

**Meeting of the Cabinet – 10th February 2010**

**Report of the Chief Executive**

**New Draft Governance for Dudley Community Partnership and Revised Proposal for the Sustainable Communities Act 2007**

**Purpose of Report**

1. To present draft proposal governance arrangements for the Dudley Community Partnership (DCP), including the establishment of a new Stakeholder Forum.
2. To update Members on a revised proposal for the implementation of the Sustainable Communities Act (SCA) 2007, in line with the proposed DCP governance arrangements above.

**Background**

3. At the DCP Board meeting on 20<sup>th</sup> November 2008, the Board agreed to review governance arrangements for the partnership as part of the overall review of the partnership structure and process. A sub-group of the board have since met and submitted initial draft proposals to the partnership board throughout 2009. The revised draft proposals will be presented to the DCP Board on 18th February 2010 for approval. The draft governance arrangements also have direct connotations for the future implementation of the Sustainable Communities Act 2007.
4. On 23rd February 2009, the Council approved the recommendation to implement the SCA 2007 by establishing a Sustainable Communities Panel to consider proposals brought forth by local residents to promote the sustainability of their local area. The role of the panel was to be undertaken by the Dosti Executive yet, having considered the Council's invitation, Dosti have since declined this offer. Dosti believe it would not be appropriate to take on the role of the panel, since it has the potential to significantly distract Executive members from their primary role, which is to make strategic decisions about the work of Dosti and to represent the collective views of its members. However, Dosti wish to remain a key player in the development of the SCA in Dudley.

**DCP Draft Proposal Governance Arrangements**

5. The DCP wishes to focus its efforts around key priorities, clarifying partnership roles and responsibilities to enable greater accountability. By focusing on the priorities set out in the Sustainable Communities Strategy (SCS) and Local Area Agreement (LAA), the partnership aims to deliver added value through enhanced engagement with local people and a strengthened performance management

framework. The DCP have proposed a number of governance revisions to achieve this (as outlined in Appendix A and B attached). In summary, the proposals are:-

- To evolve the existing DCP Board into a Stakeholder Forum with broad representation (building on existing Board membership and filling gaps to ensure that representation is effective, including the representation of Elected Members)
  - To introduce a new Executive Group to be responsible for achieving change and making improvements to performance. Its focus will be the implementation of the SCS and LAA.
  - To ensure the Partnership takes an empowering approach to engagement (building on the work of 'In it together' and Dosti) by providing greater access to information and becoming more open to influence at all levels of the DCP, from a strategic to operational level.
  - To re-focus the existing Performance Management Group (PMG) to concentrate on the operational monitoring and management of issues.
6. No definite timescale for implementation is included in the proposals as discussions are still ongoing. Nevertheless, should the draft proposals be agreed, the revised arrangements should operate from Spring 2010.
  7. The Stakeholder Forum forms a significant addition to the new governance arrangements of the DCP. The Forum is to be a group of 30-40 members whose role is to represent the interests of the wider community in the strategic planning and delivery of the SCS.
  8. It is proposed that Elected Member representation be included in the membership of the Stakeholder Forum. The proposal is that 5 places be given to the Chairs of the five Select Committees to ensure coverage of the key thematic areas closely aligned to the priorities within the Sustainable Community Strategy (SCS).
  9. The Forum will enable the DCP to effectively engage with local people and communities to ensure accountability to the public in delivering key actions to improve peoples' quality of life in the borough (i.e. via the delivery of outcomes set within the SCS and by identifying emerging needs and priorities for the Council and its partners to respond to).
  10. Dosti, together with the Council's Community Renewal Team, will coordinate the Stakeholder Forum to ensure that communities themselves set the agenda and influence the decision making process of the DCP. The draft terms of reference for the Stakeholder Forum are attached in Appendix C.

### **Sustainable Communities Act 2007 (Revised Proposal)**

11. A number of alternative options have been explored. Having considered the experiences of other local authorities and also having undertaken some pre-engagement with members of community, voluntary and faith groups and the public, the Council and its partners propose that further exploration is required before a panel process can be established successfully. The proposal is therefore to defer implementation of the SCA 2007 pending further discussion at an appropriate future date.

12. One of the key reasons for this proposal is that the Council and its partners do not wish to risk duplicating the new DCP Stakeholder Forum (as outlined above). Such duplication of effort would lead to two new and overlapping structures / processes being initiated in parallel, requiring the involvement of the very same people and groups. This could, therefore, result in a disempowering experience for participants.
13. Furthermore, the Stakeholder Forum is already designed to support the priorities of 'sustainable communities' since its main purpose is to hold the DCP to account in the delivery of the Sustainable Communities Strategy (SCS). As the Forum is a means to engage with a collective of communities, groups and individuals, it offers inclusive and representative involvement to address quality of life issues within the borough to help to deliver change. Furthermore, it will be tied into, and therefore supported by, a structure that is orientated around community outcomes.
14. The Council and its partners will continue to consider all options to implement the Sustainable Communities Panel that have merit. Currently, one of these options is to evolve the Stakeholder Forum to a stage where it can adopt a panel structure / process, notwithstanding the above concerns of duplication and purpose.
15. At an appropriate future stage (i.e. within the next 12-18 months), the Stakeholder Forum will be reviewed to consider the added value and practicality of adopting the Sustainable Communities Panel process in line with the Forum. However, it is important to allow the Forum time to firmly establish its primary purpose before it takes on an ancillary role. Whichever option emerges as the most practical one, that decision will need to consider the logistics behind the frequency of meetings as a Panel and the availability of its members for that purpose.

### **Finance**

16. There are no additional direct financial implications arising from this report as the new proposed governance arrangements will be incorporated within existing structures. Any costs arising from compliance with the new arrangements will be met from the DCP's existing budget. Likewise, the deferred implementation of the Sustainable Communities Act 2007 at this time requires no additional cost.

### **Law**

17. The governance arrangements of the DCP are the collective decision of the DCP Board Executive to make, whilst the Sustainable Communities Act 2007 places no statutory obligation on local authorities at this time to establish a Sustainable Communities Panel or process.

### **Equality Impact**

18. This report complies fully with the Council's policies on equality and diversity. The draft terms of reference for the DCP Stakeholder Forum make provisions for the membership of usually under represented groups such as children and young people, older people, BME and people with disabilities.

### **Recommendations**

19. That the draft proposed governance arrangements for the DCP be noted.

20. That the proposal to include Elected Members as part of the DCP Stakeholder Forum membership, comprised of the 5 Chairs of Select Committees, be endorsed as referred to in paragraph 8 of this report.
21. That the revised proposal to defer the implementation of the Sustainable Communities Act 2007 be endorsed as referred to in paragraph 11 of this report; and that the issue be reviewed in due course in light of practical experience gained through the DCP Stakeholder Forum process.
22. That views be invited on the content of this report and any identified areas of interest or concern be noted.

*John Polychronakis*

**John Polychronakis**  
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**List of Background Papers / Web links**

Decision Summary of Council Meeting held on Monday 23rd February 2009  
(See attached)

Local Works – Campaigning to implement the Sustainable Communities Act 2007  
<http://www.localworks.org/>

## **Appendix A**

### **Dudley Draft Governance Proposals – Revised April 2009**

#### **Introduction**

#### **1. What do we want to achieve with the new arrangements?**

At last years Board Development sessions there was a clear consensus, supported by the key agreements paper presented to the Board at its meeting on the 20<sup>th</sup> November; that the Partnership needs to amend its governance arrangements in order to:

- Move to a sharper and more focused way of working with an agreed work programme shaped around key priorities, simplified and clear roles, relationships and accountabilities at all levels in the LSP.
- Strengthen partnership behaviours to support achievement of SCS and LAA priorities.
- Deliver added value – establish ways to develop cross-cutting responses and interventions which break out of silos.
- Enhance engagement;
- Strengthen implementation, performance management and create an improvement culture.

A small group of Board members volunteered to meet to generate these proposals for broader consideration in January and presentation to the Board in February. At the February Board meeting it was proposed that a further meeting of the small working group be held with representatives from Dosti to discuss options for the way forward and a revised paper be brought to the meeting in April.

Please note we have also designed these proposals in line with the new Audit Commission advice

#### **2. Proposals in a nutshell**

- i) Keep the inclusive approach; evolve the existing DCP Board into a Stakeholder Forum with broad representation (building on existing Board membership and filling gaps to ensure that representation is effective). The Stakeholder Forum will focus on strategic direction.
- ii) Introduce a new Executive Group to be responsible for achieving change and making improvements to performance in the Borough. Its focus will be on implementation of the SCS and the Local Area Agreement.
- iii) The proposals are in line with the work currently being undertaken by Dosti / In it together and the Working Group on Engagement, and the aim is to ensure DCP takes an empowering approach to engagement through providing information, openness to influence and empowering at all levels - from strategic, themes, across agencies and partnerships
- iv) In light of the changes there will be a need to re-focus the Performance Management Group to concentrate on the operational monitoring and management issues. PMG is basically fine in its current form but there is a need to re-visit its membership / role as theme partnerships continue to work on more performance management.

### **3. The Stakeholder Forum**

#### **i) Proposals**

The ambition is to keep the overall aim the same: to achieve stronger and sustainable communities as set out in the SCS;

Keep the commitment to highest standards of good governance – transparent, accountable, fair, democratic and demonstrating accountability to the local communities;

Keep the inclusive approach with broad representation;

Review membership with all sectors to ensure representation is effective.

#### **ii) The role of the Stakeholder Forum**

The Stakeholder Forum will be an inclusive forum of stakeholders from the public, private, community and voluntary sectors, each of whom have a role, responsibility and contribution to make to the above purposes. The Stakeholder Forum:

- Ensures shared accountability to public and stakeholders for the progress being made towards the fulfilment of the vision and sustainable community strategy – and considers the contribution made by all partners.
- Ensures strategic planning and purposeful task-setting of the executive and themes towards achieving the DCP SCS vision and LAA
- Identifies and does initial work on key strategic issues, establishes priorities (and prioritises the priorities) to then direct the ‘executive levels’ to act on and progress specific areas requiring development and improvement;
- Ensures there are appropriate partnership (not single agency) measures in place to demonstrate / test progress
- Ensures effective engagement with the geographic and communities of interest, business forums, young people’s forum and others (see work lead by Dosti - In it Together)
- Ensures effective strategic and planning links with the Black Country and appropriate regional bodies

- Gives voice to the views of the partner organisations they represent in the above contexts.

The Stakeholder Forum would meet at least twice a year and host an annual conference to report progress to stakeholders and the public on the 'State of Dudley' and the Priorities described in the SCS and LAA. What would be different is the focus on strategic direction and leadership – not on operational business of the partnership.

### **iii) Benefits**

Clarity around role and expectations – this group would come to a consensus and make decisions on “what” the strategy and priorities should be (but not HOW they will be achieved). It will provide the opportunity to discuss and balance priorities in more depth – as with the recent discussion on the Recession. This proposal strengthens engagement and involvement and demonstrates stakeholder leadership.

### **iv) Who will be on it and how will it work?**

The proposal is for the membership of the new Forum to evolve from the existing Board and add in additional representatives to fill identified gaps.

Key partner organisations would be represented at both the Forum and the Executive Level – although not necessarily the same individuals.

The Forum would meet twice a year – with an estimated 30-40 members approximately 10 would be from the voluntary, community and faith sector. The proposal is that there would be some flexibility in membership and that individuals could be co-opted depending on the subject matter to be discussed. (There is potential for a VCFS shadow forum to support members convened by Dosti reaching further than Dosti members.)

The conference would be an annual event with up to 100 attendees (although the aim would be to get as many participants as possible) and would include elected members. This would be through invitation and open invitation. The conference would consider progress over the previous year and priorities for the forthcoming year.

## **4. Executive Management Group**

### **i) Proposal**

Introduce a new Executive Management Group to be responsible for achieving change and making improvements to performance in the borough; the Group's focus will be on implementation of the SCS and the Local Area Agreement.

### **ii) The job of the Executive Management Group**

This is a new group - a core group of chief officers from key organisations, responsible for achieving transformation and making improvements to performance in the borough, its focus is on implementation of the SCS and the Local Area Agreement. On behalf of the Stakeholder Forum, the Executive Management Group:

- Ensures that themes report performance and progress to the Executive and that performance is on track to meet objectives, outcomes and targets specified in the SCS and LAA, in turn reporting its analysis and recommended actions (by exception) to the Stakeholder Forum.
- Acts to ensure strong performance - including review of performance by exception, LAA implementation planning and target setting and review, and taking specific action to address areas where performance is not meeting expectations, supporting theme partnerships to unblock issues and add value.

- Ensures that themes and partners proactively collaborate at borough and local levels to optimise outcomes and effective targeting of action and resources on inequalities / need – where there is evidence.
- Ensure agencies are joining up services – (looking at for example the profile of total public spend and how it can be targeted effectively).
- Reviews and refreshes the SCS and the LAA, and coordinates policies and strategies to deliver them. Prepares for CAA, questioning and managing issues arising.

The Executive Group is accountable to the Stakeholder Forum and reports progress to it at each Stakeholder Forum meeting.

This proposal aims to clarify the responsibility for implementation and delivery; it focuses on those organisations and agencies that can directly impact on delivery. The group is not consultative in nature - it is about action. This also brings Dudley into line with other LSPs in the region (all have some sort of Executive.)

### **iii) Benefits**

Smaller group who are able to make decisions, clear role and responsibility, safer environment to challenge and support each others performance issues, can focus on implementation programmes as they arise, would make recommendations on finance to cabinet as appropriate.

### **iv) Who would be on it?**

The aim would be to have up to/around 12 – 15 members from key organisations represented – this list is only a first attempt and we would need to make sure everyone was comfortable e.g. DMBC – leader and Chief Exec, WMP, Fire, PCT, LSC, JCP, Dosti, DCVS, Business Link or Chamber (tbc) - advisors only invited to report on specific issues, chair of the Performance Management Group should report regularly. (We propose that the group includes Theme Partnership Chairs – as these are people who might be on anyway this might still keep the group at 15?)

## **5. Performance Management Group**

### **i) Proposal**

Re-focus the Performance group – review membership and ensure appropriate support is given to make the group function e.g. the appropriate data and mechanisms in place.

### **ii) The job of the Performance Group**

The Performance Group is a sub-group of the Executive, and undertakes similar roles to those of the Executive, except that it focuses on the detail of implementing and performance managing the priorities and targets set out in the LAA, and the National Indicator Set (198 indicators) . It also leads on ensuring strong self assessment of the LSP's work within the Comprehensive Area Assessment Process (government review of progress and performance in local authority areas). The Performance Group is responsible for:

- Ensuring Implementation plans are in place; linking up the detailed work with themes and partners to identify the actions required and the risk to be managed, to deliver priorities, outcomes and achieve targets, and to monitor progress against the objectives, outcomes and actions, recommending remedial action to the Executive as required.



- Performance monitoring: the detailed processes of collection of performance data, reporting of performance information, analysis of performance information and compilation of performance reports
- Target setting and review; the detailed work of identifying suitable targets for prioritisation, disaggregated measurement and negotiation.

The Performance Group reports to each meeting of the Executive Management Group

### **iii) Benefits**

Keeps the focus at the right level, a group need to have the detail on the numbers, needs technical expertise etc

### **iv) Bringing theme partnerships together**

Linked to the work of the PMG we propose bringing together regularly the Chairs of the theme partnerships (and the lead co-ordinators – although we'd need to check if they are on PMG already.) This does not appear on the structure diagram. It is important to have a mechanism that ensures cross-cutting issues and common issues for theme partnerships are delivered and to provide support and development for the Chairs themselves.

## **6. Timescale**

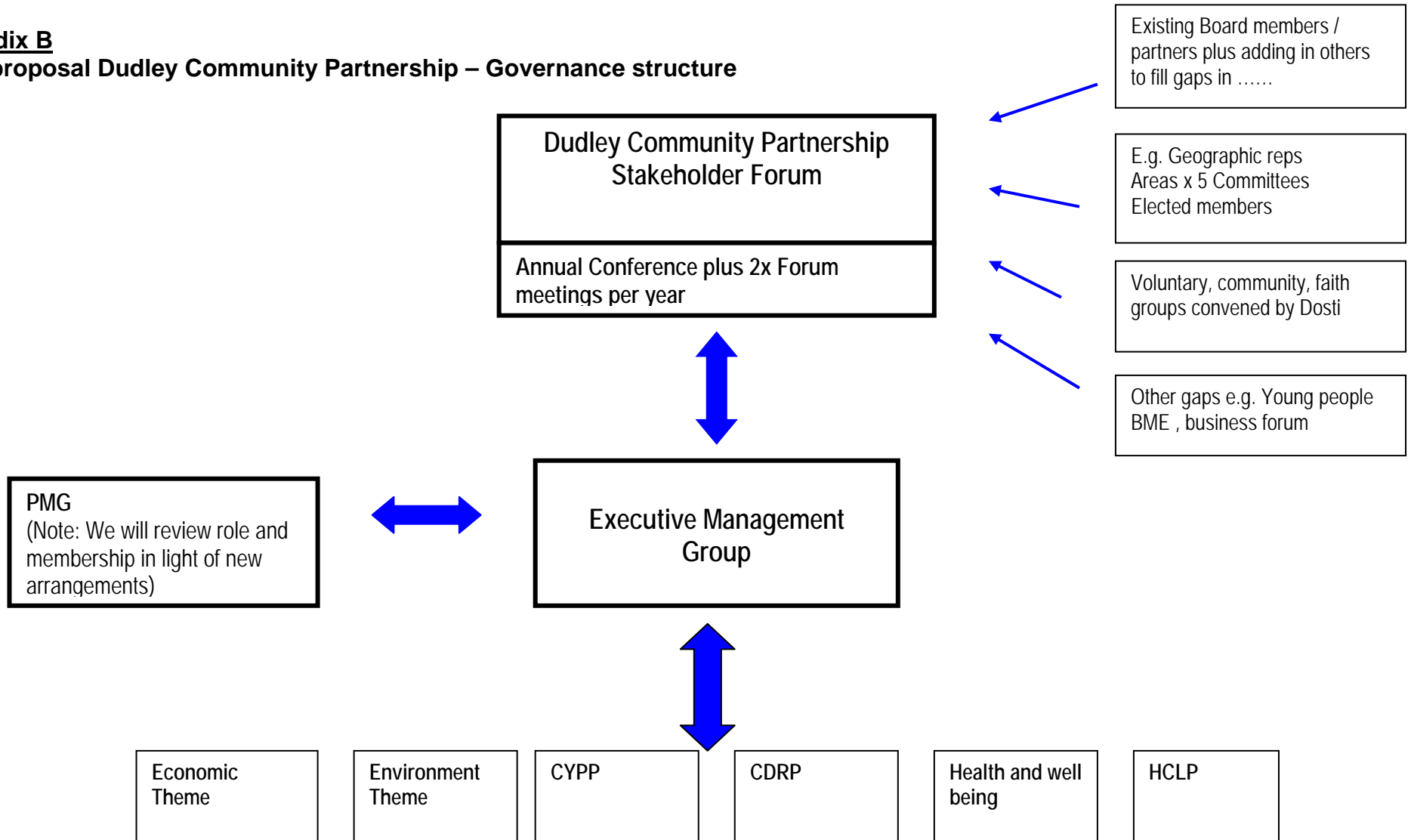
We would hope the new arrangements are agreed at this April meeting, although we recognise further details will be needed. We propose that any further clarifications or minor details are approved by the Chair and Dennis Hodson and through email agreement with those who have taken part in the working group.

The aim would be to have the new arrangements in place for September 2009. We are also seeking to ensure the timescales best fit / link the new arrangements to the SCS review process.

**Comments invited.**

**Appendix B**

**Initial proposal Dudley Community Partnership – Governance structure**



## **Appendix C**

### **DCP Stakeholder Forum (Title of Group TBC) - Draft Terms of Reference**

The Dudley Community Partnership's vision is of sustainable, inclusive and connected communities across Dudley Borough.

The Dudley Community Partnership (DCP) works towards this vision by taking actions relating to strategic priorities which are presented in the Dudley Sustainable Community Strategy 2010-2013.

The stakeholder forum is part of a wide and varied network of organisations, groups and people. This is illustrated in the diagram below.

[insert stakeholder map to visually convey involvement]

#### **1. Role and Purpose of stakeholder forum**

The purpose of the stakeholder forum is to inform the strategic planning of the DCP Executive Management Group and delivery of the Dudley Sustainable Community Strategy 2010-2013. The stakeholder forum enables the DCP to hold high standards of community governance through the effective engagement of stakeholders.

The stakeholder forum has a role to:

- a. **Ensure effective engagement** with geographic communities, communities of interest, youth forums and others. (Achieved through engagement of Youth Council and Youth Forums, networks in Dosti, Area Community Renewal Forums, Area Committees and Theme Partnership engagement activity.)
- b. **Ensure accountability** to public and stakeholders for the progress being made towards the fulfilment of the vision and sustainable community strategy.
- c. **Raise and explore issues which affect the ability of the DCP to meet priorities in the Community Strategy**, and task the Executive Management Group to act on and progress specific areas requiring development and improvement.
- d. **Ensure strategic planning and purposeful task-setting** of the executive and themes towards achieving the DCP vision and Local Area Agreement.
- e. **Promote effective relationships** between local organisations and plans and sub-regional and regional organisations and plans.

*(Add relationship to Sustainable Communities Panel following Cabinet meeting 10/02/09)*

#### **2. Principles and values**

The stakeholder forum will work to the principles described in the Dudley Sustainable Community Strategy 2010-2013. These are:

- Promoting equality – tackling inequality
- Safeguarding the future
- Reflecting priorities through physical change
- Delivery in partnership
- Involving people

and in addition the stakeholder forum will promote:

- working in different ways to achieve change

The stakeholder forum will operate consistent review, evaluation and learning in order to continually improve its actions, responsibilities and outcomes.

The democratic process will be observed in all decisions made. It will recognise that there will be collective responsibility for decisions made.

### **3. Key Working Relationships**

- a. The stakeholder forum includes all members of the DCP Executive Management Group. The stakeholder forum will seek to influence the Executive Management Group in relation to areas for development and improvement.
- b. The stakeholder forum and some of its representatives will be supported by staff from Dosti, Community Renewal, Youth Participation and the DCP Secretariat.
- c. The stakeholder forum will utilise information, intelligence and support from the DCP Secretariat.

### **4. Membership**

There will be no co-options.

All members will declare an interest if there are decisions to be made which may affect them, or their organisations, personally.

There are three categories of membership, as follows.

#### ***i. DCP Executive Management Group Members (18 places)***

Leader of the Council  
Dudley PCT Chief Executive  
Dudley MBC Chief Executive  
West Midlands Police Chief Superintendent  
Dosti Chair  
Dudley CVS Chief Officer (via Dosti)  
West Midlands Fire Service Borough Commander  
Learning and Skills Council Economic Director  
Job Centre Plus District External Relations Manager  
Black Country Chamber of Commerce Director  
Stourbridge College Principal  
Public Health Director  
Federation of Small Businesses

Children's Trust Chair  
Safe and Sound Chair  
Economic Development and Regeneration Partnership Chair  
Strategic Housing and Environment Partnership Chair  
Health and Wellbeing Partnership Chair  
Heritage, Leisure and Culture Partnership Chair

**ii. Voluntary, community and faith sector representatives (10 places)**

2 VCFS representatives are already included via the DCP Executive Management Group Members above.

A further 4 VCFS representatives to be elected from Area Community Renewal Forums, Youth Council and Youth Forums for a continual 2-3 year term.

A further 6 VCFS representatives to be nominated for each specific meeting, from constituent networks, to champion key strategic issues raised through networks. These representatives will be different each meeting, depending on the issues to be addressed, reflecting the necessary knowledge and experience required to be champions.

**iii. Elected members (5 places)**

Select Committee Chairs, as follows:

- *Chair of Select Committee on Children's Service*
- *Chair of Select Committee on Community Safety and Community Services*
- *Chair of Select Committee on Environment*
- *Chair of Select Committee on Health and Adult Social Care*
- *Chair of Select Committee on Regeneration, Culture and Adult Education*

*(Above to be confirmed at future Cabinet meeting)*

## **5. Attendance**

Attendance at stakeholder forum meetings will be recorded and made available for public viewing.

Substitutes for members will not be accepted. However 7 of the voluntary, community and faith sector representatives will vary from meeting to meeting – see Membership, above.

Additional service providers may be requested to attend in an advisory role to support dialogue about delivery, including information about service limitations and constraints.

## **6. Facilitation**

DCP stakeholder forum meetings will be facilitated sessions, there will be no chairperson.

A facilitator will be secured to help Forum to develop an inclusive approach and to deal with the difficulties presented by the Forum involving 30-40 people with varying levels of confidence and skills and different interests, and to overcome issues around group dynamics and power.

The facilitator will:

- Use different ways to encourage people to discuss and share ideas and experiences
- Help people to understand, discuss and develop common understandings
- Start from where people are at
- Encourage people to talk about and share 'tricky issues'
- Use methods to help the forum to work in participatory and inclusive ways
- Challenge discrimination

### **7. Quorum and decision making**

The stakeholder forum will not be considered quorate unless 50% of each membership category is present, i.e.

- iv. 9 DCP Executive Management Group Members
- v. 5 Voluntary, community and faith sector representatives (excluding those from DCP Executive Management Group)
- vi. 3 Elected members (excluding any in the DCP Executive Management Group membership)

### **8. Schedule of meetings**

The stakeholder forum will meet at least twice a year.

### **9. Mechanisms for feed in and feed back**

A range of feed in and feed back mechanisms will be utilised by the stakeholder forum – some developed expressly for the purpose of relating to the stakeholder forum, others which already exist and can support this work. The mechanisms include:

- Dosti communications, events and network activities
- Area Neighbourhood Renewal Forums
- Youth Council and Youth Forums
- Area Committees
- Children's Trust Conferences (held annually)
- Face the People (held annually by Safe and Sound)
- DCP conferences to be held every 2-3 years to report progress to stakeholders and the public on the 'State of Dudley', Community Strategy priorities, the Local Area Agreement, and the Statement of Community Involvement and so on
- Dudley Together magazine

### **10. Agenda setting**

The agenda will be shaped through:

- Related issues arising from VCFS networks, Area Community Renewal Forums and Youth Forums.
- Related issues arising through Area Committees and Select Committees
- Issues arising through the DCP Executive Management Group
- Issues arising through Theme Partnerships

Agenda items will be provided to the Dosti staff lead 6 weeks before the stakeholder forum meeting. At this point service providers may be contacted to provide information at the meeting.

## **11. Administration and support**

Calling papers for the stakeholder forum will be received at least 10 days before the meeting.

Dudley Community Partnership Secretariat staff and Dosti staff will provide administrative support.

Legitimate expenses for volunteers will be paid.

A range of support and training opportunities will be made available to voluntary, community and faith sector stakeholders (including young people), including:

- One-to-one meeting preparation support from officers (Dosti, Community Renewal, Youth Service - Participation).
- Opportunities to gather feed-in and provide feed-back at events and meetings of sector representatives hosted by Dosti/Area Community Renewal Forums/Youth Forums.
- Opportunities to gather feed-in and provide feedback through Dosti's website, newsletter and e-news mailings.
- 2-3 hour training sessions on Being an Effective Representative, Partnership Working and more, run by Dosti.
- Checklists and handy tips
- A representative's resource library on Dosti's website

Support will be provided to Theme Partnerships and DCP Executive Management Group members through the DCP Secretariat.

Support for elected members will be arranged through the elected member training programme.

## **12. Budget**

The budget for direct costs payable for stakeholder forum work (as follows) will be included as additional funding from the DCP to Dosti from April 2010. Dosti will be responsible for working with partners to ensure budgets are spent appropriately in support of the stakeholder forum work.

- Facilitator for stakeholder forums £3,000
- Volunteer Expenses for stakeholder forum meetings £200
- Dosti network/ Area Community Renewal Forum/ Youth Council

and Forum feed-in meetings (venues):	£1,000
• Volunteer Expenses for feed-in meetings (above)	£400

Support and training costs will be met through the existing staff resources and budgets of Dosti, Community Renewal Services, DCP and DMBC (for support arrangements listed above).

### **13. Review**

A sub-group of the stakeholder forum will review the Terms of Reference every 3 years.

*(The review of the Forum will also include consideration of the Sustainable Communities Panel)*

Date agreed:

Date of next review: