



Meeting: **Constitution Committee**

Date/Time: **Friday, 22 November 2024 at 1.00 pm**

Location: **Gartree Committee Room, County Hall, Glenfield**

Contact: **Mrs J. Twomey (Tel: 0116 305 2583)**

Email: **joanne.twomey@leics.gov.uk**

Membership

Mr. N. J. Rushton CC (Chairman)

Mr. P. Bedford CC Mr J. Poland CC
Mr. L. Breckon JP CC Mr. R. J. Shepherd CC
Mr. M. T. Mullaney CC Mrs D. Taylor CC

AGENDA

<u>Item</u>	<u>Report by</u>	
1. Minutes of the meeting held on 13 September 2024		(Pages 3 - 6)
2. Question Time.		
3. Questions asked under Standing Order 7(3) and 7(5).		
4. To advise of any other items which the Chairman has decided to take as urgent.		
5. Declarations of interest.		
6. Review and Revision of the Constitution.	Chief Executive	(Pages 7 - 24)
7. Charitable Trust Future Arrangements.	Director of Law and Governance	(Pages 25 - 28)
8. Any other items which the Chairman has decided to take as urgent.		



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Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Friday, 13 September 2024.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Ashman CC
Mr. L. Breckon JP CC
Mr. M. T. Mullaney CC
Mr J. Poland CC

Mrs. C. M. Radford CC
Mr. R. J. Shepherd CC
Mrs D. Taylor CC

Apologies

In attendance

9. Minutes

The minutes of the meeting held on 24 May 2024 were taken as read, confirmed and signed.

10. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

11. Questions asked under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

12. Urgent Items.

There were no urgent items for consideration.

13. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

14. Appointment of Independent Persons

The Committee considered a joint report of the Chief Executive and the Director of Corporate Resources regarding the appointment of Independent Persons to support the Member Conduct Complaints Process as required under Section 28(7) of the Localism

Act 2011 and to support the procedures for dealing with the dismissal of the Chief Executive, the Monitoring Officer and the Chief Financial Officer, as required by the Local Authorities (Standing Order) England Regulations 2001 (as amended). A copy of the report marked 'Agenda Item 6' is filed with these minutes.

RESOLVED:

- (a) That the County Council be recommended to appoint Richard Gough, Gordon Grimes, Surinder Sharma, Pamela Roberts, John Pilgrim and Kimberley Kingsley, to serve as Independent Persons for a term of four years ending on 30 September 2024;
- (b) That Ms T Herring and Ms H Kotecha be thanked for their valuable work in supporting the Monitoring Officer in the operation of the Members' Code of Conduct complaints process over the last four years.

15. Exclusion of the press and public

RESOLVED:

That under Section 100(a)(4) of the Local Government Act 1972, the public be excluded for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 12A of the Act and that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

- Charitable Trust Future Arrangements

16. Charitable Trust Future Arrangements

The Committee considered a report of the Director of Law and Governance which provided an update to the Committee sitting as Trustee on the progress in the transition of the Educational Trusts of which the County Council was the sole corporate Trustee. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

The report was not for publication by virtue of paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972.

RESOLVED:

- (a) That the position in relation Leicestershire and Rutland Community Foundation Leicestershire Educational Trust Fund, and the ongoing discussions relating to the Kibworth Beauchamp High School Foundation be noted;
- (b) That the proposed transfers of the Hinckley John Cleveland Prize and Hinckley John Cleveland Scholarship Fund, the Mary Smith Scholarship Fund, the Piercy Scholarship Fund and the Thompson Trust, subject to Charity Commission approval in all cases, be supported;
- a) That the transfer of the land forming the Charitable Foundation of Edward Sherrier at Lutterworth and Shadwell to the Leicester Diocesan Board of Education subject to appropriate indemnities being granted, be approved.

- b) That the guidance issued by the Commission and request the Director of Law and Governance and the Director of Corporate Resources to review the governance checklist and report back to the Committee be noted.

1.00 - 1.20 pm
13 September 2024

CHAIRMAN

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CONSTITUTION COMMITTEE – 22ND NOVEMBER 2024

REPORT OF THE CHIEF EXECUTIVE

REVIEW AND REVISION OF THE CONSTITUTION

Purpose of the Report

1. The purpose of this report is to recommend changes to the Constitution as part of this year's annual review.

Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee or, in the case of the Financial Procedure Rules and Contract Procedure Rules, the recommendations of the Corporate Governance Committee.
3. In the case of everything except the Meeting Procedure Rules the final decision on changes can be made at a single meeting of the County Council. However, in the case of the Meeting Procedure Rules any motion to add, to vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
4. The Constitution has been reviewed on an annual basis every year since it came into effect in June 2001. This report sets out the results of the latest review.

Key Changes

5. The changes made are to bring the Constitution in line with changes in legislation and current good practice. The main changes are summarised in the paragraphs below.
6. The role and function of the Health Overview and Scrutiny Committee has been amended to reflect a change in the law removing the power to refer certain health service issues to the Secretary of State. In appropriate

circumstances, the Committee can now write to request (via a call-in request form) that the Secretary of State consider calling in a proposal.

7. A new Standing Order is proposed addressing amendments to motions at full Council meetings. It will allow sufficient time for officers to give advice on amendments to motions, which is particularly important for proposed amendments to the MTFS. The new Standing Order has also resulted in consequential changes to existing Standing Orders 16 and 27.
8. Changes to the Petitions Scheme are also proposed to clarify the process for petitioners.
9. Amendments have been made to the terms of reference for the Constitution Committee and the Corporate Governance Committee. In future, as is the case for most other authorities, it is proposed that the Statement of Accounts for the Council and the Pension Fund be presented to the Corporate Governance Committee (not the Constitution Committee) for approval. The Terms of Reference for the Corporate Governance Committee have also been simplified for the purposes of the Constitution and detailed terms of reference will in future be agreed by the Committee, similar to the process followed for the Local Pension Committee. The detailed terms of reference will be presented to the Corporate Governance Committee for approval on Friday 6th December.

Full Review of the Constitution

9. The Constitution has not been reviewed substantially since its introduction other than piecemeal changes being made annually to reflect changes in legislation and Council practices.
10. The recent independent governance review of Birmingham City Council undertaken by the Centre for Governance and Scrutiny criticised the Council for its Constitution and recommended that it was reviewed and revised. Like Leicestershire County Council, Birmingham City Council is still following the standard “model” constitution. The review stated that “as is common with traditional Constitutions, readability and navigability of the document is difficult, and there are parts that have the potential to cause confusion. Drafted well, a constitution can provide a framework for consistent, well-understood relationships between key actors in the governance framework. Drafted badly, it will frustrate attempts to provide clarity and introduce uncertainty and duplication.”
11. It is therefore proposed that a politically balanced task and finish group, comprising 5 members, is established with the following aims:
 - To review the Constitution, taking into account best practice from elsewhere and recommendations from the Centre for Governance and Scrutiny, and consider whether it could be streamlined and made more accessible;

- To ensure there are no areas of duplication that can cause confusion;
- To consider the use of language and ensure that the Constitution is fit for a modern, digital Council.

Recommendations

- (a) That the County Council be recommended to approve the proposed changes to the Constitution as set out in the Appendix attached to this report.
- (b) That a politically balanced task and finish group be established to undertake a full review of the Constitution.

Equal Opportunities and Human Rights Implications

There are no equalities and human rights implications arising from this report.

Background Papers

The Constitution of Leicestershire County Council.

Circulation under Local Issues Alert Procedure

None.

Officers to Contact

Lauren Haslam
The Director of Law and Governance
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Appendices

Appendix – Proposed Changes to the Constitution 2024

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**PROPOSED AMENDMENTS TO THE CONSTITUTION
OF LEICESTERSHIRE COUNTY COUNCIL
NOVEMBER 2024**

<u>ITEM</u>	<u>PROPOSED AMENDMENT</u>	<u>EXPLANATION</u>
<u>PART 1 – Summary and Explanation</u>		
Paragraph 20	Delete the following sentence: The Health Overview and Scrutiny Committee is able to make recommendations on a health service matter to the County Council who in turn may refer the matter to the Secretary of State.	To reflect changes in the law.
<u>PART 2 - ARTICLES</u>		
Article 3 – Citizens and the County Council	Amend paragraph (c) 2 as follows: 2. Where fixed signatory thresholds are achieved in accordance with the Petitions Scheme (Part 10 of this Constitution), submit petitions to standing overview and scrutiny, the boards and committees in the Regulatory area and require senior officers to give evidence at a standing overview and scrutiny committee or prompt a debate at a meeting of the full Couty Council.	To clarify current practice.

Article 4 – The full County Council	Delete paragraph 4.02 (l) and renumber remaining paragraphs accordingly	To reflect changes in the law removing the power to refer certain health service issues to the Secretary of State.
Article 6 – Overview and scrutiny committees	<p>Amend paragraph 6.03 (c) as follows:</p> <p>(c) in the case of scrutiny committee(s) with the function of scrutinising the health service, such committee(s) may make reports and recommendations to relevant NHS bodies and relevant health service providers, the County Council, district councils and other partners within Leicester, Leicestershire and Rutland as might be appropriate and in appropriate circumstances to write to request (via a call-in request form) that the Secretary of State consider calling in a proposal.</p> <p>Amend paragraph 6.08 (b) (x) as follows:</p> <p>(b) (x) may make reports and recommendations to relevant NHS bodies and relevant health service providers, the County Council, district councils and other partners within Leicester, Leicestershire and Rutland as might be appropriate and in appropriate circumstances write to request (via a call-in request form) that the Secretary of State consider calling in a proposal.</p> <p>Add new paragraph 6.08 (b) (xi) as follows:</p>	To reflect changes in the law removing the power to refer certain health service issues to the Secretary of State.

	<p>(b) (xi) may refer matters which have an impact on an administrative area larger than the County Council to the Joint Committee where it considers it appropriate to do so.</p> <p>Delete existing paragraph 6.09 (b) and replace with the following:</p> <p>(b) The Joint Committee may refer matters which only impact on the administrative area of the County Council to the health overview and scrutiny committee where it considers it appropriate to do so.</p> <p>Renumber remaining paragraphs accordingly.</p>	
Article 9 – Corporate Governance Committee	Delete Article 9.03 and renumber the remaining paragraphs.	To avoid duplication of the Terms of Reference set out in Part 3 of the Constitution.
Article 12 - Officers	<p>Add new Article 12.08 as follows:</p> <p>12.08 Record of Decisions</p> <p>Officers shall record, in accordance with the relevant statutory provisions and regulations and locally agreed procedure, any executive and non-executive decisions that they may make.</p>	To reflect statutory provisions and best practice.
Schedule 2: Plans and Strategies forming the Policy Framework	<p>Amend item 6 as follows:</p> <p>6. Strategic Plan and strategies relating to its</p>	To reflect the correct titles of the Strategies.

	<p>outcomes and principles including, for example, but not limited to:</p> <ul style="list-style-type: none"> • Economic Growth Strategy • Environment Strategy • Net Zero Strategy • Our Communities Approach (Communities Strategy) • Equality, Diversity and Inclusion Strategy 	
<u>PART 3 - RESPONSIBILITY FOR FUNCTIONS</u>		
<p>Section B: Responsibility for “County Council” functions</p>	<p>Amend the Terms of Reference for the Corporate Governance Committee to read as follows:</p> <p>“1. The Corporate Governance Committee shall have power to appoint subcommittees to deal with any appointments for which it has responsibilities.</p> <p>2. The extent to which the non-executive powers within the Committee’s remit have been delegated to chief officers, either by the full County Council or by the Committee (or by any of the bodies previously charged with the functions now within its remit), will be found:</p> <ul style="list-style-type: none"> (a) in the general scheme of delegation to heads of departments which appears in Section D of this Part; and (b) in the record of specific delegations maintained by the Chief Executive for public inspection at County Hall and which 	<p>To allow for the detailed Terms of Reference to be amended and approved by the Corporate Governance Committee.</p>

	<p>constitutes Part 9 of this Constitution.</p> <p>3. Subject to the delegations described in paragraph 2, the functions delegated to the Committee shall be all those non executive functions relating to the promotion and maintenance of high standards and integrity within the Authority in relation to governance, risk, financial management, standards of conduct by members and co-opted members and the adequacy and effectiveness of the internal and external audit of the Council's services.</p> <p><i>[Note: More details relating to the functions of the Corporate Governance Committee are set out in the Committee's full Terms of Reference which are published on the County Council's website at [link to be inserted]."</i></p> <p>Replace paragraph (b) in the Terms of Reference of the Constitution Committee with the following:</p> <p>(b) Annual Governance Statement. Approve the County Council's Annual Governance Statement.</p>	<p>Responsibility for approving the County Council and Pension Fund Accounts have transferred to the Corporate Governance Committee in accordance with good practice. However, the Annual Governance Statement will continue to be presented to the Constitution Committee for approval prior to sign off by the Leader and the Chief Executive.</p>
<p>Section C: Delegation to and from other local authorities</p>	<p>Deprivation of Liberty Assessments – change reference to the East Leicestershire and Rutland Clinical Commission Group to Leicester,</p>	<p>To reflect that replacement of all CCGs with ICBs.</p>

	<p>Leicestershire and Rutland NHS Integrated Care Board.</p> <p>Delete the delegation from Leicester City Council to carry out Leicester City Council's internal audit function.</p>	<p>Leicester City Council has provided formal notice of the withdrawal of the delegation, effective from 1 August 2024.</p>
<p>Section D: General scheme of delegation to Chief Officers</p>	<p>Add new paragraph 7, as follows:</p> <p>A proper officer may at any time delegate or authorise other officers to perform their designated duties on his/her behalf either generally or specifically for the purpose.</p> <p>Re-number remaining paragraphs accordingly.</p> <p>Amend existing paragraph 17, to read as follows:</p> <p>Amendment to the Constitution: To amend this Constitution to reflect reorganisations, changes in job titles and vacancies (where such changes result in redistributing existing delegations).</p> <p>Amend existing paragraph 18, to add the words "Subject to Article 13.03," to the beginning of this sentence.</p> <p>Add new paragraph 22, as follows:</p> <p>22. The Chief Executive has authorised the Director of Corporate Resources and the Director of Law and Governance to act in his</p>	<p>To reflect the general principle allowing proper officers to subdelegate to other officers.</p> <p>To allow for only minor, consequential amendments to be made to the Constitution.</p> <p>To reflect the provisions in Article 13 which reserve full Council decisions to County Council only.</p> <p>To record the authorisation made by the Chief Executive.</p>

	absence.	
Section E: Panels	<p>Delete the following Panels:</p> <p>(a) Adoption Panel (c) Children's Social Care Panel (h) Fostering Panel</p> <p>Add the following Panel:</p> <p>(x) Highways & Transport Communication Panel: to improve effectiveness of communication between Elected Members, Parish and Town Councils, communities and residents on matters related to highways and transport.</p> <p>Renumber remaining paragraphs accordingly.</p>	To reflect changes in the County Council's governance arrangements.
<u>PART 4A – MEETING PROCEDURE RULES</u>		
Standing Order 4 – Order of Business	<p>Add new paragraph (12) to read as follows:</p> <p>(12) to determine the allocation of committee places to political groups to ensure so far as is practicable that the rules relating to political balance are met.</p> <p>Renumber remaining paragraphs accordingly</p>	To reflect best practice.
New Standing Order 12 – Notice of Amendments	<p>Insert new Standing Order as follows:</p> <p>(1) Notice of the intention to move an amendment to a motion included on the agenda for a</p>	To allow sufficient time for officers to give advice on amendments to motions.

	<p>meeting in accordance with Standing Order 10 shall be submitted in writing to the Chief Executive at least two days before the meeting.</p> <p>(2) Details of the notice referred to in (1) above shall be disclosed to all members of the Council at 9.00am on the day before the meeting.</p> <p>(3) Notice of the intention to move an amendment to a motion to secure the approval by Council of the recommendations in a report of the Executive, the Commission, a board or committee shall be submitted in writing to the Chief Executive at least two days before the meeting.</p> <p>(4) Details of the notice referred to in (3) above shall immediately upon receipt be shared with the Leader of the Council and the Opposition Group Leaders.</p> <p>(5) Details of the notice referred to in (3) above shall be disclosed to all members of the Council at 9.00am on the day before the meeting.</p> <p>(6) The Chairman of the Council, or the Vice Chairman in their absence, may use their discretion to waive the requirement to comply with the provisions of this Standing Order.</p>	
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	<p>Unless there are exceptional circumstances, such requests should be made before the meeting.</p> <p>(7) Where a member who has proposed an amendment is unable to attend the meeting, they may nominate another member to move the amendment.</p> <p>Renumber remaining Standing Orders accordingly.</p>	
Standing Order 16 – Motions and amendments generally	<p>Amend paragraph (1) to read as follows:</p> <p>(1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Orders 10 and 12 it shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.</p>	To include reference to the new Standing Order 12
Standing Order 27 – Appointments at the Annual Meeting of the Council	<p>Amend the first paragraph to read as follows:</p> <p>At the Annual Meeting of the Council the procedure for the appointment of the Leader, Cabinet Support Members and those members of the Commission and of the boards and committees who are to be appointed by the Council shall be as set out below, and Standing Orders 10, 11, 12 and 26 shall not apply for the purpose of such appointments:</p>	To include reference to the new Standing Order 12
Standing Order 33 – Proceedings of	Add reference to Standing Order 5 to Standing Order	To clarify that the Executive, Commission,

the Executive, Commission, boards or committees	33(6)	boards and committees are able to vary the order of business from that set out on the agenda.
<u>PART 4C – BUDGET AND POLICY FRAMEWORK</u>		
Rule 5 – Decision outside the Budget and Policy Framework	Amend paragraph (a) to begin as follows: “Subject to the provision of Rule 7 below (Virement) and Financial Procedure Rule 8 (Implementation and amendment of approved capital programme)....”	To cross reference to the Financial Procedure Rules and when changes to the capital programme are permitted.
<u>PART 5A – MEMBERS’ CODE OF CONDUCT</u>		
Appendix A – The Seven Principles of Public Life	Amend the principal ‘Leadership’ to read as follows: Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.	To align with the recommendations of the Committee on Standards in Public Life.
<u>PART 10 – PETITIONS SCHEME</u>		
	Amend paragraph 4 to read as follows: “If you chose to use an alternative petition system other than the Council’s own system (e.g. Change.org), you will either need to print a copy of the petition statement and corresponding signatures and send it to us by post to the above address, or email an electronic copy to democracy@leics.gov.uk .”	To reference the correct email address for Democratic Services.

	<p>Add new paragraph 5 as follows:</p> <p>“Once a petition has been received and verified, no further signatures will be accepted.”</p> <p>Renumber remaining Scheme accordingly.</p> <p>Amend paragraph 8 as follows:</p> <p>“Petitions submitted (whether by post or online) to the Council must:</p> <ul style="list-style-type: none"> • have a clear and concise statement setting out the subject of the petition and the action the County Council is being asked to take in response (i.e. either do something or stop doing something). Each page of the petition should include the statement as evidence each signatory has read and understood it; • contain the name, signature and qualifying address (residential, work, or study (as applicable) in Leicestershire) of any person supporting the petition. E-petitions should also include signatories’ email addresses; • have full contact details of the petition organiser (lead petitioner). This is the person we will contact to explain how we will respond to the petition. This should be where they live, study or a business address within 	<p>To clarify when no further signatures can be made to a petition.</p> <p>To clarify the format and information needed for all petitions.</p>
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	<p>Leicestershire. If the petition does not identify a petition organiser, we will contact the first signatory on the petition to agree who should act as the petition organiser. These details will not be placed on the website;</p> <ul style="list-style-type: none"> • have a minimum of 100 signatures; • be received by the Chief Executive’s Department eight clear days before the relevant meeting at which it is to be presented, if it is to be considered at a meeting.” <p>Add new paragraph 12 and renumber thereafter:</p> <p>“Before organising a petition, it would be advisable to first check with your local County Councillor or with the County Council to see if action is already being taken in relation to your concerns and to determine if the Council is the most appropriate organisation to receive your petition.</p> <p>Amend current paragraph 14 to add the following bullet point:</p> <ul style="list-style-type: none"> • “If the petition is received in response to, or during a relevant and ongoing Council consultation it will be considered as part of the consultation process and referenced in the relevant Cabinet report. The lead petitioner will be informed of this by the Service Director.” 	<p>To clarify that petitions will be treated as part of an ongoing consultation if they relate to the same issue and are received during the consultation process.</p>
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Guidance for E-Petitions – How do I sign an active e-petition?	Add the following to the end of this section: Please note , once a petition has been received and verified, no further signatures will be accepted.	To clarify for the public when no further signatures can be made to a petition.

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**CONSTITUTION COMMITTEE (sitting as Trustee): 22 NOVEMBER
2024**

REPORT OF DIRECTOR OF LAW AND GOVERNANCE

CHARITABLE TRUST FUTURE ARRANGEMENTS

Purpose of Report

1. The purpose of this report is to seek a variation to the approved Grants Policy to enable the officer panel to determine individual applications from students below the proposed threshold.

Policy Framework and Previous Decisions

2. Part 3 of the County Council's Constitution provides for the Constitution Committee to undertake those functions relating to the Council's role as a charitable trustee.
3. The Committee resolved at its meeting in April 2024 to adopt a grants policy covering the process and criteria for grant giving in educational trusts in which the County Council is sole corporate Trustee.

Background

4. The County Council is the sole corporate Trustee of various Educational Trusts which are in the process of being closed and transferred to Leicestershire and Rutland Community Foundation (LRCF) or to schools as successor beneficiary bodies to the original trust.
5. In the interim, it is necessary to ensure that the Council complies with its duties in relation to those trusts of which it remains trustee to apply the funds and distribute them in accordance with the relevant trust constitution. This applies to the following trusts:
 - a. Hinckley John Cleveland Prize and Hinckley John Cleveland Scholarship Fund.
 - b. Mary Smith Scholarship Fund
 - c. The Piercy Scholarship Fund/Thompson Trust
 - d. Kibworth Beauchamp High School Foundation
 - e. Kibworth Goodman Exhibition Fund.
6. Good and constructive progress is being made concerning the transfer of the funds referred to in paragraph 5 a-c above. The progress of the transfer of the Kibworth Beauchamp High School Foundation and the linked Exhibition Fund are less advanced because of various complexities around the trust holding which the Mead Academy Trust is considering.

7. At its meeting on 30 April 2024, the Committee approved a grants policy based on a standard model setting out how the Trustee will make grants for the remaining charitable trusts so far as this is consistent with any scheme governing those trusts.

The approved policy addresses:

- a. The governance arrangement to support the trustee functions being undertaken by the Committee.
 - b. The duties on the Trustee to act in accordance with the objects of the relevant schemes and obligations to exercise reasonable care and skill in fulfilling the role.
 - c. Provisions on conflicts for the members of the Committee who fulfil the Council's role as Trustee and officers who advise the Committee in these functions.
 - d. Funding priorities for the charities
 - e. Activities that will not normally be supported
 - f. How grants may be applied for
 - g. When grants will usually be refused
 - h. What the grant may be used for
 - i. Decision making
 - j. Delegation of review of any grant applications to an officer panel to make recommendations to the Committee on grants to be made and that the Committee may authorise or refuse the grant via a written procedure.
 - k. The arrangements for notifying applicants of the outcome.
 - l. Due diligence provision
 - m. Reporting and monitoring requirements
 - n. Anti-bribery provisions
 - o. Clawback and repayment.
8. In relation to decision-making, the policy provides for an officer grants panel to be appointed comprising the Director of Law and Governance, Director of Corporate Resources and Director of Children and Family Services (or their nominees) to review grant proposals and make recommendations to the Committee as Trustee who may approve or refuse the grants recommended in the form of a written decision, such decision to normally be given within 21 days of the recommendation made to them.
9. That arrangement is appropriate for grants relating to institutions or large grants to individual students but is onerous in relation to small grant applications by individual students. For example, a recent application has been received from a former Kibworth Mead Academy student under the Kibworth Goodman Exhibition Fund for a grant of £150.00 to purchase course equipment, protected workwear and a bus pass to/from college. The officer panel is considering the application applying the Trust criteria. It would seem appropriate for grants of this type/size to be determined by the officer panel and the decision reported back to the next scheduled meeting of the Committee. It is believed that this is a more proportionate and efficient approach to grant applications of this value and type.

Proposed Amendment

10. It is proposed that an additional clause be added to the grants policy to provide as follows:

'The trustee delegates authority to the officer panel to determine grant applications from or on behalf of an individual student which does not exceed £1000.00 subject to

- *such applications being determined by the panel applying the relevant trust criteria; and*
- *the panel reporting back to the next meeting of the Committee details of any grants made pursuant to the delegated authority'.*

Resource Implications

11. These are contained within the report.

Recommendations

12. The Committee is recommended to approve the amendment to the grants policy as set out in paragraph 10 above.

Background Papers

Report to the Constitution Committee on 29th July 2019:

<https://politics.leics.gov.uk/documents/s147457/Charitable%20Trusts%20report.pdf>

Report to the Constitution Committee 18th September 2020:

<https://politics.leics.gov.uk/documents/s155499/Constitutional%20Committee%20-%20Charitable%20Trust%20Future%20Arrangements%20Update%20002%20003.pdf>

Report to the Constitution Committee 25th November 2022:

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=150&MId=7122&Ver=4>

Report to the Constitution Committee 21st March 2023:

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=150&MId=7318&Ver=4>

Report to the Constitution Committee 30th April 2024:

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=150&MId=7741&Ver=4>

Report to the Constitution Committee 13th September 2024

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=150&MId=7948&Ver=4>

Equality Implications

13. A full Equalities Impact Assessment is not considered necessary.

Human Rights Implications

14. There are no human rights implications arising from this report.

Officer to Contact

Lauren Haslam

Director of Law and Governance

Telephone 0116 305 6240 Email lauren.haslam@leics.gov.uk

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