



Overview and Scrutiny Management Board

Thursday 26th March, 2015 at 5.00pm
in Committee Room 3 at the Council House, Priory Road, Dudley

Agenda - Public Session (Meeting open to the public and press)

1. Apologies for absence.
2. To report on the appointment of any substitute members for this meeting.
3. To receive any declarations of interest under the Members' Code of Conduct.
4. To confirm and sign the minutes of the meeting held on 11th December, 2014 as a correct record.
5. Annual Report of the Overview and Scrutiny Management Board 2014/15.
6. Overview and Scrutiny Arrangements for 2015/16.
7. Forward Plan of Key Decisions
8. To consider any questions from Members to the Chair where two clear days notice has been given to the Director of Corporate Resources (Council Procedure Rule 11.8).

A handwritten signature in black ink, appearing to be "P. J. A.", is written over a horizontal line.

Strategic Director (Resources and Transformation)

Dated: 18th March, 2015

Distribution:

Councillor D Tyler (Chair)

Councillor A Finch (Vice-Chair)

Councillors D Blood, P Bradley, I Cooper, C Hale, M Hanif, R James, L Jones,
M Mottram and G Simms.

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- Information about the Council and our meetings can be viewed on the website www.dudley.gov.uk
- Elected Members can submit apologies by contacting the officer named below. The appointment of any Substitute Member(s) should be notified to Democratic Services at least one hour before the meeting starts.
- The Democratic Services contact officer for this meeting is Manjit Johal, Telephone 01384 815267 or E-mail manjit.johal@dudley.gov.uk

Minutes of the Overview and Scrutiny Management Board

Thursday, 11th December, 2014 at 6.00 p.m.
at the Council House, Priory Road, Dudley

Present:

Councillor D Tyler (Chair)
Councillor A Finch (Vice-Chair)
Councillors P Bradley, I Cooper, C Hale, M Hanif, L Jones, M Mottram, G Simms
and A Taylor

Officers:

R Sims, Assistant Director (Housing Strategy and Private Sector - Lead Officer
to the Board), S Griffiths (Democratic Services Manager) and M Johal
(Democratic Services Officer - Directorate of Corporate Resources).

Also in Attendance

B Coombes (Area Manager, CENTRO)
R Graves (Dudley Group of Hospitals)
J Evans (Dudley Clinical Commissioning Group)

28 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Councillors
N Barlow and R James.

29 **Appointment of Substitute Member**

It was reported that Councillor A Taylor had been appointed as a substitute
member for Councillor N Barlow for this meeting of the Board.

30 **Declaration of Interests**

Councillor M Hanif referred to Item No 5 (Russells Hall Hospital) and stated that
he was a Centro member appointed by the Council.

31 **Minutes**

Resolved:

That the minutes of the meeting held on 25th November, 2014, be
approved as a correct record and signed.

Russells Hall Hospital – Parking and Transport Issues

A report of the Lead Officer to the Committee was submitted on ongoing parking and transport issues concerning Russells Hall Hospital and the surrounding areas. Information on buses at Russells Hall Hospital together with a list of buses that serviced the area were also circulated to Members at the meeting.

In presenting the report, the Lead Officer to the Committee highlighted concerns relating to parking issues at the hospital and the need to improve public transport. It was also noted that bus operators were reluctant to service particular routes to the hospital as buses were getting caught up in tailbacks.

Ms Coombes (Area Manager – Centro) was in attendance and explained that her role involved the promotion and development of buses across the Black Country. Centro was a public body, however it was pointed out that, although they were responsible for public transport and worked closely with the operators to determine best access for people, they were not responsible for operating services.

During the course of the presentation and in responding to Members queries, Ms Coombes made the following points:-

- It was considered that Russells Hall Hospital generally had a very good level of access to bus services and concerns were due to the lack of communication about the services that were available. Various initiatives relating to marketing and publicising bus service information in conjunction with Russells Hall Hospital had proved to be useful. Discussions were also being held with a view to improvements being made to accessing the hospital site from bus stops.

A Member commented that leaflets with detailed information on bus services should be made available to every household.

- In responding to a comment about there being no direct bus service from Halesowen to the hospital, it was stated that this was one of the routes that National Express had decided to withdraw from July of this year. Centro had raised concerns but failed to make an impact due to reasons from National Express relating to low usage of the service and unreliability issues. However, Centro would continue to have discussions with National Express and Ward Councillors given the impact on frail and elderly residents residing in Lodgefield and Station Roads.
- There were various other transport services available for people with mobility issues such as the Patient Transport Service and Ring and Ride. In response to a query on whether a carer or supporter could escort the patient on the transport provided, Ms Coombes indicated that she was not certain but undertook to submit a response to the Committee.

A Member commented that although there were other transport services available people were not aware of them due to poor publicity.

- Varying changes were made to bus services by the operators and if Centro did not agree with a change, discussions would be held with a view to the operator reconsidering their decision. However, for commercial reasons, operators were not always willing to negotiate.
- Referred to the Voluntary Multilateral Agreement (VMA) which enables Centro to co-ordinate meetings between partners with a view to committing them to introducing measures to improve the quality of bus services and reliability.
- A bus network review would also be undertaken with a view to gathering feedback on positives and negatives from service users. In response to a query from a Member about there being no direct bus service from Coseley to New Cross or Russells Hall Hospitals it was commented that if there was demand for a specific route the matter should be reported through the consultation process for the review.

A Member commented that following a public meeting views had been expressed about varying problems that were being experienced with buses, particularly with reliability on certain routes. It was stated that all Members of the Council should give their full support with a view to overcoming these problems and making a positive impact.

Ms Coombes stated that the bus review was likely to be completed during October 2015 and commented that all Members of the Council would be invited to consultation meetings and that members of the public would also be given the opportunity to submit their views via a series of public exhibitions.

- There were issues with buses getting blocked on roads surrounding Russells Hall Hospital by people parking their vehicles inconsiderately and consequently operators were reluctant to service a route where such problems occurred.

Mr R Graves (Dudley Group of Hospitals) then made the following points relating to parking at the hospital:-

- Outlined the various measures that had been put into place to alleviate parking problems at the hospital particularly during peak periods, which included upgrading security and allocating a taxi drop off and pick up point, with no waiting, being placed at the entrance. In response to a query about provision for picking up patients that were not well or may have had day surgery it was stated that the taxi drop off and pick up point could also be used for these purposes and although it stated “no waiting” the rules were relatively relaxed.

- The hospital had a good relationship with bus operators and any problems were amicably discussed. The faulty barrier which had caused traffic to tailback and consequently buses getting stuck in traffic had now been replaced and had alleviated some of the congestion problems.
- The Hospital had made an additional five disabled spaces available and were satisfied that these numbers were sufficient. However, it was acknowledged that there was a need to continue to monitor and revisit the position with a view to increasing disabled spaces, if necessary.
- In response to a complaint about people parking on the surrounding roads to avoid payment and whether consideration could be given to free or reduced parking, particularly for disabled people, it was stated that the charges were controlled by the PFI (Private Finance Initiative) provider. Any reductions would need to be paid for by the Trust.
- Reduced or free parking was available for repeat visitors, patients with renal problems and those suffering from cancer and it was acknowledged that these concessions should be more widely publicised.
- It was noted that appointments could be better managed, for example, an appointment after 9.30 am could be offered to people over the age of 60 as they were then able to use their bus pass, which in turn could reduce traffic congestion. It was also noted that the appointment booking system should be better publicised.

Ms Coombes commented that Centro were aware of problems with appointments, including the times of appointments from previous feedback and discussions were taking place in conjunction with Sandwell Clinical Commissioning Group with a view to addressing the issue. Some measures had also been put into place to encourage patients to use public transport such as printing public bus information on appointment letters and enabling the public to download a real time bus application onto mobile phones which had been positively received.

- Reference was made to an article in the press relating to two hundred additional car parking spaces planned for Russells Hall Hospital on land owned by the Trust at the rear of the site and it was indicated that discussions were still ongoing. Any decision on extra staff car parking would also be subject to a full environmental impact assessment and full planning application procedures.

A Member commented that although it was acknowledged that this was a quasi-judicial process this was an example whereby the process placed a burden on developments that were vital for the community and it was considered that the Council should take a pragmatic view in applying any local planning policies which were within the discretion of the Local Authority.

The Chair stated that the Council should offer their full support for the development to create additional car parking spaces and it was suggested that an appropriate recommendation be made to the relevant Cabinet Member.

- In relation to additional car parking pressures that may potentially be experienced following the opening of the Urgent Care Centre it was stated that consideration was being given to services based at Russells Hall Hospital being provided by the Guest and Corbett Hospitals to alleviate any problems.
- Feedback in relation to the need for an area to be allocated for dropping and picking up patients and provision for car parking spaces for the disabled to be situated near to the main entrance were being considered.
- In response to a suggestion to provide a “mini bus” bus service to transport staff from car parks to the hospital it was stated that various travel plans for staff such as car sharing were being considered.

Ms Coombes also stated that considerable work had been undertaken by Centro to ascertain travel movements of staff from home to work with a view to providing viable bus services for popular routes.

Resolved:

That the Cabinet be recommended to support proposals being developed by Dudley Group of Hospitals Trust to develop additional staff car parking facilities on land adjacent to Russell’s Hall Hospital to benefit all users of the hospital and the wider community.

Review of Senior Management and Organisational Structure

A joint report of the Director of Corporate Resources and the Lead Officer was submitted on implications of the corporate restructuring on the Council’s future overview and scrutiny arrangements.

The Democratic Services Manager referred to the Kerslake review of Birmingham City Council and informed the Committee that one of the recommendations was to reduce the number of Scrutiny Committees to three with a strategic focus. He also stated that the Centre for Public Scrutiny would be producing a report early in the new year on recommendations to improving the scrutiny process.

Resolved:

- (1) That the proposal as set out in paragraph 9 of the report be approved in principle.
- (2) That a further detailed report be submitted to the next meeting of the Board with a view to recommendations being submitted to the Annual Meeting of the Council on 21st May, 2015.

The meeting ended at 7.30 p.m.

CHAIR

Overview and Scrutiny Management Board – 26th March, 2015

Joint Report of the Strategic Director (Resources and Transformation) and the Lead Officer

Annual Report of the Overview and Scrutiny Management Board 2014/15

Purpose of Report

1. To consider the annual report of the Overview and Scrutiny Management Board for 2014/15.

Background

2. The terms of reference of the Overview and Scrutiny Management Board, as set out in the Constitution, require an annual report to be submitted to the Council. It is a key function of the Board to make reports and recommendations to the Council and/or the Cabinet in connection with the discharge of overview and scrutiny functions.
3. Scrutiny Committees retain the flexibility to scrutinise any additional topics that might arise during the year. In carrying out their individual work programmes, Scrutiny Chairs and Vice Chairs have the freedom to adapt their approaches to carry out the scrutiny reviews allocated to them. Examples have been informal meetings, visits, working groups and 'virtual' meetings.
4. The Council has recognised the importance of retaining an annual review process. This should ensure that the arrangements continue to align themselves to the needs of the Council and that the scrutiny arrangements remain adaptable and flexible to changes in circumstances.

Key Scrutiny Activities in 2014/15

5. This report gives a brief overview of the key areas of business considered by Scrutiny Committees during the 2014/15 municipal year. In addition, all Scrutiny Committees were involved in budget scrutiny during the November, 2014 cycle of meetings.
6. The minutes of all formal Scrutiny Committee meetings are reported to full Council in the 'White Book' submitted to each Council meeting. In addition, the minutes and reports of Scrutiny Committees can be accessed online via the [Committee Management Information System](#) on the Council's website. The main items of business considered by Scrutiny Committees in 2014/15 are as follows:

Urban Environment Scrutiny Committee

7. Chair – Councillor D Tyler; Vice Chair – Councillor A Finch; Lead Officer – Assistant Director of Adult, Community and Housing Services (Housing Strategy and Private Sector).
- Economic Development (including inward investment)
 - Environmental Management, Commercial Services

Adult, Community and Housing Services Scrutiny Committee

8. Chair – Councillor M Hanif; Vice Chair – Councillor R James; Lead Officer – Chief Officer (Corporate and Customer Services)
- Housing Futures Board
 - Dudley MBC's readiness to implement the Care Bill (now Act) in April 2015

The Committee has considered specific items on the Borough's Housing Strategy; Right to Buy and Replacement New Build; sustainability modelling of the Council's housing stock, in particular determining remodelling/demolition options; Carers and the Care Act; the Homelessness Service and the Elphick-House Report and Lyons Review.

Children's Services Scrutiny Committee

9. Chair – Councillor M Mottram; Vice Chair – Councillor I Cooper; Lead Officers – Assistant Director, Housing Services (Part) and Assistant Director – Housing Strategy and Private Sector (Part)
- Childhood Neglect
 - Early Help Offer
 - Special Educational Needs Reform

Given the wider remit of the Committee, the appropriateness of its co-opted Membership was reviewed by the Board in June, 2014. On the recommendation of the Board, the Council resolved that the co-opted representation comprise only the statutory co-optees and that a pool of specialist/key contacts be invited to attend meetings and give evidence, as appropriate. For the purposes of continuity the Children's Services Scrutiny Committee later agreed that the former non-statutory co-optees be able to continue to attend its meetings by invitation for the remainder of the current Municipal Year.

On the issues of safeguarding, child trafficking and sexual exploitation the Committee have received and examined the Annual report of the Dudley Safeguarding Board, were shown a film illustrating how children can be groomed and have carried out various initiatives to increase the awareness of all Members of the Council's responsibilities. Under the umbrella of children's services presentations on child sexual exploitation were given to other Members and Officers of the Council through the Leadership Forum and the Taxis Committee. The view was expressed that the Council's responsibilities on safeguarding should be included as part of the induction arrangements for new Members of the Council and also for Members of the Council who had not served on the Children's Services Scrutiny Committee.

The Committee also considered the annual reports of the Fostering and Adoption Services.

Corporate Performance Management, Efficiency and Effectiveness Scrutiny Committee

10. Chair – Councillor D Blood; Vice Chair – Councillor B Cotterill; Lead Officer – Assistant Director, Policy and Improvement.

- The Work and Priorities of the West Midlands Police and Crime Commissioner
- Corporate use of Shared Services

During the course of the year the Committee also considered other items including an Update on Apprenticeships; Tourism Website; the Dudley Local Policing Unit and Police and Crime Broad – Priorities, Performance and Vision and have reviewed the regular Quarterly Corporate Performance Management reports.

Health Scrutiny Committee

11. Chair – Councillor C Hale; Vice Chair – Councillor N Barlow; Lead Officer – Assistant Director, Law and Governance.

In connection with its statutory role, the Committee has considered specific reports on the Dudley and Walsall Mental Health Partnership National Health Service (NHS) Trust – Care Quality Commission (CQC) assessment; Mental Health Services Care Quality Commission Inspection; the Dudley Group NHS Care Quality Commission Outcomes; Dudley Group of Hospitals Financial Strategy; NHS Quality accounts; the Better Care Fund; Clinical Commissioning Group, Black Country and Solihull Stroke Review – Programme Development; Dudley Group NHS Foundation Trust : Patient Experience; Winter Pressures; NHS Health Check implementation; delayed transfers of care and a report on NHS England Co-Commissioning and Primary Care intentions, together with regular updates on the Urgent Care Centre development.

With regard to the development of the Urgent Care Centre the Committee thoroughly scrutinised the proposals and have rigorously inspected the specification for the centre with a view to ensuring it was fit for purpose and that there was an appropriate composition of skilled staff. Arising from concerns and representations made by the Committee, particularly in relation to parking charges and inadequate parking, the Trust agreed put measures in place to alleviate problems. These included consulting with Centro with a view to consideration being given to improving public transport to the hospital, the maternity car park being freed up to create additional car parking spaces and a dedicated triaging telephone system would be put into place, and if needed, an appointment would be booked for patients should they need to attend the hospital, which would minimise relevant car parking charges.

The Committee also has the following items in the Annual Scrutiny Programme as part of their in-depth reviews:

- Tobacco Control Strategy -Update/Development
- Dudley Physical Activity and Sport Strategy

Work of the Overview and Scrutiny Management Board

12. Chair – Councillor D Tyler; Vice Chair – Councillor A Finch; Lead Officer – Assistant Director (Housing Strategy and Private Sector)

The Overview and Scrutiny Management Board met on 29th April, 2014 to consider the development of the Annual Scrutiny Programme for 2014/15. It was considered that the Council's overview and scrutiny arrangements would continue to be the subject of an annual review process. A further meeting was held in June, 2014 to endorse the items in the annual programme and this included an additional item identified during the consultation process concerning corporate services provided by the Council that were shared between Directorates.

Details of the scrutiny topics were reported to the June/July cycle of Scrutiny Committees with a view to briefing Members of each Scrutiny Committee on the workload allocated to them.

Scrutiny of Budget Proposals

13. In 2014/15 Scrutiny Committees focussed on the detailed scrutiny of individual Directorate budget proposals.

Following the programmed cycle of Scrutiny Committees in November, the Overview and Scrutiny Management Board met to scrutinise the overall budget proposals on a strategic basis. The Board noted that arising from comments made at Scrutiny Committees the Treasurer had given an undertaking to include further explanatory text in future budget reports.

Regarding budgetary proposals relating to home to school and college transport and arising from comments made that substantial savings and a better service could be achieved by changing the way the service was provided, the Board requested outcomes of the consultation to be reported to a future meeting.

Programming of Scrutiny Committee Meetings

14. The calendar of meetings for 2015/16 will include programmed meetings of all Scrutiny Committees throughout the whole year in line with the established cycle of committees. This will give clear timelines for the production of reports and reduces the possibility of meetings clashing with other key meetings in the municipal calendar. Additional formal and/or informal meetings or working groups can be arranged as and when necessary. The programme of meetings will be formally approved at the Annual Meeting of the Council in May, 2015.

Scrutiny Call-in

15. The Overview and Scrutiny Management Board has received the Forward Plan of Key Decisions for information at its programmed meetings during the year. It should be noted that, at the time of writing, there have been no formal scrutiny 'call-ins' referred to the Overview and Scrutiny Management Board during the 2014/15 municipal year.

Other Issues

Better Care Fund

16. Arising from consideration of the Better Care Fund, the Board, at its meeting held on 16th October, 2014 recommended that the Cabinet Member for Human Resources, Legal, Property and Health ensures the inclusion of the Council's Housing Services with health care provision and the Better Care Fund. The Chair also suggested that all Members of the Council be fully briefed on the Fund.

Russells Hall Hospital Parking and Transport Issues

17. The Board, at its meeting held on 11th December, 2014 considered a report on ongoing parking and transport issues and Ms B Coombes (Area Manager – Centro) and Mr R Graves (Dudley Group of Hospitals) were in attendance to answer queries and concerns. Arising from consideration of the report, in particular, with regard to the plans for additional car parking spaces for the hospital, it was commented that certain Council processes potentially created barriers to developments. It was considered that the Council should take a pragmatic view in applying any local planning policies which were within the discretion of the Local Authority. In conclusion the Board recommended that Cabinet support proposals being developed by Dudley Group of Hospitals Trust to create additional staff car parking facilities on land adjacent to the hospital to benefit all users of the hospital and the wider community. This recommendation was reported to Cabinet on 11th February, 2015.

Structure of Scrutiny Committees for 2015/16

18. Discussions are ongoing with regard to the format of Scrutiny Committees for the ensuing Municipal Year and a report is being considered by the Overview and Scrutiny Management Board on 26th March, 2015 in this regard. Approval, in principle, has been given to establish a Scrutiny Committee structure for the 2015/16 Municipal Year which is aligned to the new Strategic Directorate structure. The Overview and Scrutiny Management Board will continue to co-ordinate corporate scrutiny activity and the Health Scrutiny Committee will continue with its current statutory role. Recommendations will be submitted to the Annual meeting of the Council in 2015. This will include necessary changes to the Council's constitution. Consideration is also being given to allocating Lead Officers for Scrutiny Committees.

Annual Scrutiny Programme 2015/16

19. Preliminary consideration is being given to the Annual Scrutiny Programme 2015/16. The development of the Annual Scrutiny Programme will continue to be a member-led process taking account of the views of Directorates, Scrutiny Chairs and others. Scrutiny Committees will retain some discretion over the number of

topics they wish to scrutinise, however, the workloads of Committees needs to remain manageable and focussed on strategic outcomes.

The Annual Scrutiny Programme for 2015/16 will be formally approved at the first meeting of the Overview and Scrutiny Management Board following the annual meeting of the Council in May, 2015.

In considering the ongoing Scrutiny arrangements Members are mindful of national issues particularly those relating to certain information contained in the Kerslake Review concerning the recommendation to reduce the number of Scrutiny Committees at Birmingham City Council from nine to no more than three and that Members roles need to be clearly defined and better supported to include appropriate training.

The Centre for Public Scrutiny (CfPS) has also submitted its evidence to the Communities and Local Government Select Committee (CLG) supporting calls for a national review of the effectiveness of local governance and scrutiny, and have made recommendations for the scope of such a review. The CfPS are mindful about the different ways in which party politics impacts on the effectiveness of and are requesting that the CLG gather evidence in this regard.

Members might also be aware of details contained in the Professor Alexis Jay publication on the Independent Inquiry into the history and exposure of child sexual exploitation in Rotherham together with the subsequent Louise Casey report on the inspection of the Council. Key issues contained within the Casey report relate to a lack of scrutiny over the police's actions; Members being overly-reliant on Officers; Members not challenging tenaciously enough to ensure improvements; officer reports not always presenting the facts in an easily accessible way. It was stated that sometimes officers painted too positive a picture of Council performance, or omitted important facts in their reports, that might have led to greater awareness and scrutiny by Members.

Members are also reminded about information contained in the Robert Francis report arising from an extensive inquiry into failings at Mid-Staffordshire NHS Foundation Trust which highlighted a whole system failure. The report contained numerous recommendations with major implications for all levels of the health service across England.

An informal meeting of the Overview and Scrutiny Management board will be held during April to reflect on the above issues and to consider these in the context of developing our future Annual Scrutiny Programme.

Finance

20. The costs of operating the Council's scrutiny arrangements are being contained within existing budgetary allocations.

The ongoing budget reductions will undoubtedly have an impact on the levels of Directorate and Democratic Services support that is available for the scrutiny process. Moving forward into 2015/16, consideration has to be given to the availability of corporate and directorate resources to service and support working groups, meetings and various levels of scrutiny activity.

Law

21. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.

Scrutiny powers relating to health are included in the Health and Social Care Acts 2001 and 2012, and associated Regulations and statutory guidance. The Police and Justice Act 2006 gives the Council powers to scrutinise the work of the Crime and Disorder Reduction Partnership, and the Local Government and Public Involvement in Health Act 2007 enables local authorities to scrutinise other partners. Much of this legislation has now been consolidated in the Localism Act 2011.

The Council's scrutiny arrangements are set out in Article 6 of the Constitution (Scrutiny Committees) and the associated Scrutiny Procedure Rules and Protocols.

Equality Impact

22. Provision exists within the scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

23. That the annual report of the Overview and Scrutiny Management Board for 2014/15 be received and noted and referred to the Council at its meeting on 13th April, 2015.
24. That the Strategic Director (Resources and Transformation), following consultation with the Chair and Vice-Chair, be authorised to make any necessary amendments to update the annual report prior to its submission to the Council.



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Philip Tart
Strategic Director (Resources and Transformation)



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Ron Sims
Lead Officer

Contact Officers:

Ron Sims

Telephone: 01384 815005

Email: ron.sims@dudley.gov.uk

Philip Tart/Steve Griffiths/Manjit Johal

Telephone: 01384 815300/ 5235/5267

Email: philip.tart@dudley.gov.uk / steve.griffiths@dudley.gov.uk /
manjit.johal@dudley.gov.uk

List of Background Papers

The Council's Constitution – Article 6, Scrutiny Procedure Rules and Protocols

Reports and Minutes of the Overview and Scrutiny Management Board

Minutes of Scrutiny Committees

Kerslake Review

<https://www.gov.uk/government/publications/birmingham-city-councils-governance-and-organisational-capabilities-an-independent-review>

Centre for Public Scrutiny (CfPS) Response to CLG Committee

<http://cfps.org.uk/publications?item=11699&offset=0>

Report of Inspection of Rotherham MBC – Louise Casey

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/401125/46966_Report_of_Inspection_of_Rotherham_WEB.pdf

Alexis Jay Inquiry Report

http://www.rotherham.gov.uk/downloads/download/139/independent_inquiry_into_child_sexual_exploitation_in_rotherham_1997_%E2%80%93_2013

Robert Francis Report

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_113018

Overview and Scrutiny Management Board – 26th March, 2015

Joint Report of the Strategic Director (Resources and Transformation) and the Lead Officer

Overview and Scrutiny Arrangements for 2015/16

Purpose of Report

1. To consider the Council's future Overview and Scrutiny arrangements in the context of the organisational restructure and other key developments.

Background

Structure of Scrutiny Committees for 2015/16

2. At the meeting of the Overview and Scrutiny Management Board on 11th December, 2014, a report was considered on the implications of the corporate restructuring on the Council's future overview and scrutiny arrangements.
3. Approval, in principle, was given to establish a Scrutiny Committee structure for the 2015/16 municipal year, which is aligned to the new Strategic Directorate structure. The Overview and Scrutiny Management Board will continue to co-ordinate corporate scrutiny activity and the Health Scrutiny Committee will continue with its statutory role.
4. The establishment of the following Committees will be recommended to the annual meeting of the Council, to take effect from May 2015:

Overview and Scrutiny Management Board
People Services Scrutiny Committee
Resources and Transformation Scrutiny Committee
Place Scrutiny Committee
Health Scrutiny Committee.

5. Appendix A sets out the necessary amendments to the Constitution and terms of reference to give effect to the above proposal. Scrutiny Committees will continue to have the ability to scrutinise the portfolio activity of all Cabinet Members, the Chief Executive, Strategic Directors and Chief Officers within the new structure.

Scrutiny Lead Officers

6. Work is ongoing to identify future Lead Officers for the Scrutiny Committees. Lead Officers will be at Chief Officer level and it is anticipated that the new Lead Officers will be designated before the new Committees start their meetings in the 2015/16 municipal year.

Annual Scrutiny Programme 2015/16

7. Arrangements are being made to give preliminary consideration to the Annual Scrutiny Programme for 2015/16. The Programme will contain topics for consideration by individual Scrutiny Committees and the Board itself.
8. The development of the Annual Scrutiny Programme will continue to be a Member-led process taking account of the views of Directorates, Scrutiny Chairs and others. Members are asked to reflect on the number of topics selected for the Annual Scrutiny Programme in the context of the Council's budgetary situation, corporate priorities and organisational capacity. Scrutiny Committees will retain some discretion over the number of topics they wish to scrutinise, however, the workloads of Committees need to remain manageable and focussed on strategic outcomes.
9. Initial consultation will take place with Members and Directorates to identify possible key topics for consideration taking account of key corporate challenges and priorities. It is proposed that an informal meeting of the Overview and Scrutiny Management Board is held during April. This will allow for suggested topics to be considered alongside any business that needs to be carried forward from 2014/15. As previously, Officers will be asked to prepare proformas to outline the scope of potential scrutiny topics for consideration by Members.
10. The Overview and Scrutiny Management Board will then meet formally, early in the new municipal year, to approve the Annual Scrutiny Programme for 2015/16. Scrutiny Committees will, of course, retain the flexibility to scrutinise any additional topics that might arise during the year. In carrying out their individual work programmes, Scrutiny Chairs and Vice Chairs have the freedom to adapt their approaches to carry out the scrutiny reviews allocated to them. However, any amendments to the Annual Scrutiny Programme will require the formal approval of the Overview and Scrutiny Management Board.
11. In the past, informal development sessions have been held for Members of each Scrutiny Committee and Officers immediately following the first meeting of each of the Scrutiny Committees in June/July. This has allowed a detailed discussion on the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews. It is recommended that this approach be continued for 2015/16.
12. Members will be aware of wider, ongoing discussions concerning the operation of local authority scrutiny processes in the context of significant developments such as the Jay report into Child Sexual Exploitation in Rotherham; the subsequent report on the inspection of Rotherham MBC by Louise Casey; the Francis Inquiry concerning mid Staffordshire NHS Foundation Trust; the Kerslake review of Birmingham City Council and ongoing work being co-ordinated by the Centre for Public Scrutiny. The proposed informal session for members of the Overview and

Scrutiny Management Board in April will give Members and Officers an opportunity to explore these issues further in the context of developing this Council's Annual Scrutiny Programme for the year ahead.

Finance

13. The costs of operating the Council's scrutiny arrangements are being contained within existing budgetary allocations.
14. The ongoing budget reductions undoubtedly have an impact on the levels of Directorate and Democratic Services support that is available for the scrutiny process. Moving forward into 2015/16, consideration has to be given to the availability of corporate and directorate resources to service and support working groups, meetings and various levels of scrutiny activity.
15. The proposed Scrutiny Committee structure for 2015/16 will have no financial implications in respect of Members' Allowances. In line with the streamlining of senior management, there will be one less Committee overall compared to the existing structure. It is proposed that Special Responsibility Allowances will be paid to the Chairs and Vice-Chairs of the Overview and Scrutiny Management Board and the four proposed Scrutiny Committees. This will effectively be cost neutral.

Law

16. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance.
17. Scrutiny powers relating to health are included in the Health and Social Care Acts 2001 and 2012, and associated Regulations and statutory guidance. The Police and Justice Act 2006 gives the Council powers to scrutinise the work of the Crime and Disorder Reduction Partnership, and the Local Government and Public Involvement in Health Act 2007 enables local authorities to scrutinise other partners. Much of this legislation has now been consolidated in the Localism Act 2011.
18. The Council's scrutiny arrangements are set out in Article 6 of the Constitution (Scrutiny Committees) and the associated Scrutiny Procedure Rules and Protocols.

Equality Impact

19. Provision exists within the scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

20. That the Council be recommended to approve the establishment of the revised Scrutiny Committee structure for the 2015/16 municipal year, as set out in paragraph 4 of this report.

21. That the Council be recommended to approve and adopt the necessary amendments to the Constitution, as set out in Appendix 1.
22. That the Strategic Director (Resources and Transformation) identify the Lead Officers for Scrutiny Committees to support the overview and scrutiny arrangements for the 2015/16 municipal year.
23. That the Strategic Director (Resources and Transformation), in consultation with the Chair and Vice-Chair, be authorised to develop the draft Annual Scrutiny Programme for 2015/16 and that an informal meeting of the Overview and Scrutiny Management Board be held during April, 2015.
24. That the Annual Scrutiny Programme 2015/16 be submitted to the first meeting of the Overview and Scrutiny Management Board, following the annual meeting of the Council, for formal approval.



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Philip Tart
Strategic Director (Resources and Transformation)



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Ron Sims
Lead Officer

Contact Officers:

Philip Tart/Steve Griffiths
Telephone: 01384 815300/ 5235
Email: philip.tart@dudley.gov.uk / steve.griffiths@dudley.gov.uk

Ron Sims
Telephone: 01384 815005
Email: ron.sims@dudley.gov.uk

List of Background Papers

The Council's Constitution – Article 6, Scrutiny Procedure Rules and Protocols
Reports and Minutes of the Overview and Scrutiny Management Board
Minutes of Scrutiny Committees

ARTICLE 6 – OVERVIEW AND SCRUTINY**6.01 Terms of Reference**

The Council will appoint the following Committees with the terms of reference as set out in the Scrutiny Committee Procedure Rules contained in Part 4 of this Constitution:-

- Overview and Scrutiny Management Board
- People Services Scrutiny Committee
- Resources and Transformation Scrutiny Committee.
- Place Scrutiny Committee.
- Health Scrutiny Committee.

6.02 General Role

Within their terms of reference, Scrutiny Committees will:-

- (i) undertake in depth scrutiny investigations/inquiries and contribute to policy development in respect of issues/items falling within their terms of reference;
- (ii) submit reports and recommendations to the Cabinet and/or full Council on the outcome of scrutiny investigations, inquiries or reviews.

6.03 Specific functions

In addition, the Overview and Scrutiny Management Board will:-

- (i) approve and monitor the Annual Scrutiny Programme.
- (ii) carry out investigations into any decisions of the Cabinet, Cabinet Members, the Chief Executive or Strategic Directors/Chief Officers that are 'called in' for Scrutiny in accordance with the Scrutiny Committee Procedure Rules set out in Part 4 of this Constitution.
- (iii) submit an annual report to the Council.

6.04 Proceedings of Scrutiny Committees

Scrutiny Committees will conduct their proceedings in accordance with the Scrutiny Committee Procedure Rules set out in Part 4 of this Constitution.

6.05 Conflict of Interest

If a Scrutiny Committee is scrutinising specific decisions or proposals in relation to the business of the Community Forum of which the councillor concerned is a member, then the councillor may speak or vote at the Scrutiny Committee meeting unless they are prevented from doing so under a specific provision of the Members' Code of Conduct.

General policy reviews

Where the Scrutiny Committee is reviewing policy generally the member must declare his/her interest before the relevant agenda item is reached, but need not withdraw.

6.06 Access to Information

Scrutiny Committees will comply with the Access to Information Procedure Rules in Part 4 of this Constitution.

SCRUTINY COMMITTEE PROCEDURE RULES

CONTENTS

Rule

1. What will be the number and arrangements for Scrutiny Committees?
2. Who may sit on Scrutiny Committees?
3. Education Representatives
4. Meetings of the Scrutiny Committees
5. Quorum
6. Who Chairs Scrutiny Committee Meetings?
7. Work Programme
8. Agenda Items
9. Policy Review and Development
10. Reports from Scrutiny Committees
11. Making sure that Scrutiny Committee reports are considered by the Cabinet
12. Rights of Scrutiny Committee Members to documents
13. Members and Officers giving account
14. Attendance by Others
15. Call-in
16. Councillor Call for Action
17. The Party Whip
18. Procedure at Scrutiny Committee Meetings
19. Matters within the remit of more than one Scrutiny Committee

Table 1 – Terms of Reference for Overview and Scrutiny Management Board and Scrutiny Committees

SCRUTINY COMMITTEE PROCEDURE RULES

1. What will be the number and arrangements for Scrutiny Committees?

The Council will have the Scrutiny Committees set out in Article 6 and will appoint to them as it considers appropriate from time to time.

2. Who may sit on Scrutiny Committees?

All councillors (except Cabinet Members) may be members of a Scrutiny Committee. However, apart from decisions taken by the full Council no member may be involved in scrutinising a decision in which he/she has been directly involved.

3. Education representatives

The People Services Scrutiny Committee shall include in its membership the following voting representatives for matters relating to education:

- 1 Church of England diocese representative
- 1 Roman Catholic diocese representative
- 3 parent governor representatives.

If the People Services Scrutiny Committee deals with matters not related to any education functions of the Council these representatives shall not vote on those other matters, though they may stay in the meeting and speak.

The People Services Scrutiny Committee shall also have discretion to establish a pool of specialist/key contacts to be invited to advise the Committee, attend or give evidence at meetings, as appropriate, depending on the specific topics under discussion.

4. Meetings of the Scrutiny Committees

Ordinary meetings of each Scrutiny Committee in each year will be held on the dates indicated in the calendar of meetings approved at the annual meeting of the Council. Additional meetings may be called as and when appropriate. A Scrutiny Committee meeting may be called by the Chair of the relevant Scrutiny Committee, by the required number of members of the Committee or by the Strategic Director (Resources and Transformation) if he/she considers it necessary or appropriate.

5. Quorum

The quorum for a Scrutiny Committee shall be as set out for Committees in the Council Procedure Rules in Part 4 of this Constitution.

6. Who Chairs Scrutiny Committee meetings?

Chairs and Vice-Chairs of Scrutiny Committees will be appointed by the full Council.

7. Work programme

The Overview and Scrutiny Management Board will approve and monitor an Annual Scrutiny Programme setting out reviews to be undertaken by individual Scrutiny Committees. In addition, each Scrutiny Committee will consider the revenue budget proposals, usually in November each year.

8. Agenda items

Scrutiny Committees will consider items in accordance with the Annual Scrutiny Programme and otherwise in accordance with their approved terms of reference. Any member of a Scrutiny Committee shall be entitled to give notice to the Strategic Director (Resources and Transformation) that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Strategic Director (Resources and Transformation) will ensure that it is included on the next available agenda.

Scrutiny Committees shall undertake detailed reviews of particular areas of activity, as set out in the Annual Scrutiny Programme, and report their findings and any recommendations to the Cabinet and Council as necessary.

9. Policy review and development

- (a) The role of the Scrutiny Committees in relation to the development of the Council's policy framework is set out in detail in the Budget and Policy Framework Procedure Rules.
- (b) In relation to the development of the Council's approach to other matters not forming part of its policy framework, Scrutiny Committees may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.
- (c) Scrutiny Committees may hold inquiries and investigate the available options for future direction in policy development. They may go on site visits and hold public meetings, and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration.

10. Reports from Scrutiny Committees

- (a) Once it has formed recommendations on proposals for development, the Scrutiny Committee will prepare a formal report and submit it to the Strategic Director (Resources and Transformation) for consideration by the Cabinet (if the proposals are consistent with the existing budgetary and policy framework), or to the Cabinet and the Council.

- (b) If a Scrutiny Committee cannot agree on one single final report to the Council or Cabinet as appropriate, then up to one minority report may be prepared and submitted for consideration by the Council or Cabinet with the majority report.
- (c) The Council or Cabinet shall consider the report of the Scrutiny Committee within two months of it being submitted to the Strategic Director (Resources and Transformation).

11. Making sure that Scrutiny Committee reports are considered by the Cabinet

- (a) The agenda for Cabinet meetings shall include an item entitled 'Issues arising from Scrutiny Committees'. The reports of Scrutiny Committees referred to the Cabinet shall be included at this point in the agenda (unless they have been considered in the context of the Cabinet's deliberations on a substantive item on the agenda) within two months of the Scrutiny Committee completing its report/recommendations.
- (b) Once a Scrutiny Committee has completed its deliberations on any matter it will forward a copy of its final report to the Strategic Director (Resources and Transformation) who will allocate it to either or both the Cabinet and the Council for consideration, according to whether the contents of the report would have implications for the Council's budget and policy framework. If the Strategic Director (Resources and Transformation) refers the matter to Council, he/she will also send a copy to the Leader with notice that the matter is to be referred to Council. The Cabinet will have four weeks in which to respond to the Scrutiny Committee report, and the Council shall not consider it within that period. When the Council does meet to consider any referral from a Scrutiny Committee on a matter which would impact on the budget and policy framework, it shall also consider the response of the Cabinet to the Scrutiny Committee's proposals.
- (c) Not more than one report every three months may be submitted by each Scrutiny Committee to the Cabinet.
- (d) Scrutiny Committees will have access to the Cabinet's forward plan and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from Scrutiny Committee following a consideration of possible policy/service developments, the Committee will at least be able to respond in the course of the Cabinet's consultation process in relation to any key decision.

12. Rights of Scrutiny Committee members to documents

- (a) In addition to their rights as councillors, members of Scrutiny Committees have the additional right to documents, and to notice of meetings, as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

- (b) Nothing in this paragraph prevents more detailed liaison between the Cabinet and Scrutiny Committees as appropriate depending on the particular matter under consideration.

13. Members and officers giving account

- (a) Overview and Scrutiny Committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, a Committee may require any Cabinet Member, the Chief Executive and/or any Strategic Director or Chief Officer to attend before it to explain in relation to matters within their remit:
- any particular decision or series of decisions;
 - the extent to which the actions taken implement Council policy;
 - and/or their performance.
- and it is the duty of those persons to attend if so required.
- (b) Where any member or officer is required to attend a Scrutiny Committee under this provision, the Chair of that Committee will inform the Strategic Director (Resources and Transformation). The Strategic Director shall inform the member or officer in writing giving at least 10 working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- (c) Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Scrutiny Committee shall in consultation with the member or officer arrange an alternative date for attendance.

14. Attendance by others

- (a) A Scrutiny Committee may invite people other than those people referred to in paragraph 13 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, partner organisations, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.
- (b) In addition a Scrutiny Committee will include a standard item entitled 'Public Forum' on its agenda to facilitate members of the public asking questions on any matter falling within the terms of reference of the Scrutiny Committee.

15. **Call-in**

- (a) When a decision is made by the Cabinet, an individual Cabinet Member or a key decision is made by an officer with delegated authority from the Cabinet, or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 2 working days of being made. Chairs of all Scrutiny Committees will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless a Scrutiny Committee objects to it and calls it in.
- (c) During that period, the Strategic Director (Resources and Transformation) shall call-in a decision for scrutiny by the Overview and Scrutiny Management Board if so requested by the Chair of any Scrutiny Committee, or the required number of voting members of a Scrutiny Committee, and shall then notify the decision-taker of the call-in. He/she shall call a meeting of the Overview and Scrutiny Management Board on such date as he/she may determine, where possible after consultation with the Chair of the Board, and in any case within 5 working days of the decision to call-in. For the purposes of this paragraph, the required number of voting members shall be equal to the total number of opposition members appointed to the Scrutiny Committee concerned.
- (d) If, having considered the decision, the Overview and Scrutiny Management Board is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider within a further 5 working days, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, the Overview and Scrutiny Management Board does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Board meeting, or the expiry of that further 5 working day period, whichever is the earlier.

- (f) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole, a meeting will be convened to reconsider within 5 working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 5 working days of the Council request.
- (g) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

EXCEPTIONS

- (h) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
 - i) the Overview and Scrutiny Management Board may only consider 3 'call-in' decisions per three month period, each period commencing on the 1st April, 1st July, 1st October and 1st January;
 - ii) the required number of voting members of a Scrutiny Committee needed for a decision to be called in shall be equal to the total number of opposition members appointed to the Scrutiny Committee concerned;
 - iii) once a member (other than the Chair) has signed a request for call-in under paragraph 15 (call-in) above, he/she may not do so again until a period of 1 month has expired.

CALL-IN AND URGENCY

- (i) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet or a Cabinet Member is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public interest. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in under this Rule. The Mayor must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Mayor the Deputy Mayor's consent shall be required. In the absence of both, the Chief Executive or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (j) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

16. **Councillor Call for Action (CCfA)**

Any member of the public can approach a Member of the Council to ask that an issue be referred to a meeting of a Scrutiny Committee. This is referred to as a "Councillor Call for Action". The procedure for dealing with this is set out in Table 2 attached to these Rules. This procedure should only be used where there is an ongoing dispute about a community issue, which cannot be dealt with through any of the Council's established procedures. The Call for Action procedure will only be used when all other avenues for resolution have been considered and exhausted.

17. **The party whip**

When considering any matter in respect of which a member of a Scrutiny Committee is subject to a party whip the member must declare the existence of the whip, and the nature of it before the commencement of the Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

18. **Procedure at Scrutiny Committee meetings**

- (a) Scrutiny Committees shall consider the following business:
 - minutes of the last meeting;
 - declarations of interest (including whipping declarations);

- in the case of the Overview and Scrutiny Management Board only, consideration of any matter referred to the Board for a decision in relation to call-in of a decision;
 - responses of the Cabinet to reports of the Scrutiny Committee; and
 - the business otherwise set out on the agenda for the meeting.
- (b) Where the Scrutiny Committee conducts scrutiny investigations, the Committee may also ask people to attend to give evidence at Committee meetings which are to be conducted in accordance with the following principles:
- that the investigation be conducted fairly and all members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
 - that those assisting the Committee by giving evidence be treated with respect and courtesy; and
 - that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.
- (c) Following any investigation or review, the Committee shall prepare a report for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.

19. **Matters within the remit of more than one Scrutiny Committee**

The Overview and Scrutiny Management Board shall oversee and co-ordinate the activities of Scrutiny Committees to avoid duplication and ensure liaison on cross-cutting issues as necessary.

TABLE 1:

TERMS OF REFERENCE FOR OVERVIEW AND SCRUTINY MANAGEMENT BOARD AND SCRUTINY COMMITTEES

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Membership

11 Councillors (including Chairs and Vice-Chairs of Scrutiny Committees subject to political proportionality rules).

Terms of Reference

To oversee and co-ordinate the Council's Overview and Scrutiny functions under the Local Government Act 2000, any subsequent legislation, regulations or statutory guidance.

To approve and monitor the Annual Scrutiny Programme setting out the reviews to be undertaken by individual Scrutiny Committees and to make any necessary amendments to reflect changes in circumstances that arise during the year.

To oversee the scrutiny of any decisions or actions taken in connection with the discharge of the Council's executive functions; to undertake scrutiny reviews or refer any matters to individual Scrutiny Committees as appropriate.

To oversee and co-ordinate the activities of Scrutiny Committees to avoid duplication and ensure liaison on cross-cutting issues.

To consider and determine items that are called in for scrutiny in respect of decisions made by the Cabinet, Cabinet Members, the Chief Executive or Strategic Directors/Chief Officers in accordance with the Overview and Scrutiny Procedure Rules and associated protocols.

To scrutinise the Quarterly Corporate Performance Management Report and to make any associated recommendations to the Cabinet, Cabinet Members, the Chief Executive, Strategic Directors and Chief Officers.

To undertake scrutiny functions associated with the strategic Crime and Disorder Reduction Partnership (Safe and Sound).

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme:-

- To undertake in-depth scrutiny investigations/inquiries in respect of specific issues assigned to the Board within its terms of reference.
- To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To contribute to policy development by carrying out the scrutiny of matters falling within the overall functions of the Chief Executive and the Cabinet portfolios of the Leader and Deputy Leader.

To engage with the Leader/Deputy Leader, the Cabinet and other Members as necessary with a view to achieving common aims and continuous improvement and to raise issues with the Cabinet as necessary.

To receive the Forward Plan of Key Decisions to be taken by the Council, the Cabinet, Cabinet Members or Strategic Directors/Chief Officers over a four-month period.

To co-ordinate the Council's involvement in scrutiny arrangements at local and regional levels.

To encourage effective partnership working and community involvement in the Overview and Scrutiny functions of the Council.

To make reports and recommendations to the Council and/or the Cabinet in connection with the discharge of Overview and Scrutiny Functions.

To submit an annual report to the Council on the work of the Overview and Scrutiny Management Board.

To receive recommendations, as appropriate, from individual Scrutiny Committees.

PEOPLE SERVICES SCRUTINY COMMITTEE

Membership

11 Councillors, 5 voting Church and Parent Governor Co-opted representatives, in accordance with paragraph 3 of the Scrutiny Committee Procedure Rules.

Terms of Reference

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations/inquiries in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of People Services and the portfolios of the Cabinet Members for Adult Social Care, Children's Services and Health and Wellbeing (with the exception of functions that fall within the terms of reference of the Health Scrutiny Committee).

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

RESOURCES AND TRANSFORMATION SCRUTINY COMMITTEE

Membership

11 Councillors

Terms of Reference

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of Resources and Transformation and the portfolio of the Cabinet Members for Corporate and Customer Services and Finance and Legal Services.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

PLACE SCRUTINY COMMITTEE

Membership

11 Councillors.

Terms of Reference

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of matters falling within the functions of the Directorate of Place and the portfolios of the Cabinet Members for Planning and Economic Development, Environmental Services and Housing.

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

HEALTH SCRUTINY COMMITTEE

Membership

11 Councillors, 1 non-voting Co-opted Member

Terms of Reference

To fulfil all of the overview and scrutiny functions of a Scrutiny Committee as they relate to the improvement of local health and associated services, as a contribution to the Council's community leadership role, in accordance with relevant legislation, regulations and associated guidance.

To make reports and recommendations to local National Health Service (NHS) bodies and to the Council on any matter reviewed or scrutinised which will explain the matter reviewed, summarise the evidence considered, provide a list of participants in the scrutiny exercise, and make any recommendations on the matter reviewed as appropriate.

To proactively receive information within given timescales, with some exceptions as per Government Guidance, requested from local NHS bodies.

To be consulted by and respond to (as appropriate) NHS bodies in connection with the rationale behind any proposal and options for change to local health services made by the NHS.

To ensure the involvement of local stakeholders in the work of the Committee.

To take referrals from local Patients' Forums.

To act in accordance with Government Guidance relating to Health and Scrutiny functions.

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

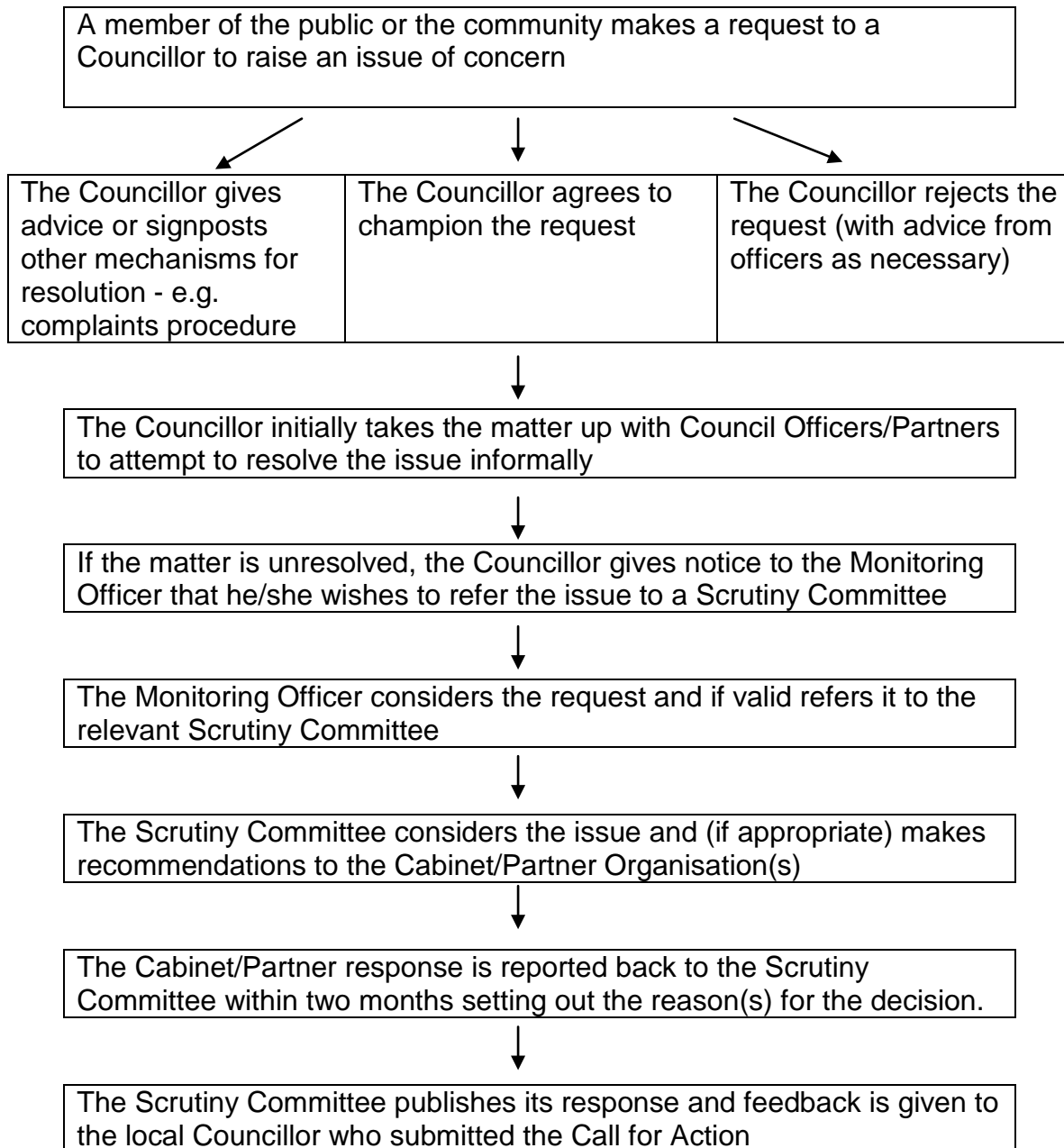
- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of all health related functions and matters falling within the portfolio of the Cabinet Member for Health and Wellbeing (including the Office of Public Health) (with the exception of functions that fall within the terms of reference of the People Services Scrutiny Committee).

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

TABLE 2:

PROCEDURE FOR DEALING WITH A COUNCILLOR CALL FOR ACTION



Overview and Scrutiny Management Board – 26th March, 2015

Report of the Strategic Director (Resources and Transformation)

Forward Plan of Key Decisions

Purpose of Report

1. To present the Forward Plan of Key Decisions for the four-month period commencing 1st April, 2015.

Background

2. The Access to Information Procedure Rules set out in Part 4 of the Constitution include a requirement for a Forward Plan to be prepared by the Leader covering a period of four months.
3. Attached as an Appendix is the Forward Plan covering the four-month period from 1st April, 2015. The Forward Plan sets out information on key decisions that are likely to be taken by the Council, Cabinet, a Cabinet Member or Chief Officers in the period covered by the Plan.
4. The Forward Plan is available on the Internet via the Committee Management Information System (CMIS).
5. The Forward Plan is reported to programmed meetings of the Overview and Scrutiny Management Board to assist the process of overview and scrutiny of key decisions.

Finance

6. The financial implications associated with individual key decisions will be included in reports submitted on each individual item.
7. A key decision is defined as an executive decision which is likely:-
 - (a) to result in the Council incurring expenditure, or the making of savings, which are £250,000 or more (revenue or capital); or
 - (b) to be significant in terms of its effects on communities living or working in one or more wards in the Borough.

Law

8. The requirement to produce a forward plan is set out under the Access to Information Procedure Rules in Part 4 of the Constitution.
9. The Constitution is adopted by the Council pursuant to the requirements of the Local Government Act 2000.

Equality Impact

10. The equality impact of specific key decisions will be referred to in individual reports on the items concerned.

Recommendation

11. That the Forward Plan of Key Decisions be noted.



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Strategic Director (Resources and Transformation)

Contact Officers: Philip Tart
Telephone: 01384 815300
Email: philip.tart@dudley.gov.uk

Steve Griffiths
Telephone: 01384 815235
Email: steve.griffiths@dudley.gov.uk

Manjit Johal
Telephone: 01384 815267
Email: manjit.jahal@dudley.gov.uk

List of Background Papers

The Constitution

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Apr 2015

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0569 Corporate Resources	Staffing Issues and Restructuring Proposals	To determine any staffing issues requiring approval of the Cabinet or Cabinet Member (ie: not delegated to officers) in accordance with the Council's scheme of delegation and/or budget strategy. This may include restructuring proposals affecting the staffing establishments of the Council's Directorates. Individual items will be considered in private session to avoid the disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to any individual or information which is likely to reveal the identity of an individual.	February 2015 - April 2016		Consultation with internal officers, employees affected and their representatives, depending on the nature of individual proposals.	Cabinet; Councillor Rachel Harris	Teresa Reilly Assistant Director (Phone: 01384 814703)
0627 Children's Services	School Place Planning	Approve the proposed expansion of a number of Primary Schools in order to meet the demand for school places.	July 2014 - September 2015	Response report to the consultation of the Directorate of Children's; Services	Schools, staff, pupils, parents, the local community. Consulted via a consultation document that contains details of the proposals. A statutory notice will also be published containing details of the proposals.	Councillor Tim Crumpton	Toni Guest Head of Place Planning and School Reorganisation (Phone: 3725)
0636 Corporate Resources	Repair and Maintenance Budget 2015/16	To approve the Repair and Maintenance budget's programme of expenditure for 2015/16. To authorise the Director of Corporate Resources to establish a programme of works to make minor amendments to that programme and to add individual schemes to it during the course of the year, subject to available resources. To authorise the Director of Corporate Resources to negotiate/extend/agree any contract necessary to facilitate the Council's Repair and Maintenance Procurement System.	Cabinet Member & Officer Mtg April 2015	Repairs and Maintenance Policy	The Corporate Property Group	Councillor Rachel Harris	Paul Bickerdike Building Surveying Manager (Phone: 01384-814107)

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Apr 2015

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0639 Corporate Resources	Spending Projections 2015/16	To report details of the projected outturn for 2015/16 and to recommend amendments to the revenue budget, funded from General Balances if necessary.	April 2015 - March 2016	Report of the Chief Officer Finance and Legal Services	Council Directors	Cabinet; Full Council	Iain Newman Treasurer (Phone: 01384-814802)
0640 Corporate Resources	Waiver of Contract Standing Orders	Waiver of Contract Standing Orders by the Cabinet Member for Finance in appropriate circumstances. Items will be considered in private session to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of any particular person (including the authority).	April 2015 - March 2016	Returned tender documents/Council's Standing Orders; Records; maintained by the Chief Executive; Reports/correspondence by the; Director of Corporate Resources	The Scheme of Delegation requires the Cabinet Member for Finance to consult the Treasurer. Where appropriate Stakeholders with an interest in the contract(s) will also be consulted as part of the contract evaluation exercise.	Councillor Stuart Turner	Iain Newman Treasurer (Phone: 01384-814802)
0641 Corporate Resources	Monitoring and Review of Capital and Revenue Expenditure or Income	To consider issues which have a significant impact upon the Capital or Revenue Expenditure and/or Income of the Council including those issues arising from the monitoring, review and implementation of the approved Revenue Budget and Capital Programme. [This is a standing item at each Cabinet meeting and the Decision Taker will be the Cabinet and then the Council, or individual members/officers in accordance with relevant delegations].	April 2015 - March 2016	Periodic and ad-hoc reports	Consultation appropriate to individual proposals.	Cabinet; Full Council	John Everson Technical Accountant, Corporate Resources (Phone: 01384-814806)
0643 Environment, Economy & Housing	Green spaces Asset Management Plan	The adoption of the Strategy	Cabinet June 2015	The Green spaces Asset Management plan and appendices 2015	The Environment Scrutiny Committee Sept and Nov 13 was consulted as part of the document planning process, and the Green Spaces Friends Forum was consulted in Oct 13. Further consultation has been carried out as part of the Dudley Development plan consultation.	Cabinet	Matt Williams Highways Operations Manager (Phone: 01384 814510)

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Apr 2015

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0644 Environment, Economy & Housing	Adoption of the Community Infrastructure Levy Charging Schedule	To approve the adoption of the Community Infrastructure Levy Charging Schedule	Cabinet June 2015; Full Council Meeting July 2015	Final version of the Community Infrastructure Levy Charging Schedule	Key internal officers, Cabinet Member for Regeneration and Council Leader. Draft document will be available to view prior to the Cabinet and Full Council meetings.	Cabinet	Helen Martin Head of Planning (Phone: 4186)
0646 Corporate Resources	Revenue Budget Strategy 2016/17	To consider the Revenue Budget Strategy for 2016/17 and future years.	June 2015 - March 2016	Report(s) of Chief Executive, Chief Finance and Legal Services and the; Strategic Director of Resources and Transformation	Public consultation - possible use of Citizens' Panel and Internet. Consultation with representatives of the Non-Domestic Ratepayers.	Cabinet; Full Council	Iain Newman Treasurer (Phone: 01384-814802)
0647 Resources and Transformation	Staffing Issues and Restructuring Proposals	To determine any staffing issues requiring approval of the Cabinet or Cabinet Member (ie: not delegated to officers) in accordance with the Council's scheme of delegation and/or budget strategy. This may include restructuring proposals affecting the staffing establishments of the Council's Directorates. Individual items will be considered in private session to avoid the disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 relating to any individual or information which is likely to reveal the identity of an individual.	March 2015 - May 2016		Consultation with internal officers, employees affected and their representatives, depending on the nature of individual proposals.	Cabinet; Councillor Rachel Harris	Teresa Reilly Assistant Director (Phone: 01384 814703)
0649 Environment, Economy & Housing	Integrated Transport Block Allocation 2015/16	That the Local Transport Plan (LTP) Integrated Transport (IT) Block Allocation for 2015/16 be approved.	Cabinet Member & Officer Mtg April 2015	Decision sheet	Decision sheet (as per decision sheet process)	Cllr Khurshid Ahmed	Martyn Holloway DUE
0650 Resources and Transformation	Review of Housing Finance	To approve the revised HRA budgets for 2015/16 and updates to the 30 year HRA Business Plan. To approve the amendments to the Public Sector Housing Capital Programme for 2015/16 to 2019/20.	June 2015 - October 2015		Corporate Board EEH Senior Management Team Resources and Transformation DFTRA Board Housing Board	Cabinet; Full Council	Catherine Ludwig Housing Finance Manager, Directorate of Finance, ICT etc (Phone: 01384 815075)

Forward Plan of Key Decisions

Decisions due to be made during the four month period from 01 Apr 2015

Decision No Directorate	Project Name	Key Decision	Decision Period Meeting Date	Reports, Appendices & Background Papers	Consultation Details	Decision Taker	Contact Name
0651 Environment, Economy & Housing	Black Country Executive Joint Committee	<p>Decisions to be taken by the Black Country Executive Joint Committee in its capacity as the lead decision-making forum for the Black Country City Deal and Growth Deal.</p> <p>The Black Country Executive Joint Committee comprises the Leaders of the four Black Country Councils (voting members) together with the Chair of the Black Country Local Enterprise Partnership (non-voting members).</p> <p>The joint Committee also has an Advisory Board which forms part of the recommendation and decision-making process. Walsall MBC acts as Secretary to the Committee and full information, including the Forward Plan of the Black Country Executive Joint Committee can be found on the Walsall Council website at the link shown below.</p>	March 2015 - March 2016	Walsall Council	Consultation on individual key decisions to be taken by the Black Country Executive Joint Committee can be found on Walsall Councils website.	BC Executive Joint Committee	Phil Coyne Assistant Director, Economic Regeneration & Transportation (Phone: 4004)