

Meeting:	Children and young people scrutiny committee
Meeting date:	Monday 25 November 2019
Title of report:	Work programme 2019 - 2020
Report by:	Democratic Services Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To review the committee's work programme 2019/20 and agree amended terms of reference for the peer on peer spotlight review.

The attached work programme was agreed at the meeting of the committee on 16 September. Since this meeting the following changes have been made to the work programme: the January meeting has been moved from 20 January to 14 January 2020, 1:00 p.m.; the young carers item has been moved from the 25 November 2019 meeting to the 14 January 2020 meeting; and the examination results performance report has been moved from the January meeting to the 16 March 2020 meeting.

Recommendation(s)

That the committee:

- (a) reviews and agrees the 2019/20 work programme at appendix a and determines any additional items of business or topics for inclusion in the work programme;**
- (b) approves the amended terms of reference (appendix b) for the peer on peer abuse in schools spotlight review; and**
- (c) notes the recommendation tracker in appendix c.**

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. The committee needs to develop a manageable work programme to ensure that scrutiny is focused, effective and produces clear outcomes. Topics selected on the work programme should reflect issues of current importance facing children's services at Herefordshire council.

Key considerations

Work Programme

2. The work programme needs to focus on the key issues of concern and be manageable allowing for urgent items or matters that have been called-in. Should committee members become aware of any issue they think should be considered by the committee they are invited to discuss the matter with the chairperson, vice chairperson and the statutory scrutiny officer. The current version of the work programme is attached at appendix a.
3. Since the previous meeting of the committee on 16 September the following changes have been made to the work programme: the January meeting has been moved from 20 January to 14 January 2020, 1:00 p.m.; the young carers item has been moved from the 25 November 2019 meeting to the 14 January 2020 meeting; and the examination results performance report has been moved from the January meeting to the 16 March 2020 meeting.

Constitutional Matters

Task and Finish Groups

4. 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 but the review is likely to be attended by all members of the committee and chaired by the chairperson.
5. The scrutiny committee will approve the scope of the activity to be undertaken by a task and finish group, 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 have been sought from group leaders and will be presented at the meeting) and may include, as appropriate, co-opted people with specialist knowledge or expertise to support the task. The committee will appoint the chairperson of a task and finish group.
6. The committee is asked to determine matters relating to the convening of a task and finish group including the scope of the review to be undertaken, the chairperson, membership, timeframe, desired outcomes, what will not be included in the review and whether to co-opt any non-voting members to the group. Such co-optees would consist of individuals with valuable skills and experience that would assist a task and finish group to undertake a review (see below).
7. At its previous meeting on 16 September 2019 the committee agreed a scoping document for the peer on peer abuse in schools spotlight review. Since this meeting a change to the

scoping document has been made to include a greater focus on the voice of the child. The amended scoping document is contained in appendix b which the committee is asked to approve. The amendment to the scoping document is shown in red, italic script.

Co-option

8. 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 workplan and/or task and finish group membership.
9. The Committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

Tracking of recommendations made by the committee

10. A schedule of recommendations in the current administrative council term is appended to this report as appendix c.

Forward plan

11. The constitution states that scrutiny committees should consider the forward plan as the chief source of information regarding forthcoming key decisions. Forthcoming key decisions are available publically under the forthcoming decisions link on the council's website, as below:

<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>

Suggestions for scrutiny from members of the public

12. Suggestions for scrutiny are invited from members of the public through the council's website, accessible through the link below. There have been no suggestions for scrutiny received from members of the public since the previous meeting of the committee.

https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/4,

Community impact

13. In accordance with the adopted code of corporate governance, 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. Topics selected for scrutiny should have regard to what matters to residents.
14. The items for scrutiny contained on the work programme and the scoping document proposed for the spotlight review will allow the committee to make recommendations to the executive to improve services for children in Herefordshire. The committee intends that through the making of recommendations (subject to acceptance by the executive) it contributes to priorities in the corporate plan to: keep children and young people safe and give them a great start in life; and secure better services, quality of life and value for money. Recommendations arising from the spotlight review will include a consideration as to how improvements can be made to the safeguarding of children and how to advance the role of the council as a corporate parent.

Equality duty

15. 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.
16. The scoping document for the spotlight review proposes an inquiry which will produce recommendations for the executive to consider and respond to. The response of the executive will need to give due regard to the council's public sector equality duty.

Resource implications

17. 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 can be subject to an assessment to support appropriate processes.
18. The councillors' allowance scheme contains provision for co-opted and other non-elected members to claim travel, subsistence and dependant carer's allowances on the same basis as members of the council. If the committee agrees that co-optees should be included in the membership of the spotlight review they will be entitled to claim allowances.

Legal implications

19. The council is required to deliver a scrutiny function. The development of a work programme which is focused and reflects those priorities facing Herefordshire will assist the committee and the council to deliver a scrutiny function.
20. The Scrutiny Rules in Part 4 Section 5 of the Council's constitution provide for the setting of a work programme, the reporting of recommendations to the executive and the establishment of task and finish groups, as below.
21. Paragraph 4.5.28 of the constitution explains that the scrutiny committee is responsible for setting its own work programme. In setting its work programme a scrutiny committee shall have regard to the resources (including officer time) available.
22. Under section 4.5.10 of the constitution 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. 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. It

will be a matter for the task and finish group to determine lines of questioning, witnesses (from the council or wider community) and evidence requirements.

Risk management

23.

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the development of the work programme should help mitigate this risk.
There is a reputational risk to the council if the spotlight review does not produce recommendations.	The scoping document for the spotlight review provide a structure and process to facilitate the production of cogent recommendations.

Consultees

24. The work programme is reviewed at every committee meeting and during business planning meetings between the Chairperson, Vice Chairperson and the Statutory Scrutiny Officer. The work programme attached at appendix a has been discussed at a work programming session of the scrutiny committees on 6 June 2019 and was agreed by the committee at its last meeting on 16 September 2019.

Appendices

- Appendix a – Work Programme 2019/20
- Appendix b – Amended scoping document for peer on peer abuse in schools spotlight review
- Appendix c – Recommendation tracker 2019/20

Background papers

None identified.