

<b>Meeting:</b>	<b>Children and young people scrutiny committee</b>
<b>Meeting date:</b>	<b>Tuesday 1 December 2020</b>
<b>Title of report:</b>	<b>Work programme 2020 - 2021</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: review the attached work programme for 2020/21; receive the executive responses to the child exploitation task and finish group and peer on peer abuse recommendations; and note the recommendations tracker.

## **Recommendation(s)**

That the committee:

- (a) reviews the 2020/21 work programme at appendix a, discusses any additional items of business or topics for inclusion in the work programme and agrees the changes to the work programme itemised in paragraph 3 below;
- (b) receives and notes the executive response (appendix b) to the recommendations arising from the child exploitation task and finish group and updates of work undertaken in response to the recommendations;
- (c) receives and notes the draft executive response (appendix c) to the recommendations arising from the review of peer on peer abuse cases; and
- (d) notes the recommendation tracker in appendix d.

## 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. On 20 November 2020 members of the committee participated in a work programming session and considered forthcoming business. The existing work programme, including the business to allocate list, was supported together with the additional items listed below. The proposed version of the work programme is attached at appendix a.
3. The committee is asked to agree the following change to the work programme:
  - i) That the report concerning the impact of the pandemic on opportunities for school and care leavers is deferred and placed on the list of business to allocate pending the circulation of a briefing note on the topic.
  - ii) Following the work programming session on 20 November the following new items are proposed for allocation to the work programme:
    - A task and finish group to focus on paediatric therapies – scoping document to be presented to the 12 January meeting (2020/21)
    - An agenda item on children and young people's mental health at the 23 March 2021 meeting (2020/21)
    - An agenda item on leaving care and preparing for adulthood; to include a focus on unaccompanied child asylum seekers (2021/22)
    - The child exploitation summit to include to include a focus on modern day slavery (2021/22)
    - A briefing note and potential agenda item concerning elective home education trends.
    - A briefing for the committee on signs of safety.

## 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 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 could consist of individuals with valuable skills and experience that would assist a task and finish group to undertake a review (see below).
7. The executive response to the recommendations and outcomes of the child exploitation task and finish group is attached as appendix b to this report. The committee is asked to receive and note the executive response and any updates of progress made in response to the recommendations.

### **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. The recommendations of the committee concerning the review of peer on peer abuse cases at the previous meeting on 15 September and the draft executive response to those recommendations are attached as appendix c. Cabinet will consider the draft executive response at its meeting on 26 November; any updates or changes resulting from the Cabinet's deliberations will be reported to the committee at the meeting on 1 December.
11. A schedule of recommendations in the current administrative council term is appended to this report as appendix d.

### **Forward plan**

12. 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**

13. 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](https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/4),

## **Community impact**

14. 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.

## **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 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. As this report concerns the administrative function of the children and young people scrutiny committee, it is not felt that it will have an impact on our 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 an inquiry 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.
23. Under section 4.5.19 of the constitution task and finish groups will report their findings/outcomes/recommendations to the relevant scrutiny committee who will decide if the findings/outcomes/recommendations should be reported to the cabinet or elsewhere.

## Risk management

24.

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.

## Consultees

25. The work programme is reviewed at every committee meeting.

## Appendices

- Appendix a – Work Programme 2020/21.
- Appendix b – Executive response to the recommendations and outcomes of the child exploitation task and finish group.
- Appendix c – Executive response to the recommendations of the committee concerning the review of peer on peer abuse cases at the previous meeting on 15 September.
- Appendix d – Recommendation tracker.

## Background papers

None identified.