

PLANNING COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. Exercise of the Full Council's functions under Part 3 of this Constitution including:
 - i. Functions relating to Town and Country Planning and Development Control;
 - ii. Miscellaneous functions relating to the creation, diversion, extinguishment stopping up of footpaths and bridleways and the diversion or extinguishment of a rail crossing.
 - iii. Functions relating to complaints about high hedges.
2. Advise and recommend to the Executive on the preparation, content and implementation of the Local Development Framework and supporting planning policy.

EMPLOYEE RELATIONS COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To discharge full Council functions relating to the **national and local** terms and conditions of **service for all** staff excluding those **functions exclusively relating to** ~~staff covered within the remit of the Chief Officers, Appointments and Conditions of Service Committee.~~ **which are covered within the remit of the Chief Officers' Appointments and Conditions of Service Committee.**
2. To ~~devise and~~ oversee the implementation and review of general human resources and organisational development, strategies, policies and action plans.
3. Determine issues referred from the Doncaster Consultative Group.
- ~~4. Be responsible for all the conditions of service of staff not on JNC Conditions of Service for Chief Officers.~~
- ~~5. Have power of final decision in respect of appeals by staff against dismissal not on JNC Conditions of Service for Chief Officers.~~
64. Be responsible for employer Health and Safety Issues.

EMPLOYEE RELATIONS (APPEALS AGAINST DISMISSAL) SUB-COMMITTEE

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. Power of final decision to determine appeals against dismissal lodged by staff **excluding** ~~not on JNC Conditions of Service for~~ Chief Officers of Local Authorities or **staff** employed directly by schools.

EMPLOYEE RELATIONS (DISPUTES RESOLUTION) SUB-COMMITTEE

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

- (i) To consider disputes not resolved at Stage 1 and, in line with the Disputes Resolution Procedure at Stage 2, employment matters of a collective nature, or which have collective application, as raised by a full-time official of a recognised trade union (other than a teaching union) or a Chief Officer. Strategic Director, Specialist Director, Corporate Director, Group Director or Community Director.
- ~~(ii) Disputes raised under this procedure which are not resolved at Stage 1 will be referred to the Employee Relations (Disputes Resolution) Sub-Committee for final determination.~~
- ~~(iii)~~ Where a dispute concerns a matter which has previously been the subject of a decision by the Employee Relations Committee, a panel of three elected members not from the Employee Relations Committee will be constituted to consider the dispute.
- ~~(iv)~~ Where the Employee Relations (Disputes Resolution) Sub-Committee are required to consider a matter which is subsequently reported to the Employee Relations Committee, the Members forming the Sub-Committee will take no part in the Committee's consideration of the matter.

CHIEF OFFICERS' APPOINTMENTS AND
CONDITIONS OF SERVICE COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To exercise the Full Council's functions under Part 3 and the Employment Procedure Rules of this Constitution in respect of:-
 - i. Appointment of Chief Officers ~~at 3rd Tier and above.~~
 - ii. ~~ii.~~—— To discharge the functions relating **exclusively** to the **national and local** terms and conditions **of service** in respect of ~~those appointed on JNC Conditions of Service for~~ Chief Officers.
 - iii. **To compromise any claims or agree terms for the settlement of any disputes arising as between the Head of Paid Service, Monitoring Officer, Section 151 Officer and the Council.**

CHIEF OFFICERS INVESTIGATORY

SUB-COMMITTEE

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

DELEGATED MATTERS:-

To carry out the following functions of the Chief Officers Appointments and Conditions of Service Committee in relation to the Head of Paid Service, Monitoring Officer and **Section 151 Officer.** ~~Chief Finance Officer.~~

- i. To discharge the functions of the "Investigating Committee/Investigating Panel" as set out in the **national and local JNC** Conditions of Service.
- ii. To consider any allegations made against the Head of Paid Service, Monitoring Officer or **Section 151 Officer** ~~Chief Finance Officer~~ and decide if further investigation is required.
- iii. To carry out a preliminary investigation and determine if a question of discipline exists which requires investigation by a Designated Independent Person.
- iv. Subject to the Regulations, and to the extent not already delegated to an officer of the Council, to suspend the relevant officer under the terms of the relevant National **or Local** Agreements.
- v. To hear evidence and representations from the Head of Paid Service, Monitoring Officer or Section 151 Officer in order to decide if a case exists.
- vi. To appoint an independent person **in line with** ~~further to~~ statutory provisions and relevant national agreements.
- vii. To receive any reports from the Designated Independent Person and, subject to the Regulations, implement any recommendations arising from such a report.

~~___To compromise any claims or agree terms for the settlement of any disputes arising as between the Statutory Officers and the Council.~~

viii To take disciplinary action short of dismissal against the Head of Paid Service, Section 151 Officer and Monitoring Officer.

JNC CHIEF OFFICERS' APPEALS COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. To hear appeals against decisions of the Chief Officers' Appointments and Conditions of Service Committee.
- 2. To hear appeals against any action short of dismissal taken by the Chief Officers Investigatory Sub-Committee against the Head of Paid Service, Section 151 Officer and Monitoring Officer.**

LICENSING COMMITTEE - TERMS OF REFERENCE

This Committee is a Committee of the Council constituted:

- (1) In relation to its functions under the Licensing Act 2003, under Section 6 of that Act.
- (2) In relation to its functions under the Gambling Act 2005.

Licensing Act 2003 and Gambling Act 2005

1. To discharge the functions of the Council that are licensing functions within the meaning of the Licensing Act 2003.
- 2. To discharge the functions of the Local Authority as set out in the Gambling Act 2005.**
- 23.** The appointment of Licensing Sub-Committees under Section 10 of the Licensing Act 2003.
- 34.** In respect of each three year period to consider the Council's policy with respect to the exercise of its licensing functions and recommend to Council the adoption of each three yearly Statement of Licensing **and Gambling** Policy.
- 45.** During each three year period to keep the Statement of Licensing **and Gambling** Policy under review, and to recommend any revisions to it, to Full Council.
- ~~5. To discharge the functions of the Local Authority as set out in the Gambling Act 2005.~~

LICENSING SUB-COMMITTEES - TERMS OF REFERENCE

These Sub-Committees are Sub-Committees of the Licensing Committee appointed by that Committee under Section 10 of the Licensing Act 2003.

To determine applications under the Licensing Act 2003 and Gambling Act 2005, where relevant representations are received.

ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. TO MAKE RECOMMENDATIONS TO FULL COUNCIL IN RELATION TO:-
 - i. Submission of proposals to the Secretary of State for pilot schemes for local elections.
 - ii. To change the name of a parish.
 - iii. To confer the title of honorary alderman or to admit to be an honorary freeman.
 - iv. The making and revision of Byelaws.
 - v. Promotion of or opposition to local or personal bills.
 - vi. Members Allowances.
 - vii. Boundary, structural and electoral reviews.
 - viii. Any proposed revisions to the Council's Constitution after inviting the Standards Committee to comment on such proposals.
 - ix. To monitor, review and make recommendations on the operation of the Council's decision-making structures.

2. TO EXERCISE THE FUNCTIONS OF FULL COUNCIL IN RELATION TO:-
 - i. Electoral Registration and Elections.
 - ii. All other Full Council functions not specifically dealt with by other Committees or reserved to the Council.
 - iii. Health and Safety within the meaning of Part 1 of the Health and Safety at Work Act 1974 other than in the Council's capacity as an employer.

AUDIT COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

DELEGATED MATTERS:- (the Committee may recommend any matter to Full Council when it considers it expedient to do so, after taking advice from the Head of Paid Service)

1. Audit Activity

- I. To consider the Head of Internal Audit's annual report and opinion, and reports on internal audit activity (actual and proposed), including for internal audit, the setting of Terms of Reference, internal audit strategy, and reviewing of resourcing and considering the level of assurance the annual report and opinion can give, over the council's corporate governance arrangements.
- II. To consider summaries of specific internal audit reports as requested.
- III. To consider reports dealing with the management and performance of the internal audit function.
- IV. To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- V. To consider arrangements for cooperation between internal audit, external audit and other review agencies.
- VI. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- VII. To consider specific reports as agreed with the external auditor.
- VIII. To comment on the scope and depth of external audit work and to ensure it gives value for money.
- IX. To liaise with the Audit Commission over the appointment of the council's external auditor.
- X. To commission work from internal and external audit as resources allow.
- XI. To have the right to call any Officers or agencies of the Council as required to offer explanation in the management of internal controls and risks.

- XII To, as required, meet privately separately with the external auditor and the Head of Internal Audit.

2. Regulatory Framework

- I. To maintain an overview of the council's constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.
- II. To review any issue referred to it by the Managing Director or a director or any council body as the Chair considers appropriate within the general Terms of Reference of the Committee.
- III. To monitor the effective development and operation of risk management and corporate governance in the council.
- IV. To monitor council policies in 'Raising Concerns at Work' and the antifraud and corruption strategy and the council's complaints process.
- V. To oversee the production of the authority's Annual Governance Statement and to recommend its adoption.
- VI. To consider the council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- VII. To consider the council's compliance with its own and other published standards and controls.
- VIII. To report and make recommendations to Cabinet or Council on major issues and contraventions.
- IX. To have rights of access to other Committees of the Council and to strategic functions as it deems necessary.

3. Accounts

- I. To approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- II. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

AWARDS AND GRANTS AND
TRANSPORT (APPEALS) COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

Terms of Reference

1. To consider and determine appeals for grant aid from students who do not meet the approved criteria for assistance, under either local or national award regulations.
2. To consider and determine appeals for the payment of expenses of children attending community, foundation voluntary or special schools to enable them to take part in any school activity or educational facility who do not qualify for assistance under the approved policies of the Authority.
3. To consider and determine appeals for the granting of scholarships, exhibitions, bursaries or other allowances to persons over compulsory school age who do not qualify for assistance under the approved policies of the Authority.
4. To consider and determine appeals for the provision of free home to school or college transport – including whether a particular walking route(s) is safe, or the payment of reasonable travelling expenses, to persons who do not qualify for either under the approved policies of the Authority.

STANDARDS COMMITTEE

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

FOR RECOMMENDATION TO COUNCIL:-

- (a) The adoption or revision of the Members Code of Conduct and the operation of the Code of Conduct; assisting the Mayor, Councillors, Co-opted Members and Church and Parent Governor representatives to observe the Members Code of Conduct (including the provision of training).
- (b) In conjunction with the Monitoring Officer to monitor, review and propose amendments to this Constitution specifically relating to matters referred by the Elections and Democratic Structures Committee.

DELEGATED MATTERS:-

- (a) To promote and maintain high standards of conduct by the Mayor, Councillors, Co-opted Members and Church and Parent Governor representatives of Overview and Scrutiny Committees or Sub-Committees.
- (b) To grant dispensations to Councillors, Co-opted Members and Church and Parent Governor representatives from requirements relating to interests set out in the Members Code of Conduct.
- (c) To maintain oversight of any major issues arising from Police or other enquires into the conduct of the Council in order to minimise disruption to other branches of the Authority.
- (d) To monitor and review the Council's Whistleblower's policy.
- (e) To monitor and review protocols for standards of behaviour for Members and Officers.
- (f) To monitor and review protocols for Members and Officers on relationships and dealings with outside organisations and individuals.
- (g) To monitor and review Member and Officer procedures relating to gifts and hospitality and prejudicial and personal interests.
- (h) To receive periodic reports from appropriate Directors on probity and corporate governance issues not specifically referred to elsewhere within the Committee's Terms of Reference.
- (i) To monitor and review the mandatory training programme for Members and Officers.

- (j) To monitor and oversee the response by the Council to complaints to the Ombudsman.
- (k) Dealing with complaints of alleged Member misconduct referred to the Monitoring Officer or any matter which is referred by an Ethical Standards Officer to the Monitoring Officer under Part III Local Government Act 2000.
- (l) Granting and supervision of exemptions from posts being designated as politically restricted.
- (m) To establish a selection panel to undertake the recruitment and selection of Independent Members to serve on the Committee and recommend suitable candidates to Full Council.**
- ~~(m)~~ To arrange for the exercise of all the above functions in relation to Parish Councils wholly or mainly in its area and to the members of those Parish Councils.

STANDARDS (PARISH COUNCILS) SUB-COMMITTEE

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

DELEGATED MATTERS:-

To carry out the functions of the Standards Committee so far as they apply to Parish and Town Councils wholly or mainly within the Borough.

- (a) To promote and maintain high standards of conduct by Councillors and Co-opted Members.
- (b) To grant dispensations to Councillors and Co-opted Members from requirements relating to interests set out in the Members Code of Conduct.
- (c) To monitor and review protocols for standards of behaviour for members and officers.
- (d) To monitor and review protocols for Members and Officers on relationships and dealings with outside organisations and individuals.
- (e) To monitor and review Officer and Member procedures relating to gifts and hospitality and personal and prejudicial interests.
- (f) Dealing with complaints of alleged Member misconduct referred to the Monitoring Officer or any matter, which is referred by an Ethical Standards Officer to the Monitoring Officer under Part III of the Local Government Act 2000.

STANDARDS (ASSESSMENT) SUB-COMMITTEE

This Sub-Committee is not a Sub-Committee constituted under Sections 101 and 102 of the Local Government Act 1972.

Terms of Reference

1. To carry out the initial assessment of misconduct allegations against a Member, or Co-opted Member (or former Member or Co-opted Member) of the Council and Parish and Town Councils within the Borough who have failed, or may have failed, to comply with the Council's Code of Conduct for Members in accordance with Section 57A of the Local Government Act 2000 or any amendment or re-enactment thereof and decide whether to:-
 - i. Refer the complaint to the Monitoring Officer for investigation **or other action which may include training or a process of conciliation or other steps as appear appropriate.**
 - ii. take no further action in respect of the complaint, or
 - iii. Refer the complaint to the Standards Board for England.

STANDARDS (REVIEW) SUB-COMMITTEE

This Sub-Committee is not a Sub-Committee constituted under Sections 101 and 102 of the Local Government Act 1972.

Terms of Reference

1. To review a decision of the Assessment Sub-Committee to take no action in respect of a misconduct allegation against a Member, or Co-opted Member (or former Member or Co-opted Member) of the Council and Parish and Town Councils within the Borough, in accordance with Section 57B of the Local Government Act 2000 and any relevant regulations and guidance.

STANDARDS (DETERMINATION) SUB-COMMITTEE

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

Terms of Reference

1. To determine matters referred to by the Monitoring Officer (or any such person who has been appointed by the Monitoring Officer to carry out the investigation on his/her behalf) following a referral of a complaint for investigation to the Monitoring Officer by the Standards Assessment Sub-Committee or the Standards Review Sub-Committee or the Standards Board for England, in accordance with the provisions of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 and the Regulations made under Part 10 of the Local Government and Public Involvement in Health Act 2007 or any amendment or enactment.

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE (OSMC)

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To be responsible for co-ordinating and undertaking the Council's scrutiny and overview function in respect of all areas of Council activity including partnership working and particularly the responsibility to: -
 - (a) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive;
 - (b) make reports or recommendations to the Authority or the Executive with respect to the discharge of any functions which are the responsibility of the Executive;
 - (c) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Executive;
 - (d) make reports or recommendations to the Authority or the Executive with respect to the discharge of any functions which are not the responsibility of the Executive;
 - (e) review and scrutinise relevant public bodies and partners in the Borough, including the Council's contribution and relationship with them and, where necessary, request them to address overview and scrutiny and local people about their activities and performance or particular decisions, initiatives or projects; and
 - (f) make reports or recommendations to the Authority or the Executive on matters which affect the Authority's area or the inhabitants of that area.
2. To carry out functions necessary to operate the call-in procedure set out in the Overview and Scrutiny Procedure Rules.
3. To have authority to establish Overview and Scrutiny (Panels) and appoint Chairs to look at specific issues determined by the Overview and Scrutiny Management Committee. Membership of Overview and Scrutiny Panels to be drawn from a pool of all Council Members, excluding the Executive.
4. To be responsible for drafting protocols in respect of the Overview and Scrutiny process.

STANDING OVERVIEW & SCRUTINY PANELS

These Panels are Sub-Committees of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

Terms of Reference

1. The Panels will conduct enquiries and investigations, in relation to those functions of the Council (and other matters of local interest), referred to them in the Annual Work Plan and any additional issues referred by the Overview and Scrutiny Management Committee.
2. The work of the Panels will be undertaken in accordance with the requirements of the Council's Constitution including the Overview and Scrutiny Procedure Rules and any Overview and Scrutiny protocols.
3. The Panels be empowered to establish ad hoc Working Groups from within its membership, to undertake project and policy development work, to meet the objectives and targets of its annual Work Plan.
4. The Panels review and scrutinise relevant public bodies and partners in the Borough, including the Council's contribution and relationship with them and, where necessary, request them to address overview and scrutiny and local people about their activities and performance or particular decisions, initiatives or projects.

PANEL RESPONSIBLE FOR HEALTH OVERVIEW & SCRUTINY

This Panel is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972

The generic Terms of Reference for Overview & Scrutiny Standing Panels apply to the Overview and Scrutiny Panel responsible for Health Overview and Scrutiny. These are as follows:-

1. The Panels will conduct enquiries and investigations, in relation to those functions of the Council (and other matters of local interest), referred to them in the Annual Work Plan and any additional issues referred by the Overview and Scrutiny Management Committee.
2. The work of the Panels will be undertaken in accordance with the requirements of the Council's Constitution including Overview and Scrutiny Procedure Rules and any Overview and Scrutiny protocols.
3. The Panels are empowered to establish ad hoc Working Groups from within its membership, to undertake project and policy development work, to meet the objectives and targets of its annual Work Plan.

4. The Panels review and scrutinise relevant public bodies and partners in the Borough, including the Council's contribution and relationship with them and, where necessary, request them to address overview and scrutiny and local people about their activities and performance or particular decisions, initiatives or projects.

In addition, because of the specific functions of Health Scrutiny detailed within the relevant legislation the following Terms of Reference will also apply to this Panel.

5. To review and scrutinise any matter relating to the planning, commissioning, provision and operation of health services in the local regions.
6. To make reports and recommendations to National Health Service (NHS) bodies, the OSMC, the Executive and the Council on any matter reviewed or scrutinised using the specific powers of Health Scrutiny.
7. To require the attendance of an officer of a relevant NHS body to answer questions and provide explanations about the planning, commissioning, provision and operation of health services in the area.
8. To require a NHS body to provide information about the planning, commissioning, provision and operation of health services in the Local Authority's area subject to exemptions outlined in the Health and Social Care Act 2001.
9. To consider matters referred by a Local Involvement Network (LINK).
10. To require (under Section 7 of the Health and Social Care Act 2001) NHS bodies to refer service development proposals which involve substantial change or variation of their service to the Health Overview and Scrutiny Panel.
11. To consider the establishment of Joint Committees with other local authorities to undertake Overview and Scrutiny of health services where these services are provided across regions.
12. To consider the delegation of functions of Overview and Scrutiny of health to another Local Authority Overview and Scrutiny Committee.
13. To report to the Secretary of State for Health:
 - (a) Where the Overview and Scrutiny Sub-Committee is concerned that consultation on substantial variation or development of services has been inadequate.
 - (b) Where the Overview and Scrutiny Sub-Committee considers that the proposal is not in the interests of the well-being of local residents

JOINT SAFETY COMMITTEE

The Joint Safety Committee reports to the Employee Relations Committee but is not a Committee of the Council for the purposes of Sections 101 and 102 of the Local Government Act 1972.

SERVICE RESPONSIBILITIES

To meet its objectives, the safety committee may:

- Examine accident/incident trends and recommend corrective action.
- Examine safety audit reports.
- Consider reports provided by the enforcing authority. (HSE – Health and Safety Executive).
- Assist in developing safety rules and safe systems of work.
- Monitor the effectiveness of safety training for employees.
- Monitor the adequacy of Health and Safety communication and publicity in the workplace.
- Monitor the introduction of any measures in the workplace which may substantially affect the Health and Safety of employees and/or others.
- Monitor the introduction of new technologies into the workplace which may have Health and Safety consequences for employees and/or others.
- Monitor changes to Health and Safety legislation which are likely to have an impact on the organisation.
- Monitor the implementation of the organisational procedures of the Health and Safety Management System.
- Monitor the implementation of risk control measures identified by risk assessments.
- Monitor the allocation of resources for Health and Safety.
- Decide how the safety committee will disseminate the minutes of the meetings.
- Identify the need for the provision of any facilities and assistance the Committee may reasonably require to carry out its functions.
- Specify the competencies required of committee members.
- Constantly review any or all of the foregoing terms of reference.