

Public Document Pack



BARRY KEEL
Chief Executive
Floor 1 - Civic Centre
Plymouth
PL1 2AA

www.plymouth.gov.uk/democracy

Date: 30/07/10 Telephone Enquiries 01752 304867 Fax 01752 304819
Please ask for Nicola Kirby, Senior Democratic Support Officer (Cabinet) e-mail nicola.kirby@plymouth.gov.uk

CITY COUNCIL TO FOLLOW PAPERS

DATE: MONDAY 2 AUGUST 2010
TIME: 2.00 PM
PLACE: COUNCIL HOUSE, PLYMOUTH (NEXT TO THE CIVIC CENTRE)

Members –

The Lord Mayor, Councillor Mrs Aspinall, Chair
Deputy Lord Mayor, Councillor Coker, Vice Chair
Councillors Ball, Mrs Beer, Berrow, Bowie, Bowyer, Mrs Bowyer, Mrs Bragg, Brookshaw, Browne, Dann, Delbridge, Mrs Dolan, Drean, Evans, K Foster, Mrs Foster, Fox, Fry, Gordon, Haydon, James, Jordan, King, Martin Leaves, Michael Leaves, Sam Leaves, Lock, Lowry, Dr. Mahony, McDonald, Monahan, Murphy, Mrs Nelder, Nicholson, Mrs Nicholson, Mrs Pengelly, Rennie, Reynolds, Ricketts, Roberts, Dr. Salter, Smith, Stark, Mrs Stephens, Stevens, Thompson, Tuohy, Vincent, Viney, Mrs Watkins, Wheeler, Wiggins, Wildy, Williams and Wright

I refer to the agenda for the above meeting of the City Council and attach the papers shown as 'to follow' on the agenda.

BARRY KEEL
CHIEF EXECUTIVE

CITY COUNCIL

- 8. OVERVIEW AND SCRUTINY ANNUAL REPORT (Pages 1 - 4)**
- 9. AMENDMENT TO THE OVERVIEW AND SCRUTINY PANELS' TERMS OF REFERENCE (Pages 5 - 16)**

CITY OF PLYMOUTH

Subject: Overview and Scrutiny Annual Report 2009/10
Committee: Overview & Scrutiny Management Board
Date: 28 July 2010
CMT Member: Ian Gallin (Assistant Chief Executive)
Author: Giles Perritt, Head of Policy, Performance and Partnerships
Contact: giles.perritt@plymouth.gov.uk
Ref:
Part: Part I

Executive Summary:

This report sets out a review of the performance of the Council's scrutiny function for the year 2009-10.

Corporate Plan 2010-2013:

The Overview and Scrutiny Management Board and Panels provide management of strategic scrutiny of all Corporate Improvement Priorities and scrutinise the Corporate Plan. The Management Board has scrutinised the Corporate Plan 2010-13 during the period covered by this report.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

Scrutiny panels have scrutinised the revenue and capital budgets, and Corporate Improvement Priorities relating to the above during the period of this report.

Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

As above.

Recommendations & Reasons for recommended action:

That the report is noted

Alternative options considered and reasons for recommended action:

N/A

Background papers:

Overview and Scrutiny Management Board and panels minutes, reports and work programmes relating to meetings during 2009-10.

CITY OF PLYMOUTH

Overview & Scrutiny Annual Report 2009/10

1. Introduction

This report summarises key achievements of the Council's scrutiny function for the year 2009-10.

2. Scope of the Council's Overview and Scrutiny arrangements

The scope of the Council's overview and scrutiny panels were refreshed following changes to the Council's scrutiny structure agreed in July 2009. The Management Board's remit was enhanced to include a more pro-active management role for the scrutiny process as a whole, a greater emphasis on the scrutiny of partnerships, and the lead scrutiny role for finance and performance management. The Board is also now responsible for the scrutiny of the Council's Corporate Plan, and revenue and capital budget proposals. The Terms of Reference for the five scrutiny panels were updated to reflect the new corporate structure for the Council, and were aligned more closely with the Council's Corporate Improvement Priorities (CIPS).

3. Achievements

3.1 Partnerships

During 2009-10 the Council's scrutiny function has recognised and responded to its role in providing support and challenge to key partnerships in the city as well as the Council's own functions. A series of meetings have taken place between the chairs of scrutiny panels and Local Strategic Partnership Theme Groups to ensure that there is a shared understanding of respective roles, and an alignment of work programmes to ensure effective governance for the city as a whole. As a result, there are now protocols in place to ensure that agreed improvements are carried forward.

During the year, the Council and its partners have adopted a radical, area based localities agenda, which, though still in its development stage, has resulted in the city having shared locality boundaries with key partners such as health agencies and the police. This approach is unique amongst large unitaries in the UK, and should result in effective partnership working at a locality as well as city level. The Customers and Communities Overview and Scrutiny Panel undertook a review of the localities proposals over two days, hearing from a wide variety of interested parties, resulting in recommendations which were adopted by Cabinet and Council, including the makeup of Service Coordination Teams, and enhanced community engagement with localities. Scrutiny members continue to have a role in the review of arrangements as they are developed, with a full report following the first year's operation of new arrangements.

Recognising the importance of partnership working, the Health and Adult Social Care Overview and Scrutiny Panel have co-opted a non-executive board member from Plymouth Hospitals NHS trust onto the panel. The proposed centralisation of gynaecological cancer surgery has been put on hold following concerns raised by the panel during the consultation process, which received significant publicity across the region. A successful piece of joint working with members of the Children and Young People OSP resulted in the endorsement of proposals for specialised burns care

service for adults and children, including the establishment of a burns facility at Derriford Hospital.

The Management board co-opted the Chair of the Chamber of Commerce, whose contribution to the annual scrutiny of the budget and corporate plan resulted in the Panel making recommendations to partnership organisations as well as to the executive of the Council.

3.2 The Corporate Plan

The Board took an innovative approach to planning the above scrutiny, with facilitated planning meetings working with an independent IDeA Peer Officer. A comprehensive report was produced, containing a series of recommendations covering the full scope of the Corporate Plan and associated financial planning documents. The report was unanimously accepted at the Council meeting of 1 March 2010, and Cabinet subsequently accepted all its recommendations at its meeting of 16 March, passing on thanks for the quality of the report and recommendations. The IDeA Peer Officer fed back that the scrutiny approach to this process was a national exemplar of best practice.

3.3 Member Development

The Customers and Communities Overview and Scrutiny Panel has recommended to the Overview and Scrutiny Management Board that it provided a 'tool kit' outlining the process and procedure for a Councillor Call for Action and the 'tool kit' is made available to Members, departments and interested parties within the next committee cycle. The Corporate Plan scrutiny preparation has been described by Members of the Board as one of the best member development opportunities of the year, facilitating robust, informed and challenging scrutiny of the budget and Corporate Plan resulting in high quality recommendations.

3.4 Key Strategies, Inspections and Policy scrutiny

The Support Services Overview and Scrutiny Panel reviewed the ICT, People and Accommodation strategies during the year, and, as a result of its recommendations, these strategies are now being considered as interdependent and are being developed as a coherent whole.

A joint scrutiny panel made up of members of the Growth and Prosperity Panel and the Management Board considered the Citybus valuation proposal, and its recommendations were endorsed by the Cabinet and by full Council. The Growth and Prosperity panel also undertook a review of arrangements in the city for tackling worklessness, and recommended that the City Council take the lead of the worklessness agenda under the direction of the Local Strategic Partnership.

In addition to the task and finish groups described above with respect to Localities, Citybus and worklessness, a further three pieces of work were completed with respect to:

- Skateboarding – where members heard from a range of witnesses including skateboarders, the general public, the police and licensing representatives, which resulted in proposed changes to byelaws
- The Hoe Foreshore – which has resulted in the risks presented by the foreshore to the public being downgraded from 'red' to 'amber', and investment of £406k in the area

- Reducing Teenage Conception Rates in the City – where members heard from those with direct experience of being a young parent as well as from health professionals and which has resulted in recommendations to Cabinet reaffirming the City's commitment to tackling the underlying drivers of teenage conception.

Members of the Children and Young People's Overview and Scrutiny Panel were interviewed during the Ofsted Inspection of Children's services in March 2010, making a contribution to an inspection outcome amongst the best in the UK

The Council's Comprehensive Area Assessment report in December 2010 acknowledged the role of scrutiny in the Council's performance management and governance arrangements.

4. Future Challenges

The agenda of the new government has presented significant challenges and opportunities to the city, in which the overview and scrutiny function will have a key role to play – areas for inclusion in future work programmes include:

- Legislative changes in the police, children's, economic growth, community engagement and health work areas
- The abolition of Comprehensive Area Assessment and changes in future partnership governance arrangements for the city.
- Managing delivery of the city's vision during a period of significant budgetary constraint

5. Recommendation

That the progress of the Council's scrutiny function be noted.

CITY COUNCIL

2 AUGUST 2010

Minute 24 of the Overview and Scrutiny Management Board**Terms of Reference**Agreed -

- (1) to add the following sentence 'The Overview and Scrutiny Management Board has co-opted representatives whose tasks and duties will be determined by the Chair on a case by case basis;
- (2) to rename the section headed 'training' to 'Development and Training' and to amend the sentence to specify that development and training would be provided 'where appropriate';
- (3) to add the following under Development and Training
 - Budget and Finance
 - Corporate Plan
 - Partnership working
- (4) that the amended Terms of Reference incorporating the above changes for the Overview and Scrutiny Management Board, Children and Young Peoples Scrutiny Panel, Health and Adult Social Care Scrutiny Panel and Growth and Prosperity Scrutiny Panel are recommended to Council for approval.

(Please note that the proposed terms of reference, as amended by the above minute, are attached)

This page is intentionally left blank

THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD

MEMBERSHIP OF THE MANAGEMENT BOARD

The Overview and Scrutiny Management Board will be made up of the Chairs of the Panels plus two additional members from each political group plus one co-opted representative.

One substitute member may be nominated from each Panel provided they have received the required training.

AIMS OF THE OVERVIEW AND SCRUTINY PROCESS

- To add value to Council business and decision-making
- To hold the Cabinet to account
- To monitor the budget and performance of services
- To assist the Council in the development of policy and review the effectiveness of the implementation of Council policy
- Work to outcomes, which can be measured and have a positive impact on the community
- To improve the quality of the scrutiny process
- To exercise effective scrutiny

ROLE OF THE MANAGEMENT BOARD

- To oversee workloads, including approval of work programmes, allocate work (based on request from Panels and from the Forward Plan) and the approval of Task and Finish Groups* and to monitor the performance of Panels and Chairs;
- To manage relationships between Panels, Cabinet Members, Theme Groups / Chairs and Partners and to produce relevant Protocols;
- To monitor performance against Inspection Action Plans, including Access to Services and Equality Standards, and to monitor performance of Partner Organisations through LAA targets and priorities;
- To monitor Call-ins, Councillor Call for Action and Petitions and to allocate work accordingly (Call-ins to be considered by a minimum of three Members to include the Chair of the Board and the Chair of the relevant Panel);
- To receive quarterly Finance and Performance Reports, including CIP monitoring and to carry out the Annual Budget Scrutiny;
- To agree recommendations to Cabinet / Council / LSP Board and to monitor progress, including presentation of a quarterly report to the Cabinet;
- To agree appointments of Co-optees to Panels and to approve an annual Scrutiny training programme;
- Responsible for publicity and communications

*The purpose of Task and Finish Groups will be to undertake pieces of scrutiny work as required by the Management Board and will be time specific. These groups will be made up of Members who have expressed an interest in the particular issue. Once the Task and Finish Group has commenced work, no substitution for Members is allowed.

Overview & Scrutiny Management Board and Panels are subject to the rules of political proportionality. In the case of the Joint Health Panel, it is not, as agreed by the Council, subject to political proportionality relating to political groups.

Role of board members who do not chair panels

Non-chair Overview and Scrutiny Management Board members will carry out a range of tasks to assist the development of the overview and scrutiny function. These tasks include, but are not limited to:

- Scrutiny improvement and development
- Research
- Best practice (including visits to other councils)
- How does the scrutiny process add value to the work of the council?
- Public relations - how to improve the profile of scrutiny with the media and other organisations
- Monitoring Councillor Calls for Action
- Production of a scrutiny handbook
- How the council consults and engages with local communities and local people and ward members

The Board will also have co-opted representatives whose tasks and duties will be determined by the Chair on a case by case basis.

Meetings of the Management Board

The Overview and Scrutiny Management Board shall meet on a four-weekly basis with Shadow meetings on a two-weekly basis for the purpose of hearing call-ins. All meetings of the Management Board will be open to the public. Cabinet Members and directors will attend the Overview and Scrutiny Management Board when requested. The Leader and the Chief Executive will be asked to attend meetings on a quarterly basis.

Agenda Items

Any Members or panels who would like to recommend an item for their work programme shall submit a completed Project Initiation Document (PID) for consideration by the Management Board.

Whipping

In keeping with good practice, there will be no “whipping” of members exercising their responsibilities on the Overview and Scrutiny Management Board or its Panels.

Development and Training

Every Member of the Management Board will be provided, where appropriate, with development and training in the areas that include but are not limited to:

- Overview and Scrutiny
- Role of chair/vice chair
- Performance Management Systems
- Partnership working
- Budget and finance
- The Corporate Plan

Children and Young People Overview and Scrutiny Panel
Terms of Reference

1. To scrutinise matters relating to children and young people and to hear the views of children and young people, with a view to improving services, reducing inequalities and improving outcomes for children and young people.
2. To respond to consultations from the Department of Education and other relevant bodies.
3. To scrutinise Council services and those of key partners in respect of children and young people.

In relation to the above, the panel will be responsible for -

- on-going monitoring and evaluation of plans for children and young people;
- reviewing all policies relating to children and young people and to consider how these may be improved and developed;
- monitoring the budget and performance of the Cabinet Member, Department and partners to ensure that priorities for the area are being delivered upon;
- reviewing relevant policies with the budget and policy framework;
- considering Equality Impact Assessments against new and existing policies and plans;
- investigating local issues with a view to making recommendations on how the council and its partners can improve services for children and young people;
- making recommendations about service delivery to the Cabinet (via Overview and Scrutiny Management Board);
- reviewing and scrutinising the performance of relevant partner organisations currently –
 - Children’s Trust
 - Local Safeguarding Children’s Board
 - LSP Wise Theme Group
 - Corporate Parenting Group

- setting up ad hoc working groups as and when required;
- producing quarterly progress reports to the Overview and Scrutiny Management Board;
- undertaking such tasks as may be delegated to the panel by the Overview and Scrutiny Management Board;

Policy Areas

- Children and Young People's Plan
- Youth Justice Plan

Cabinet Members

- Children and Young People

Directorate

- Services for Children and Young People

Corporate Improvement Priorities (CIPs)

- Keeping Children Safe (CIP 7)
- Improving Skills and Educational Attainment (CIP 8)
- Developing High Quality Places to Learn In (CIP 9)

Membership

The Chair of the panel shall serve on the Overview and Scrutiny Management Board. The Children and Young People Overview and Scrutiny Panel will be chaired by a member of the opposition political group with the vice-chair from the majority political group. All members of the panel will adhere to the general rules of Overview and Scrutiny. There are 9 members of the panel including the Chair and the vice-chair. The vice-chair is from the opposite political group to the Chair.

Growth & Prosperity Overview and Scrutiny Panel Terms of Reference

Terms of Reference

- To review new and existing policies and consider how they may be improved and developed;
- To monitor the budget and performance of the Cabinet Member, Department and partners to ensure that the priorities for the area are being delivered upon;
- To monitor performance against the relevant Corporate Improvement Priorities;
- To review Policies within the Budget and Policy Framework;
- To consider Equality Impact Assessments against new and existing policies;
- To investigate local issues to find out how the council and its partners can improve to meet the needs of local people;
- To make recommendations about service delivery to the Cabinet (via the Board)
- To review and scrutinise the performance of partner organisations
- To set up Ad-Hoc Working Groups as and when required;
- To produce quarterly progress reports to go to the management board

Cabinet Members

- Transport
- Planning, Strategic Housing and Economic Development
- Customers Services (Street Scene, Waste and Sustainability) formally Street Scene, Waste and Sustainability

Directorate

- Development and Regeneration
- Planning
- Transport
- Strategic Housing
- Economic Development
- Sustainability and Climate Change

Corporate Improvement Priorities (CIPs)

- Better Homes (CIP 5)
- Waste and Recycling (CIP 10) (This is first part only, i.e. long term waste disposal solution)

- Transport (CIP 11)
- Sustainable Growth (CIP 12)

LSP Link

- Wealthy Theme Group

Health and Adult Social Care Overview and Scrutiny Panel
Terms of Reference

1. To scrutinise matters relating to health and public health and to hear the views of local residents, with a view to improving health services, reducing health inequalities and improving the health of local residents.
2. To respond to consultations by local health trusts and by the Department of Health.
3. To consider whether changes proposed by local health trusts amount to a substantial variation or development and, if so, to take appropriate action including appointing members to any joint committee where the proposals cover more than one local authority's area, including undertaking all the statutory functions in accordance with Section 244, of the National Health Act 2006, regulations and guidance under that section.
4. To assist the council in the management of its contractual arrangements relating to LINKs under section 221 (1) of the Local Government and public involvement in health act and statutory instrument 2008 No. 528.
5. To scrutinise the impact of the Council's own services and of key partnerships on the health of its population.

In performing the above duties the Panel will scrutinise:-

- Arrangements made by local NHS bodies to secure hospital and community health services for the residents of Plymouth;
- The provision of family health services, personal medical services, personal dental services, pharmacy and NHS ophthalmic services;
- the public health arrangements in the area, e.g. arrangements by NHS bodies for the surveillance of, and response to, outbreaks of communicable disease or the provision of specialist health promotion services;
- the planning of health services by NHS bodies, including plans made in co-operation with local authorities, setting out a strategy for improving both the health of the local population, and the provision of health care to that population;
- The arrangements made by NHS bodies for consulting and involving patients and the public under the duty placed on them by Section 11 of the Health & Social Care Act 2001;

- Any matter referred to the Committee by a patients' forum under the NHS Reform And Health Care Professions Act 2001;
- Social care services and other related services delivered by the authority.

Policy Areas

- Adult Social Care
- Partner Organisations NHS Plymouth, NHS Plymouth Hospitals Trust, South West Ambulance Service, LINK, Strategic Health Authority and the Department of Health.

Cabinet Members

- Adult Health and Social Care

Directorate

- Public Health
- Community Services

Corporate Improvement Priorities (CIPs)

- Independent Living (CIP 3)
- Reducing Inequalities (CIP 4)

LSP Link

- Healthy theme group.

Membership

The Chair of the Panel shall serve on the Overview and Scrutiny Management Board. The Health and Adult Social Care Overview and Scrutiny Panel will be chaired by a Member of the majority political group with the vice-chair from the opposition political group. The panel can consider inviting non-voting co-opted members to join the panel, subject to the approval of management board. All Members of the panel will adhere to the general rules of overview and scrutiny.

This page is intentionally left blank