ACHIEVING FOR CHILDREN - JOINT COMMITTEE

DATE: 16 MARCH 2016

REPORT AUTHOR: DEPUTY CHIEF EXECUTIVE – ACHIEVING FOR CHILDREN

SUBJECT: RESERVED MATTER DECISIONS

PURPOSE: FOR INFORMATION

PURPOSE OF REPORT

1. This report provides the Joint Committee with a summary of the reserved decisions that have been made by the Councils, as the owners as Achieving for Children, since the last meeting of the Committee on 16 September 2015.

RECOMMENDATIONS

The Joint Committee notes the reserved decisions that have been made by the Councils, as the owners of Achieving for Children, since the last meeting of the Committee on 16 September 2015.

DETAIL

2. At its meeting on 2 March 2016, the Children’s Commissioning Board agreed a revised process for the Councils to make reserved decisions as the joint owners of Achieving for Children. This was based on the changes to the Reserved Matters agreed by the Joint Committee at its meeting on 16 September 2015. The revised process is attached to this report as ANNEX 1. The final stage of this process requires Achieving for Children to provide a report to the Joint Committee on the reserved decisions that have been made by the Councils in the previous quarter.

3. The Chief Executives, in consultation with the Leaders of the Councils and/or the Lead Members for Children’s Services, have made two reserved
decisions since the last meeting of the Joint Committee. These relate to the appointment of Non-Executive Independent Directors (NEID) as required by Reserved Matter 6.

4. The Councils have agreed to the re-appointment of Jane Spencer as a NEID for a further four-year term until March 2020. David Archibald has been appointed for a four year term to March 2020 following the resignation of Dame Moira Gibb.

The company’s Articles of Association do not limit the number of terms that a NEID may serve on the Board of Directors; however, the Councils indicated, when establishing the company that they would not wish a NEID to serve more than two consecutive terms.

5. These appointments mean that two NEIDs will leave the Board in March 2019 and two will leave in March 2020. This will provide a level of continuity and stability to the Board. Jane Spencer brings to the Board experience in educational leadership and youth justice and provides support and challenge on these areas at Board level. David Archibald’s experience encompasses management of Children’s Services and Social Services; an excellent track record of building effective multi-agency partnerships, and being a non executive Board Member of the Social Care Institute for Excellence.

CONTACT DETAILS

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ANNEX 1: Notification of a Reserved Decision

The flowchart below sets out the process that Achieving for Children will follow when requesting that the Councils (as Members of the company) make a decision about a Reserved Matter.

1. AfC Board identifies that they require the Councils to make a Reserved Decision as set out in schedule 3 of the Inter-Authority Agreement.

2. Company Secretary (AfC) informs the Lead Commissioners by email that the AfC Board will be requesting the Councils make a Reserved Decision and the nature of the decision. The proposed Reserved Decision is added to the next OCG agenda.

3. The Deputy Chief Executive (AfC) provides a report to the OCG setting out the background and rationale for the Reserved Decision. The report is shared with the Council Chief Executives and following comments by the OCG and CEs any amendments made to produce an agreed version.

4. The Council Chief Executives consult with the appropriate lead members on the proposed Reserved Decision. Chief Executives liaise with each other to make the Reserved Decision.

5. Company Secretary (AfC) produces the Decision (ordinary or special resolution) in the agreed format for the Chief Executives to authorise. A complete record is retained by the Company Secretary.

6. The Deputy Chief Executive (AfC) provides a brief summary report to the quarterly meeting of the Joint Committee on the Reserved Decisions that have been made within the previous quarter.