

Meeting:	Adults and wellbeing scrutiny committee
Meeting date:	Tuesday 2 October 2018
Title of report:	Committee work programme 2018-19
Report by:	Democratic Services Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To consider the committee's work programme, as updated, for the 2018-19 municipal year.

Recommendation(s)

That:

- (a) the draft work programme (appendix 1) be approved, subject to any amendments the committee wishes to make;**
- (b) the committee determines the appropriate approach taken to the scrutiny of topics in the work programme, including the establishment of any task and finish groups, their chairmanship, or the undertaking of a spotlight review;**
- (c) the scrutiny committee review the forward plan to determine whether to carry out pre-decision call-in on any of those scheduled executive decisions and**
- (d) the committee determines whether there is any matter for which it wishes to exercise its powers of co-option.**

Alternative options

1. It is for the committee to determine its work programme to reflect the priorities facing Herefordshire. The committee needs to be selective and ensure that the work programme is focused, realistic and deliverable within existing resources.

Key considerations

Outcome of scrutiny workshop

2. A workshop was held on 4 June 2018 in order for members to contribute to the development of an annual work programme. The principal purpose of the workshop was for members to identify a shortlist of items for scrutiny during the coming year, but also to consider approaches to ensuring the effectiveness of scrutiny. As well as committee members, the workshops were attended by non-scrutiny members, the cabinet member for health and wellbeing, the chief officer of Healthwatch, directors of NHS Herefordshire Clinical Commissioning Group (CCG), and supported by senior council officers and democratic services officers.
3. Members are invited to review the draft work programme (appendix 1). This has been updated since last discussed at the meeting held on 17 July 2018, in recognition of a need for some flexibility in forthcoming decisions and allowing for urgent items or to consider decisions that have been called-in for scrutiny. To assist, a prioritisation flow chart (see appendix 2) is provided to assess which items should be included in the scrutiny committee work programme. Consideration should be given to the type of scrutiny would to apply to work programme items and whether an item should be called-in for pre-decision scrutiny or conducted through task and finish group, for example.
4. The work programme will remain under regular review during the year to allow the committee to respond to particular circumstances.

Constitutional Matters

Task and Finish Groups

6. A scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee's agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session; the procedure rules relating to task and finish groups will apply in these circumstances.
7. The relevant scrutiny committee will approve the scope of the activity to be undertaken, the membership, chairman, timeframe, desired outcomes and what will not be included in the work. A task and finish group will be composed of a least 2 members of the committee, other councillors (nominees to be sought from group leaders with un-affiliated members also invited to express their interest in sitting on the group) and may include, as appropriate, co-opted people with specialist knowledge or expertise to support the task. In appointing a chairman of a task and finish group the committee will also determine, having regard to the advice of the council's monitoring officer and statutory scrutiny officer, whether the scope of the activity is such as to attract a special responsibility allowance.
8. The committee is asked to determine any matters relating to the appointment of a task and finish group and the chairmanship and any special responsibility allowance or undertaking a spotlight review including co-option (see below).

9. The constitution states that scrutiny committees should consider the forward plan as the chief source of information regarding forthcoming key decisions. Forthcoming decisions can be viewed under the forthcoming decisions link on the council's website:

<http://councillors.herefordshire.gov.uk/mgDelegatedDecisions.aspx?&RP=0&K=0&DM=0&HD=0&DS=1&Next=true&H=1&META=mgforthcomingdecisions&V=1>

Should committee members become aware of additional issues for scrutiny during year they are invited to discuss the matter with the chairman and the statutory scrutiny officer.

Co-option

- 10 A scrutiny committee may co-opt a maximum of two non-voting people as and when required, for example for a particular meeting or to join a task and finish group. Any such co-optees will be agreed by the committee having reference to the agreed work programme and/or task and finish group membership.
- 11 The committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

Scheduled meetings

- 12 In the delivery of the work programme, the following committee dates have been scheduled. All meetings, unless otherwise published, will commence at 10am:

27 November 2018
29 January 2019
5 March 2019

Community impact

- 13 In accordance with our adopted code of corporate governance, Herefordshire Council must ensure that it has an effective performance management system that facilitates effective and efficient delivery of planned services. Effective financial management, risk management and internal control are important components of this performance management system. Herefordshire Council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development, and review.

Equality duty

- 14 Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. All Herefordshire Council members are trained and aware of their Public Sector Equality Duty and Equality considerations are taken into account when serving on committees.

Resource implications

- 15 The costs of the work of the committee will have to be met within existing resources. It should be noted the costs of running scrutiny will be subject to an assessment to support appropriate processes.

Legal implications

- 16 The remit of the scrutiny committee is set out in part 3 section 4 of the constitution and the role of the scrutiny committee is set out in paragraph 2.6.5 of the constitution.
- 17 The council is required to deliver a scrutiny function.

Risk management

- 18 There is a reputational risk to the council if the scrutiny function does not operate effectively. The arrangements for the development and review of the work programme should help mitigate this risk

Consultees

- 19 Participants at the workshop identified above contributed to the development of the work programme and are encouraged to continue to do so to ensure the work programme remains relevant. The chairman meets every quarter with Healthwatch and with NHS Herefordshire Clinical Commissioning Group to monitor the relevance of items for the work programme. Members of the public are also able to influence the scrutiny work programme through asking for an item to be considered by asking a public question or by contacting the council via the get involved section of the public web-site.

Appendices

Appendix 1 Draft updated committee work programme for 2018-19

Appendix 2 Scrutiny Work Programme Prioritisation Aid

Background papers

None identified.