

Annual Council Meeting 09/05/13
Agenda Item 13 marked "to follow"

scrutiny

focus on performance

REPORT OF: Chair of Policy and Corporate Resources, Chair of Regeneration and Neighbourhoods, Chair of Children and Health Overview and Scrutiny Committees.

REPORT TO: Annual Council.

ON: 9th May 2013.

TITLE 2013 Scrutiny Annual Review and decision making.

1. Purpose of the Report

Following the Annual Review of Scrutiny meeting held on 30th April; to consider proposed changes for agreement by Annual Council to improve the Overview and Scrutiny process for Blackburn with Darwen Borough Council that will better reflect the changing times for Local Government, taking account of current legislation and guidance.

2. Recommendations

- 2.1 That the current Overview and Scrutiny Committee structure be revised to the following:
- Policy and Corporate Resources Overview and Scrutiny Committee
 - Regeneration and Neighbourhoods Overview and Scrutiny Committee
 - Children and Young People Overview and Scrutiny Committee
 - Health and Adults Overview and Scrutiny Committee.
- 2.2 That the current Member Engagement Advisory Committee becomes a Member-led advisory group reporting to the Policy and Corporate Resources Overview and Scrutiny Committee; and

- 2.3 That the current Corporate Parenting Committee become a Specialist Advisory Group working closely with the Executive Member for Children's Services and the Chair of Children and Young People Overview and Scrutiny Committee; and
- 2.4 That (in order to further strengthen Corporate Parenting) challenge questions and outcomes be built into the decision making process used by all four Overview and Scrutiny Committees when choosing the work programme; and
- 2.5 That the Children element of Children and Health Overview and Scrutiny Committee be revised to become Children and Young People Overview and Scrutiny Committee. Portfolios accountable to this Committee would be Executive Member for Children's Services, Executive Member for Schools & Education and the Executive Member for Leisure, Culture and Young People (specifically young people's issues).
- 2.6 That the Councillor membership of each Committee be reduced from 17 to 11 in order to support the increased and conflicting demands on Members availability.

3. Issues for Consideration

1. The Council continues to face unprecedented financial pressures, which have been comprehensively documented in the reports to Council Forum on 31st January and Finance Council on 4th March 2013.
2. The Council has already enacted legislative and guidance changes that reflect the roles and responsibilities of Children, Schools and Education, Young People and Adult services. The recommendations in this report complement, support and reflect those changes.
3. Since 27th January 2011 Members from all Parties have expressed concerns that Children and Health as a single Committee had too wide a remit and not enough time allocated in the Municipal Calendar to scrutinise all areas of responsibility within its portfolio. With Public Health returning as a Council function that will require Scrutiny; this further challenges the validity of maintaining a Children and Health Committee in its present format.
4. That the Health element of the Children and Health Committee be revised to become Health and Adults Overview and Scrutiny Committee; incorporating Public Health and Adult Services. It should be stressed that this Committee will not serve to or duplicate any of the functions of the Health and Wellbeing Board. Portfolios accountable to this Committee would be the Executive Member for Health and Adult Social Care.
5. The demands on Members' time continue to increase. Many Members

regularly voice concerns that they have several conflicting commitments during the week. Some Members currently sit on several Council Committees, in addition to Outside Body's, Partnerships, Town or Parish Council commitments, neighbourhood or Ward work.

Background

At the Annual review of Scrutiny on the 30th April 2013, several issues were raised with and by Members: A series of questions were asked as to what had worked particularly well, what areas Members felt required improvement and which areas they felt required outright change. The meeting was attended by 26 Members, who actively engaged in the session giving views and opinions on both the preceding year and suggestions for improvement for the forthcoming municipal year. Some of the highlights from the meeting were as follows:

- Task Groups have worked very well, been focused and demonstrated a lot of partnership working.
- Timings of Task Groups important – advance notice of meetings worked well – plan as far ahead as possible.
- Scrutiny can be a little divorced from the Executive Member – only invited to Committee when required.
- Good officer support from Scrutiny team.
- Task Group and additional Committee meetings should be sent to Members electronically with an auto add to outlook if Members accept.
- That departments are reminded to check the Committee planner before setting up meetings to avoid Member meeting clashes where possible.
- Maintain the option of Members picking the topics they wish to scrutinise.
- 5-6pm focused Task Group meetings are excellent, allowing Members to attend other meetings afterwards.
- That the Forward Plan be brought back to Committee so Members have an ongoing dialogue with the Executive.
- Concern by all Members on the changes to health, this would be too much for the current Children and Health OSC to undertake given its current workload and set up.
- More training for Members on Scrutiny especially around health and Public Health given current changes.
- That all Members regardless of what Committees they are on are given the opportunity to participate in any task group at the beginning of its work programme if they have an interest in the issue to be scrutinised.
- Find other ways to engage Members who cannot participate in Task or Sub Groups e.g. with research.

In 2007 the (then) Children Services Overview and Scrutiny Committee made a recommendation:

"That the Corporate Parent Group of elected Members and senior Council officers should be formally reconstituted into a Standing Committee for Corporate Parenting, with a remit to maintain a clear oversight of young people moving into, through and out of the care of the local authority. It must have the status to question and receive answers about individual young people and all must operate within clear guidelines and have accountability."

This recommendation led to the forming of a Corporate Parenting Committee. Members should note that there is no requirement in law for such a Committee, at the time it was considered best practice and adopted by some leading authorities nationally, but not all.

Recommendation

That the Children element of Children and Health Overview and Scrutiny Committee be revised to become Children and Young People Overview and Scrutiny Committee. Portfolios accountable to this Committee would be Executive Member for Children's Services, Executive Member for Schools & Education and the Executive Member for Leisure, Culture and Young People (specifically young people's issues).

This recommendation affords a new Children and Young People Overview and Scrutiny Committee with the ability to accept and deliver a realistic and manageable work programme within 6 Committee meetings as opposed to the 8 in the Municipal calendar for 2012/13. Apart from the obvious savings in Member, Officer, external agency time and the administrative costs of additional meetings, this would also better reflect guidance on the roles and interrelationships between each of these three functions (Children's services, Schools and Education and Leisure Culture and Young People).

Recommendation

That the Health element of the Children and Health Committee be revised to become Health and Adults Overview and Scrutiny Committee; incorporating Public Health and Adult Services. It should be stressed that this Committee will not serve to or duplicate any of the functions of the Health and Wellbeing Board. Portfolios accountable to this Committee would be the Executive Member for Health and Adult Social Care.

Subject to agreement, the revised Overview and Scrutiny structure would be as follows:

- Policy and Corporate Resources Overview and Scrutiny Committee
- Regeneration and Neighbourhoods Overview and Scrutiny Committee
- Children and Young People Overview and Scrutiny Committee
- Health and Adults Overview and Scrutiny Committee.

Note: Each of these Committees would then have 11 Members as opposed to 17. Although this would entail 44 Members plus the Executive (53) directly engaging in Scrutiny, there still remain approximately 44 places on other Committees of the Council (Planning and Highways, Licensing, Audit, Standards and Member Engagement Advisory) all of which require Member involvement. This would address the issue of Members being requested to participate with several Committees.

Pre-decision scrutiny

To build on the current strengths of pre-decision scrutiny, each Executive Member could request their respective Committee to look comprehensively at one or two pre-decisions or policies (from a shortlist) they are considering implementing in the next 12- 24 months, outlining to the Committee a timeframe in which a report and recommendations would be required as part of the work programme.

Legal Implications

- The proposed changes would need to comply with the relevant provisions contained in the Local Government Act 2000
- New composition of the Committees will need to be politically balanced under Section 15 of the Local Government Housing Act 1989
- The Councils Constitution will require updating to reflect any agreed changes.

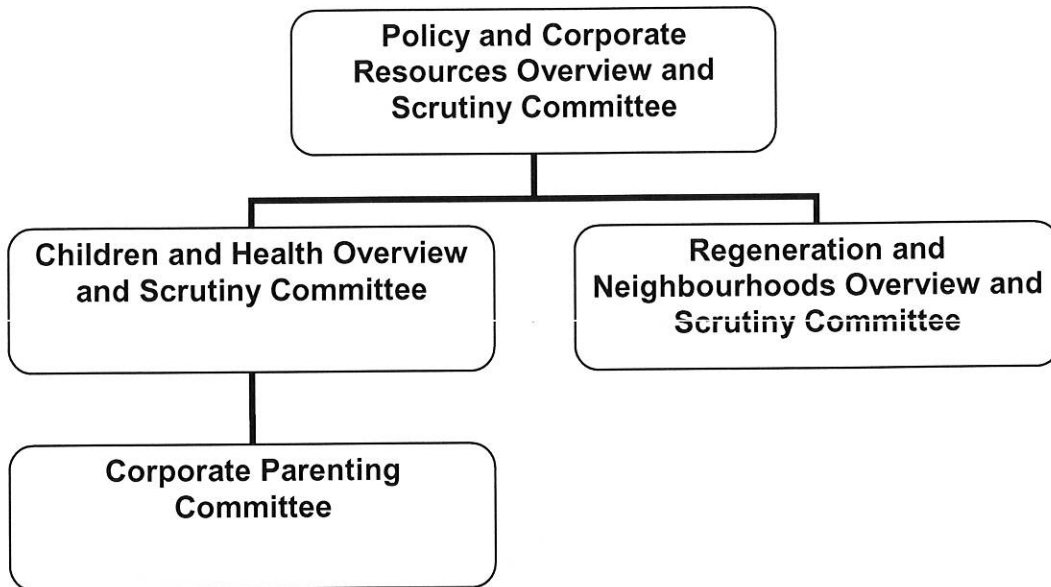
Contact Officer

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Date

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2nd May 2013.

OVERVIEW

Current Scrutiny arrangements



Revised Scrutiny arrangements (Including Executive Member alignment)

