

Meeting:	Adults and wellbeing scrutiny committee
Meeting date:	29 January 2019
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 for 2018-19.

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;**
- (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;**
- (d) the committee determines whether there is any matter for which it wishes to exercise its powers of co-option; and**
- (e) the letter from NHS Herefordshire Clinical Commissioning Group (CCG) in relation to committee recommendations on the NHS Continuing Healthcare Framework applicable to Herefordshire (Appendix 3) be noted, subject to any observations the committee wishes to make.**

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

Work programme updates

2. The work programme needs to focus on the key issues of concern and be manageable. It must also be ready to accommodate urgent items or matters that have been called-in.
3. A scrutiny members' workshop was held on 10 December 2018 on the Herefordshire and Worcestershire sustainability and transformation partnership (STP), regional NHS integrated care system, the role of the health and wellbeing board, and the better care fund and integration plan. A report is expected at the 5 March 2019 committee meeting.
4. Reports on learning disability strategy update and homelessness reduction have been deferred from the 29 January 2019 meeting to the 5 March 2019 meeting.
5. At the scrutiny members' workshop, the following amendments to the work programme were suggested: the workshop on 19 March 2019 include topics on both mental health and dementia; and briefing notes be prepared on GP capacity and on the care market.
6. Members are invited to review the updated work programme (appendix 1). A prioritisation flow chart (appendix 2) is provided to assess which items should be included in the work programme. Consideration should be given to the type of scrutiny to apply to work programme items, such as undertaking pre-decision call-in, establishing a task and finish group or spotlight review, identifying a topic for a scrutiny members' workshop, or requesting a briefing note.
7. The work programme will remain under regular review during the year to allow the committee to respond to particular circumstances.
8. Should committee members become aware of additional issues for scrutiny during the year they are invited to discuss the matter with the chairperson and the statutory scrutiny officer.

Letter from NHS Herefordshire Clinical Commissioning Group (CCG) in relation to committee recommendations on the NHS Continuing Healthcare Framework applicable to Herefordshire

9. At the 20 September 2018 meeting, the committee considered a report on 'NHS Continuing Healthcare Framework applicable to Herefordshire' and made a number of recommendations to NHS Herefordshire Clinical Commissioning Group (CCG); the relevant minute is available here: <http://councillors.herefordshire.gov.uk/mgAi.aspx?ID=50321>
10. The Managing Director of the CCG has responded to the recommendations in a letter to the chairperson, dated 16 November 2018 (appendix 3).
11. An update on the recommendations is identified in the work programme for 2019-20.

Constitutional Matters

Task and Finish Groups

12. 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.
13. The relevant scrutiny committee will approve the scope of the activity to be undertaken, the membership, chairperson, 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 chairperson 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.
14. The committee is asked to determine any matters relating to the appointment of a task and finish group, the chairperson and any special responsibility allowance, or undertaking a spotlight review including co-option (see below).

Co-option

15. 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.
16. The committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

Forward plan

17. 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?XXR=0&DAYS=28&RP=0&K=0&DM=0&HD=0&DS=1&META=mgdelegateddecisions&V=0>

Scheduled meetings

18. In the delivery of the work programme, the following committee dates have been scheduled. All meetings, unless otherwise published, will commence at 10.00 am:

4 February 2019 (provisional, to be confirmed)

5 March 2019

Community impact

19. In accordance with the 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

Further information on the subject of this report is available from
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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

20. 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.

21. 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

22. 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

23. 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.

24. The council is required to deliver a scrutiny function.

Risk management

25. 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

26. A workshop was held on 4 June 2018 in order for members to contribute to the development of an annual work programme. As well as committee members, the workshop was 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), senior council officers and democratic services officers.

27. The chairperson meets every quarter with Healthwatch and with NHS Herefordshire

Clinical Commissioning Group to monitor the relevance of items for the work programme.

28. Members of the public are also able to influence the scrutiny work programme by suggesting a topic for scrutiny or by asking a question at a public meeting, for further details, please see the 'get involved' section of the council's website:

www.herefordshire.gov.uk/getinvolved

Appendices

Appendix 1 Updated committee work programme for 2018-19

Appendix 2 Scrutiny work programme prioritisation aid

Appendix 3 Letter dated 16 November 2018 from the Managing Director of NHS Herefordshire Clinical Commissioning Group

Background papers

None identified.