

<b>Meeting:</b>	<b>Adults and wellbeing scrutiny committee</b>
<b>Meeting date:</b>	<b>29 January 2019</b>
<b>Title of report:</b>	<b>Committee work programme 2018-19</b>
<b>Report by:</b>	<b>Democratic services officer</b>

## **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 provisional meeting dates for 2019/20 be noted.

## **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. It was expected that a report on the NHS Long Term Plan, health and care system leadership, and integration would be received at the 5 March 2019 meeting. However, to ensure senior level input from NHS Herefordshire Clinical Commissioning Group and to provide sufficient time for this important topic, it is intended that this report will now be received at the first meeting of the committee following the local government elections.
4. The work programme has been updated to reflect the intention of the committee (as discussed at the meeting on 29 January 2019) to consider the inclusion of the following topics as part of its work programming during 2019/20:
  - Continuing healthcare
  - Wye Valley NHS Trust (including Minor Injuries Units)
  - Delayed transfers of care
  - Care home ratings
  - Domestic abuse strategy 2019-2022 update
5. 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.
6. The work programme will remain under regular review during the year to allow the committee to respond to particular circumstances.
7. 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.

### **Tracking of recommendations made by the committee**

8. A schedule of recommendations made at the 29 January 2019 committee meeting and actions undertaken in response is attached (appendix 3).

### **Constitutional Matters**

#### **Task and Finish Groups**

9. 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.

10. 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.
11. 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

12. 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.
13. The committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

#### Forward plan

14. 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>

#### **Provisional meeting dates for 2019/20**

15. The following provisional meeting dates for 2019/20 are suggested; it will be for the committee to confirm its meeting schedule and associated work programme in the new council term.

Monday 24th June 2019, 2.30pm

Monday 9th September 2019, 2.30pm

Monday 18th November 2019, 10.30am

Monday 13th January 2020, 2.30pm

Monday 2nd March 2020, 2.30pm

Monday 11th May 2020, 2.30pm

## **Community impact**

16. 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 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**

17. 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.
18. 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**

19. 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**

20. 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.
21. The council is required to deliver a scrutiny function.

## **Risk management**

22. 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**

23. 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.
24. The chairperson meets every quarter with Healthwatch and with NHS Herefordshire Clinical Commissioning Group to monitor the relevance of items for the work programme.

25. 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](http://www.herefordshire.gov.uk/getinvolved)

## **Appendices**

Appendix 1 Updated committee work programme for 2018-19

Appendix 2 Scrutiny work programme prioritisation aid

Appendix 3 Schedule of recommendations and actions undertaken in response.

## **Background papers**

None identified.