

APPOINTMENTS AND COMMITTEES**WDA/16/25****Recommendation**

That the following be determined for the 2025/26 Municipal Year:

1. approval of the Terms of Reference and delegations for the Appeals Committee, Audit Committee and the Investigating & Disciplinary and Appointments Committee and the appointment of Members to those committees;
2. appointment of Chair to the Investigating & Disciplinary and Appointments Committee;
3. appointment of Members to the Forward Planning Panel;
4. representation on the Boards of Mersey Waste Holdings Limited, and the North West Employers' Organisation; and
5. delegated powers of the Authority to be granted to the Clerk in consultation with all Members to finalise any outstanding appointments in relation to the above.
6. agree a Member of the Authority to sit on the Procurement Project Board in addition to the Chairperson

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APPOINTMENTS AND COMMITTEES**WDA/16/25****Report of the Chief Executive****1. Purpose of the Report**

- 1.1 To make all necessary appointments and approvals in relation to the Authority's Committees; to agree the terms of reference and appointments to the Forward Planning Panel; and to consider the Authority's representation on other bodies for the 2025/26 Municipal Year.

2. Background

- 2.1 The Authority appoints its committees and determines their membership at its Annual Meeting each year in accordance with the Authority Procedural Rules.
- 2.2 The Authority also seeks nominations for Members to be appointed to specific panels and outside bodies at its Annual Meeting.
- 2.3 The following therefore need to be determined for the forward year:
- Appeals Committee
 - Audit Committee
 - Investigating & Disciplinary and Appointments Committee
 - Forward Planning Panel
 - Board of Mersey Waste Holdings Limited
 - North West Employers' Organisation
 - Procurement Project Board

3. Appeals Committee

3.1 Terms of Reference

To hear and adjudicate upon:-

1. appeals relating to disciplinary and capability matters; and
2. appeals relating to grading referrals.

Delegation:

To have delegated to it all the powers of the Authority to hear and adjudicate upon appeals relating to disciplinary and capability matters and to determine grading referrals.

Appointments: 4 Members

Quorum: 2 Members

2024/25 Membership (for information): Councillors Page, Brown, Kelly and Gomez-Aspron

It is worth noting that due to the relatively small size of the Authority, the need for a meeting of the Appeals Committee is rare and no meetings were called last year.

- 3.2 Members are asked to approve the Terms of Reference and Delegations to the Appeals Committee and to consider its Membership.

4. Audit Committee

4.1 Terms of Reference

To deal with:-

1. oversight of the Council's Internal Audit arrangements including;
 - (i) approve the Annual Audit Plan and performance criteria for the Internal Audit Service;
 - (ii) review summary findings and the main issues arising from internal audit reports and seek assurance that management action has been taken where necessary;

- (iii) review and agree any improvements to the effectiveness of the antifraud and corruption arrangements throughout the Authority;
- (iv) consider the annual report from the Chief Internal Auditor;
- (v) review the activities, processes and procedures of the Authority having regard to the demonstration of an economic, efficient and effective use of resources and the delivery of Value for Money;
- (vi) review the effectiveness of the system of Internal Audit on an annual basis as per statutory requirements and the outcome of the review of compliance with Public Sector Internal Audit Standards; and
- (vii) oversee the implementation of any recommended improvements where appropriate.

2. The oversight of the Authority's relationship with the External Auditor, including consideration of

- (i) the External Audit Plan of Work;
- (ii) the external auditor's Audit Completion Report;
- (iii) relevant reports issued by the External Auditor (with the exception of Public Interest reports and Statutory Recommendation reports made under Section 24 Schedule 7 of the Local Audit and Accountability Act 2014); and
- (iv) issues arising from the audit of the Annual Statement of Accounts

3. the consideration of the Authority's Treasury Management Strategy and performance.

4. review the Annual Governance Statement and the progress made by the Authority to address issues identified as risks when the financial statements are prepared;

5. undertake the following activities in respect of Risk Management:

- (i) assess the effectiveness of the Authority's Risk Management arrangements;
- (ii) consider the Corporate Risk Register on a regular basis to review the level of risk being faced by the

- Authority, review the progress made by the Authority to address the risks identified to minimize the financial, operational and reputational impact to the Authority;
- (iii) consider the adequacy of resources available to manage the financial impact of a failure in risk management

6. Review Financial Procedure Rules and Contract Procedure Rules and make recommendations to the Authority as to any changes considered necessary to those documents and procedures

Delegations:

- (i) To approve the Annual Audit Plan and performance criteria for the Internal Audit Service
- (ii) the statement of accounts

Appointments: 4 Members

Quorum: 2 Members

2024/25 Membership (for information): Councillors, Brown, Baldwin and Williams

- 4.2 Historically, The Audit and Governance Committee was only called where scheduling does not allow for governance issues to be considered at an Authority meeting.
- 4.3 At the Audit & Governance Committee held on 29th May 2025, a report was presented which proposed the arrangements for future Audit & Governance Committee meetings and commend them to the Authority for approval.
- 4.4 It is considered appropriate for this committee to be retitled to Audit Committee and to have an increased role in respect of the following:
- The Authority's statutory accounts and accounting policies;
- Internal audit and external audit matters
- Treasury management activities

The Authority's approach to risk management and its corporate risk register

Annual Governance Statement (AGS)

It was therefore proposed that meetings will be held three times per year as follows

A meeting in early January to facilitate the approval of the final Statutory Accounts (together with the External Auditor's report) for the previous year and approve the Treasury Management Strategy for the following year;

A meeting in June to consider draft Statutory Accounts, any Outturn reports and the AGS; and

A meeting in early November to consider mid-year reports and progress on governance matters.

- 4.5 In line with CIPFA guidance it is proposed that at least one independent member is appointed to ensure the Committee has access to appropriate expertise. The remuneration for this position, if any, will be determined by reference to similar roles within neighbouring local authorities and a recommendation will be taken back to the Authority for approval.
- 4.6 The new arrangements will provide for an improved approach to risk management and increased scrutiny of governance matters including any concerns raised by internal and external audit
- 4.7 Members are asked to approve the Terms of Reference and Delegations to the Audit Committee and to consider its Membership.

5. Investigating & Disciplinary and Appointments Committee

5.1 Terms of Reference:

To hear and adjudicate upon:-

1. matters relating to disciplinary, grievance, capability and sickness absence in relation to the Chief Executive and Chief Officers
2. matters relating to the recruitment and appointment of the Chief Executive and Chief Officers

Delegation:

To have delegated to it all the powers of the Authority to hear and adjudicate upon matters relating to the investigation of disciplinary, grievance, capability and sickness absence, and to determine the action (if any) or range of actions, as appropriate, in relation to the Chief Executive and Chief Officers.

To approve the recruitment and appointment process of the Chief Executive and Chief Officers.

Appointments:

3 Members (taking into account political balance and that each Member to be from a different constituent council).

Quorum: 2 Members

2024/25 Membership (for information): Councillors Bell, Page, and Norris

The Investigating & Disciplinary and Appointments Committee would only be called in the event that an issue with the Chief Executive or Chief Officers arose and to date no meetings have been called.

The Committee would also be called in the event that a recruitment process is needed for a new appointment of a Chief Executive or Chief Officer.

6. Committee Chairs

- 6.1 In accordance with the Authority Procedural Rules, Members may either appoint a Chair and Deputy Chair to each of its committees at its Annual Meeting or at the first meeting of the committee.
- 6.2 In practice, Members usually consider these appointments at the first meeting of the relevant committee. However, in terms of the Investigating & Disciplinary and Appointments Committee, there is a specific role for the Chair under the Authority's Disciplinary Procedure. Where allegations or complaints are made involving the Chief Executive or Chief Officers, the Monitoring Officer may be required to consult the Chair to determine if a committee meeting is warranted.
- 6.3 It would therefore be beneficial to appoint the Chair of the Investigating & Disciplinary and Appointments Committee at the Annual Meeting and Members are asked to consider such an appointment.

7. Forward Planning Panel

- 7.1 The Authority uses Member panels as an effective way to engage Members in specific areas of the Authority's business. It should be noted however that these panels are not decision making bodies and therefore have no delegated powers and no quorum is required.
- 7.2 For information, the Members appointed to the Forward Planning Panel in 2024/25 were:

Councillors, Page, Bell, Gomez-Aspron and Williams

The Terms of Reference for the panel is attached at Appendix 1 for reference and Members are asked to nominate Members to this panel for 2025/26.

8. Board of Mersey Waste Holdings Limited

- 8.1 Mersey Waste Holdings Limited remains an active company to enable the Authority to retain favourable contractual arrangements.
- 8.2 The Board of Directors includes three Members appointed by the Authority as Shareholder for a term of two years. Under the Company's Articles of Association the numbers of Members required to sit on the Board is set at three.
- 8.3 Councillor Page was appointed in 2023 and therefore her appointment requires a review.
- 8.4 Councillor Norris was appointed in 2023 and therefore his appointment requires a review.
- 8.5 Councillor Bell was appointed in 2024 and there his appointment remains valid.
- 8.6 Members are asked to consider the appointment to the Board.

9. WMRC Procurement Project Board

- 9.1 Report WDA/35/24 details the requirement for a Procurement Project Board be established to ensure good governance of the WMRC project.
- 9.2 The proposed Membership and Terms of Reference for the Procurement Project Board can be found at Appendix 3 of this report.

- 9.3 The Authority Chairperson will automatically sit on the Project Board, but it is recommended that another member, preferably from a different District Council to the Chairperson also sits on the Board, as well as a Deputy who can stand in as required.
- 9.4 Members are asked to nominate an appropriate Authority Member.
- 9.5 It should be noted that the Project Board will meet monthly, usually via virtual technology but at times face-to-face. It is important that whichever Member is nominated alongside the Chairperson is able to commit to the time required in this important role

10. North West Employers' Organisation

- 10.1 The Authority is requested each year to appoint a representative to the North Western Employers' Organisation (NWEO).
- 10.2 Councillor Robertson-Collins was appointed as the Authority's representative in 2024/25.
- 10.3 Members are asked to consider the Authority's representative for the coming year.

11. Risk Implications

- 11.1 The appointment of committees and representation on other bodies is a requirement of the Authority Procedural Rules and therefore failure to do so would be in breach of those rules.
- 11.2 In previous years, Members have granted delegated powers of the Authority to the Clerk to finalise any appointments which have not been agreed at the meeting and thereby mitigating the risk that positions remain vacant. Members are therefore asked to consider granting delegated powers of the Authority to the Clerk to agree outstanding appointments.
- 11.3 For ease of reference, Appendix 2 lists all nominations identified in this report. Members can contact the Clerk for further details regarding each appointment should they require it.

12. HR Implications

- 12.1 There are no HR implications associated with this report.

13. Legal Implications

13.1 There are no legal implications associated with this report

14. Environmental Implications

14.1 There are no environmental implications associated with this report.

15. Financial Implications

15.1 There are no financial implications associated with this report.

16. Conclusion

16.1 The Authority is asked to determine the appointments and representations set out in this report for the 2025/26 Municipal Year and to grant delegated powers of the Authority to the Clerk to complete any outstanding appointments.

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The background documents to this report are open to inspection in accordance with Section 100D of The Local Government Act 1972 - Nil.