIATING COMMITTEE FOR TEACHERS**

## Terms of Reference:

To provide a forum within which:

- (a) collective bargaining may be carried out in a reasonable and constructive manner between the employer and Teacher Associations; and
- (b) good industrial relations may be promoted by the employer and Teacher Associations in the interests of teachers and pupils in Dorset schools. The JNC will have regard to the implementation of nationally agreed conditions of service and the delegation of responsibilities to Governing Bodies required by the scheme of local management of schools.
- (c) Good industrial relations are a joint responsibility and require the continuing co-operation of all concerned – management, Teacher Associations and individual employees. The JNC exists to encourage and assist that co-operation and to ensure there is reasonable and continuing progress in the pursuit of good industrial relations.
- (d) The functions of the JNC shall be to provide a regular and recognised means of negotiation between management and teachers in the Education Service of

the Children's Services Directorate, to effect close and effective co-operation and consider all matters relating to the terms and conditions of service and to policies which directly affect the individual teacher in the performance of his/her duties.

Membership:

- Director for Children's Services (or the officer for the time being with such responsibilities)
- Appropriate officers of the Children's Services Directorate (normally up to 3)
- One representative from each of the Recognised Teacher Associations, namely ATL, NAHT, NASUWT, NUT, PAT, SHA (6)
- Chairman and Secretary of the Dorset Teachers' Council (2)

Note:

Appropriate advisers on particular items can be brought in by the Director and unions represented on the Committee.

General arrangements:

- (i) three meetings per annum, but extra meetings may be arranged as necessary;
- (ii) Strategic Services to be responsible for organisation and clerking;
- (iii) this Group to have one sub group – the Health and Safety at Work Consultative Group.

### 11.30 **LEARNING DISABILITY PARTNERSHIP BOARD**

Terms of Reference:

- (a) To implement the actions and targets for adults with learning disabilities set out in the White Paper 'Valuing People'.
- (b) To collate information about advocacy services in the area of the Board in order to inform decisions on funding advocacy from the Learning Disability Development Fund or mainstream monies.
- (c) To foster the development of support services and schemes so that more people with learning disabilities benefit from Direct Payments.
- (d) To recommend, in consultation with service providers and commissioners, policies and procedures for handling decisions to exclude people with learning disabilities from services.
- (e) To develop and implement the Joint Investment Plan for delivering the Government's objectives.
- (f) To oversee the inter-agency planning and commissioning of comprehensive, integrated and inclusive services that provide a genuine choice of service options to people with learning disabilities in their local community.
- (g) To oversee the use of Health Act flexibilities.
- (i) To ensure arrangements are in place to achieve a smooth transition to adult life for learning disabled young people.

Membership:

- Senior representatives from Dorset Council's Adult and Community Services and Children's Services Directorates (including the Youth and Community Service), the Dorset and Somerset Strategic Health Authority, Primary Care Trusts, Hospital Trusts, Housing Authorities, Employment Services, the Bournemouth, Dorset and Poole Learning and Skills Council, Local Independent Service Providers and Voluntary Organisations;
- People with learning disabilities and their carers; and
- 2 Dorset Council Members



### 11.31 **SPECIAL AND ADDITIONAL NEEDS STRATEGY GROUP**

Terms of Reference:

To act as a consultative body dealing with and acting for individuals and their needs, in particular with:

- (i) provision for children with SEN at schools maintained by the authority or provided for outside of school;
- (ii) the additional needs of children and access to the authority's services;
- (iii) areas of joint provision by Education and other services such as Social Services, Health, the Police and Probation Service;
- (iv) looked after children insofar as they are provided with education services.

Membership:

- Head of Pupil and Parent Services;
- Headteachers (2 nominated by the Primary, 1 by the Middle, 2 by the Secondary and 2 by the Special Schools Phase Associations);
- 2 representatives of the recognised Teacher Associations (nominated by Dorset Teachers' Council);
- 1 SENCO;
- 1 representative of the Psychological Service;
- 1 representative of the Education Welfare Service;
- 1 representative of the Special Educational Needs Service;
- 1 representative of the Children's Services Directorate;
- 1 representative of the Dorset Health Authority;
- 1 representative of Dorset Police;
- 1 representative of Dorset Probation Service; and
- 2 school governors, one of whom to be a governor with responsibility for SEN, nominated by ADSG.

General Arrangements:

- (a) three meetings per year (termly).
- (b) Pupil and Parent Services to be responsible for organisation and clerking.
- (c) This Group to have two sub groups:
  - (i) Inter Agency Moderating Group; and
  - (ii) Statementing Advisory Group.

### 11.32 **STANDARDS AND QUALITY CONSULTATIVE GROUP**

Terms of Reference:

To promote and monitor:

- (a) The relationship between schools and the lifelong learning agenda;
- (b) Collaboration between educational providers;
- (c) Educational achievement in schools and the wider community; and
- (d) The effective implementation of the Education Development Plan and strategies for social inclusion.

Membership:

- Deputy Director (Quality) (or the officer for the time being with such responsibilities);
- Head of Lifelong Learning (or the officer for the time being with such responsibilities);
- The Executive Member with responsibility for Children's Services;
- Chairman of relevant Overview Committee;
- Connexions representative;
- Bournemouth, Dorset and Poole Learning and Skills Council representative;
- 4 School Headteachers representing different phases;
- Head of School Improvement (or the officer for the time being with such responsibilities);
- Head of Statutory Services (or the officer for the time being with such responsibilities);
- Secondary Advisory Headteacher;
- Head of Youth and Community Service (or the officer for the time being with such responsibilities);
- Head of Adult Education (or the officer for the time being with such responsibilities);

### 11.33 **STRATEGIC PLANNING FORUM**

Purpose

1. The main purposes of the Strategic Planning Forum are to:

- (a) guide strategic planning at the 'larger than local' scale through effective policy development across boundaries;
- (b) work with the LEP and LNP in the development of strategy to inform and align spatial and investment priorities;
- (c) lobby Government on matters of importance to Dorset as whole that effect the delivery of strategic planning.

2. The Strategic Planning Forum will have non-executive advisory powers and will:

- (a) consider the strategic planning and transport issues that affect cross boundary matters;
- (b) advise and inform the development of an informal pan Dorset planning strategy
- (c) consider and advise on common policy approaches to include in Local Plans;
- (d) inform the development of both LEP and LNP approaches to growth of the economy and protection and enhancement of biodiversity; and
- (e) consider any other planning and other matters of common interest.

3. The Strategic Planning Forum will work on a consensus basis and make recommendations to local authorities that act in the wider interest of a collective approach to strategic planning matters.

#### Structure and Membership

1. The Strategic Planning Forum will comprise 20 fixed members, including 18 elected members:

- Nine members from each local authority, one of which will ideally be the member with responsibility for the Planning portfolio or equivalent and one other member at the discretion of the local authority;
- One member from each of the Local Enterprise Partnership and Local Nature Partnership;

2. Adjoining local authorities to Dorset will be invited to meetings where there are duty to cooperate matters beyond the boundaries of the Dorset authorities requiring consideration.

3. Each elected local authority member or substitute shall be entitled to remain on the Forum for so long as the local authority appointing them so wishes, but shall cease to be a member or substitute if they cease to be a member of the local authority appointing them to the Forum or if that local authority removes them.

4. One officer in support of an attending local authority member may also attend meetings of the Forum. Further attendees will be at the discretion of the Chairman.

5. The host local authority will provide legal and democratic support (in particular organising and minuting meetings).

#### Voting Arrangements

1. All reasonable endeavours will be made to settle matters by consensus. Where this is not possible each appointed Forum member shall have one vote and any matter will be decided by a simple majority of those present. In the event that a majority vote cannot be reached on any particular item, the Chairman may have a casting vote or at their discretion defer an item to the next meeting.

2. The member appointed as a substitute shall have the same voting rights as the member for whom he is substituting and who does not attend. Where the appointed member attends, the substitute member shall not have any right to vote after the conclusion of the item of business being discussed when the appointed member arrives, but may remain as an observer.

#### Chairman of Meeting

1. Meetings of the Strategic Planning Forum will rotate alphabetically between the offices of its constituent local authorities. The Chairmanship will rotate at each meeting, or at a suitable interval otherwise agreed by the Strategic Planning Forum, and will be drawn from amongst the members of the host authority or if there is no attendance from a member of the host authority the Forum may elect a Chairman from those members present.

2. A quorum shall comprise five elected members. Named substitutes may be appointed to the Strategic Planning Forum. During any meeting if the Chairman of the meeting counts the number of members present and declares there is not a quorum present then the meeting will adjourn immediately. Remaining business will be considered at the next meeting.

3. Meetings of the Strategic Planning Forum will be arranged on a 'needs' basis. Meetings will also be held where elected members representing at least three

local authorities request the convening of a special meeting which will be arranged within a reasonable period.

4. Draft minutes should be circulated within two weeks to enable member organisations to act as soon as possible if necessary.

#### Responsibilities

1. To act in the wider Dorset interest and make recommendations back to the local authorities on a Dorset wide approach to strategic planning.

2. To meet when required to receive reports, evidence and findings from officers of the local authorities and others with an interest in strategic planning matters.

3. To ensure all Local authorities remain fully informed and engaged with the Strategic Planning Forum.

4. To engage neighbouring authorities in strategic planning matters where there are cross boundary issues and ensuring the legal duty to cooperate is met.

#### 11.34 **JOINT ARCHIVES ADVISORY BOARD**

1. The Joint Archives Advisory Board will:-

(a) oversee the management delivery of the Archives Service in Dorset.

(b) consider and recommend plans and budget for the service.

(c) monitor and review the service delivery, performance and quality against approved plans and budgets.

1. Membership:

8, consisting of 4 members appointed by Dorset Council and 4 from Bournemouth, Christchurch and Poole Council. Provision is made for substitute members to attend to ensure constituent authorities are represented at meetings of the Board.