

## APPENDIX 1a

### THE WEST YORKSHIRE ADOPTION JOINT COMMITTEE

#### Constitution

##### 1) Introduction

- a) The West Yorkshire Adoption Joint Committee ('WYAJC') is a joint committee under S9EB of the Local Government Act 2000 and pursuant to Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- b) The Participating Authorities have entered into a Partnership Agreement dated XXX ('the Partnership Agreement'<sup>1</sup>) for the discharge of functions by the Host Authority (acting as a Regional Adoption Agency to be known as One Adoption Agency for West Yorkshire.)
- c) WYAJC will exercise functions delegated to it by the Participating Authorities in relation to adopter recruitment and assessment, family finding, adoption panel and adoption support ('the Delegated Functions') as set out in the WYAJC Terms of Reference.
- d) Political proportionality rules do not apply to the WYAJC.

##### 2) Participating Authorities

- a) WYAJC will comprise the following authorities ('the Participating Authorities'):-
  - i) City Of Bradford Metropolitan District Council;
  - ii) Calderdale Council;
  - iii) The Council of the Borough of Kirklees Council;
  - iv) Leeds City Council ('the Host Authority'); and
  - v) Wakefield City Council.

##### 3) Membership

- a) WYAJC shall comprise one Member from each Participating Authority<sup>2</sup> ('the Principal Member').
- b) Co-option of Members onto WYAJC is not permitted.
- c) Each Participating Authority shall have a pool of up to two named substitute Members<sup>3</sup>. The clerk to WYAJC must be advised before the commencement of the meeting if a substitute is to attend in place of the Principal Member.
- d) In the event of a Principal Member ceasing to be a member of the Participating Authority, he/she shall also cease to be a member of WYAJC and the relevant authority shall appoint another Principal Member in his/her place as soon as reasonably practicable.

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<sup>1</sup> Which term shall be understood to include any later amendments to the Partnership Agreement

<sup>2</sup> The Leader of each authority shall make arrangements for the appointment of the Principal Member who may be the Lead Member for Children or another, and may be a Member of the Executive or of the authority.

<sup>3</sup> The Leader of each authority shall make arrangements for the appointment of substitute Members who may be Members of the Executive or of the authority

- e) Each Participating Authority may remove its Principal Member and or any of those Members named in its pool of Substitute Members and appoint a different Principal Member or additional Substitute Member to the pool by providing 24 hours' notice to the clerk to WYAJC.

#### 4) Chair

- a) The chair of WYAJC ('the Chair') shall be the Member appointed by the Host Authority.
- b) A vice chair ('the Vice Chair') shall be elected from amongst the Principal Members at the first meeting of the committee each municipal year.
- c) Where, at any meeting or part of a meeting of WYAJC the Chair is either absent or unable to act, to the Vice Chair shall preside for that meeting or part of that meeting as appropriate.<sup>4</sup>

#### 5) Delegation of Functions

- a) Sub Committees  
WYAJC may set up Sub-Committees as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of such members of WYAJC as it considers appropriate.
- b) Advisory Groups  
WYAJC may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers and / or members of the Participating Authorities or such third parties as WYAJC considers appropriate.
- c) Officers  
WYAJC may delegate such of its functions as it sees fit to the Director of Children's Services for the Host Authority<sup>5</sup>.

#### 6) Hosting and Administration

- a) WYAJC shall be hosted by Leeds City Council ('the Host Authority')
- b) The Host Authority shall provide clerking services and legal advice in addition to fulfilling monitoring officer and S151 officer roles for the WYAJC.
- c) The administrative costs of supporting WYAJC will be met by the Participating Authorities in accordance with the funding formula agreed between them and set out in the Partnership Agreement.

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<sup>4</sup> For the avoidance of doubt, the role of chair vests in the Principal Member concerned and in his/her absence the role of chair will not automatically fall to the relevant Principal Member's substitute.

<sup>5</sup> Unless expressly indicated the fact that a function has been delegated to the Director for Children's Services of the Host Authority does not require that officer to give the matter his/her personal attention. The officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director of Children's Services will remain responsible for any decision taken pursuant to such arrangements.

- 7) Access to Information
  - a) Those documents and notices relating to WYAJC which are made available for public inspection will be published on the One Adoption Agency for West Yorkshire's website. Participating Authorities may provide links to the site from their own websites.
- 8) Conduct of Members
  - a) Members of WYAJC shall comply with the Members' Code of Conduct as adopted by their own authority
  - b) Members of WYAJC shall maintain their register of interests as required by the Members' Code of Conduct,
  - c) Members of WYAJC shall declare any disclosable pecuniary interest<sup>6</sup> in a matter to be considered by the committee in accordance with the agenda for the meeting
  - d) Any complaint in relation to the conduct of a member of WYAJC shall be referred to the Monitoring Officer of their own authority and dealt with in accordance with the rules and procedures in place at and at the cost of that authority.
- 9) Scrutiny of Decisions
  - a) Participating Authorities shall continue to operate overview and scrutiny functions in relation to the joint arrangements.
- 10) Winding up of WYAJC
  - a) Participating Authorities may cease to participate in the joint committee in accordance with the provisions set out in the Partnership Agreement.
  - b) WYAJC may be wound up on the unanimous consent of all Participating Authorities in accordance with the provisions set out in the Partnership Agreement.
- 11) Amendment of this Constitution
  - a) This constitution can only be amended by resolution of each of the Participating Authorities.

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<sup>6</sup> As defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012/1464