

Transport for the North Board - Item 6

Subject: Governance Report
Author: Deborah Dimock, Legal Services Officer
Sponsor: Julie Openshaw, Head of Legal
Meeting Date: 12 September 2019

1. Purpose of the Report:

- 1.1 The purpose of this report is for Members
- (a) To appoint a Majority Vice Chair of the Board
 - (b) to consider a proposal submitted by Mayor Steve Rotheram

2. Appointment of Vice Chair to the Transport for the North Board:

- 2.1 The appointment of a Majority Vice Chair was deferred from the annual meeting on 31 July 2019.
- 2.2 Nominations are requested for the position of Majority Vice Chair.

3. Recommendation:

- 3.1 That a Majority Vice Chair be appointed.

4. Proposal from Mayor Steve Rotheram:

- 4.1 The following email, sent on behalf of Mayor Rotheram, has been received by Transport for the North: (email transposed directly as received)

I am writing to you on behalf of Mayor Steve Rotheram. The Mayor would like to use his authority as a member of TfN to put forward into the Constitutional Review that The North West Regional Trade Union Congress representatives be invited to be co-opted on to the TfN Board and invited to the Partnership Board at the earliest opportunity.

He would like them to have equal status with the current representatives of the Local Enterprise Partners (LEPs) who are currently allowed to attend both.

The proposed recommendation:

Recommendation 1:

To amend current rules around the co-opting of new members to the TfN Board, so that if a unanimous decision is not arrived at then for the decision to go to a vote of TfN Members.

The mayor believes that the democratic structure of TfN should align as much as possible so that decisions that reflect the overwhelming view of the board and those they represent, and cannot not be held up by a minority view. This is crucial if TfN is to grow as an organisation and it's governance structures can adapt to the challenges of the future.

Recommendation 2:

To appoint a representative, of the Trade Unions Congress (TUC) to be co-opted members of TfN in accordance with the table of nominations.

The mayor believes that this change will recognise the workforce across the north at our meetings, and it is only fair given that there are 11 LEP representatives who reflect the views of the business community in the region; a small change such as this would help address this imbalance and better inform the work we do. There is a further added benefit to this change, given that there is currently only 3 women on TfN's Board in total (only two of them with full voting rights) and that after May's local elections this will likely only go up to 4 following our next Board Meeting on the 31st July, the mayor's proposed change alone would immediately increase by at least 50% female representation on the TfN Board.

The current Regional Secretaries for the TUC are Lynn Collins in the North West, Beth Farhat in the North East ('Northern'), and in Yorkshire and Humber it is Bill Adams.

If this change is approved, then TfN should officially write to the TUC's General Secretary, Francis O'Grady, inviting the regional TUC General Secretaries to take up positions on our Board.

5. Discussion:

- 5.1 For background this request was received as papers were finalised for the July Board meeting. Hence the reference to the 'Constitutional Review' and 'table of nominations' above as these were part of the papers for that Board. There was insufficient time to prepare a paper

for the July Board and hence this request has been carried forward to this meeting.

- 5.2 The rules around co-option set out in the Constitution follow the provisions of the Transport for the North Regulations which provide that the Constituent Authority Members may co-opt other members onto the Transport for the North Board if they all agree to do so.
- 5.3 This means that it is not open to Transport for the North to amend the Constitution in the way that is proposed in Recommendation 1 since this would be contrary to the Regulations which have statutory force.
- 5.4 In accordance with our normal practice we have contacted all the Constituent Authority Members to obtain their consent prior to the meeting. The consent of all Members to the proposal has not been received and therefore the proposed co-options to TfN Board cannot be made at this meeting.
- 5.5 The Mayor has asked that the TUC representatives be appointed to the Partnership Board with effect from the December meeting.
- 5.6 Members should also note that a wider discussion on Partnership Board membership and role, originally planned to be discussed as part of the Constitution Review in July, is now due to take place at the December meeting. The Chairman has suggested that this governance matter be taken in the round and discussed at that meeting.

6. Recommendation:

- 6.1 That the Board consider Mayor Rotheram's proposal and the Chairman's suggestion outlined in paragraph 5.6

List of Background Documents:

There are no background papers to this report.

Required Considerations

Equalities:

Age	No
Disability	No
Gender Reassignment	No
Pregnancy and Maternity	No
Race	No
Religion or Belief	No
Sex	No
Sexual Orientation	No

Consideration	Comment	Responsible Officer	Director
Equalities	A full Impact assessment has not been carried out because the report does not propose any new strategy or service provision.	Deborah Dimock	Julie Openshaw

Environment and Sustainability

Yes	No
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Consideration	Comment	Responsible Officer	Director
Sustainability / Environment –	A full impact assessment has not been carried out	Deborah Dimock	Julie Openshaw

including considerations regarding Active Travel and Wellbeing	because the report does not propose any new strategy or service provision.		
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Legal

Yes

Consideration	Comment	Responsible Officer	Director
Legal	The legal implications have been considered and are included in the report.	Deborah Dimock	Julie Openshaw

Finance

No

Consideration	Comment	Responsible Officer	Director
Finance	TfN Finance Team has confirmed there are no new financial implications.	Gareth Sutton	Iain Craven

Resource

No

Consideration	Comment	Responsible Officer	Director
Resource	TfN HR Team has confirmed there are no new resource implications.	Stephen Hipwell	Dawn Madin

Risk

No

Consideration	Comment	Responsible Officer	Director
Risk	A risk assessment has been carried out and the key risks are included in the report.	Deborah Dimock	Julie Openshaw

Consultation

Yes

Consideration	Comment	Responsible Officer	Director
Consultation	The proposal has been circulated to the members representing the Constituent Authorities in advance of the meeting and feedback sought.	Deborah Dimock	Julie Openshaw