

Meeting:	Overview and Scrutiny Committee
Date:	5 June 2006
Subject:	Overview and Scrutiny Sub Committees
Responsible Officer:	Director of People, Performance and Policy
Contact Officer:	Lynne McAdam, Scrutiny Service Manager
Portfolio Holder:	Councillor David Ashton (PH for Business Development)
Key Decision:	No
Status:	Public (Part 1)

Section 1: Summary

This report proposes a reconfiguration of the Overview and Scrutiny sub committees to reflect the changing role of scrutiny as envisaged under recent government proposals and its growing responsibility to secure improvements in the quality of life of local people.

Decision Required

Members of the Overview and Scrutiny committee are asked to:

- Agree the reconfiguration and renaming of the Overview and Scrutiny sub committees.
- Agree the changed remit and terms of reference of the sub committees (attached as appendices 1 – 4).
- Request further reports from officers regarding the effectiveness of the changes.
- Note the unchanged terms of reference of the Call-In Sub-Committee (appendix 5).

Reason for report

The responsibilities of scrutiny are continuing to develop and reconfiguring the scrutiny sub committees will enable the council to respond to these developments in the most effective way.

Benefits

Agreement to the changed remit for the sub committees will enable the council to ensure a more holistic approach to the scrutiny of services delivered to local people through the consideration of both internal and partners performance and how the council and partners work together to improve the quality of life of residents.

Cost of Proposals

There are no costs associated with the changed reconfiguration of the sub committees.

Risks

Whilst the need to reconfigure the scope and remit of the scrutiny sub committees is apparent, any change brings with it the potential of duplication or oversight. It is critical to the success of the reconfiguration that it is regularly reviewed to ensure that any potential problems are identified at the earliest possible opportunity.

Implications if recommendations rejected

Failure to reconfigure the sub committees will result in the continuation of ineffective means of scrutinising performance, in particular with regard to children and young people. It may also mean that the council is less able to respond to legislative changes and to scrutinise the delivery of Harrow's local area agreement.

Section 2: Report

Brief History

During the last year, it became apparent to members of both the Lifelong Learning sub committee and the Health and Social Care sub committee that the needs of children and young people were potentially slipping through the gaps between their respective remits. This led to the establishment of a number of joint meetings between the 2 committees and sparked an awareness amongst committee members of the need to reconfigure their structure and remits, not least to ensure that the delivery of services to children and young people is effectively scrutinised.

The last year also witnessed a plethora of legislative proposals enhancing the role of scrutiny and our responsibilities to consider the performance of our partners in delivering an improved quality of life of local people.

- *Our Health, Our Care, Our Say*

The White Paper seeks to put people in control of their health services. Councils will be encouraged to use health overview and scrutiny committees to understand the strategic needs of communities and to monitor and challenge progress. A 'community call for action' is mooted and this will tie in with the development of local triggers of cause for concern in communities about health and social care services, with a requirement that agencies act in response. This recognises the role of ward councillors' in community advocacy and in taking up local problems with the relevant bodies.

- *Police and Justice Bill*

Under the terms of this bill, the powers of the Overview and Scrutiny Committee are to be extended to encompass the work of the Crime and Disorder Reduction Partnerships. As with the Health White Paper, a last resort 'community call for action' is to be introduced, whereby the ward Councillor is expected to use informal methods to seek resolutions to community safety problems raised by local people. The scrutiny committee is expected to have a role in difficult cases that have not been resolved through the informal mechanisms available to the ward Councillors. Scrutiny will play a key role as a check and balance on community safety decision-making, tackling cross cutting issues and support partnership working. This form of 'scrutiny plus' is intended to involve the police, fire and PCT, who will have a duty to consider recommendations from scrutiny and report back on action taken or the reasons for not acting.

Legislation enacting these proposals is expected to be passed by Parliament in the coming months.

- *Local Area Agreements*

The quality of life enjoyed by local residents is now more than ever dependent upon the activities of many local agencies. The 'Our Health, Our Care, Our Say' white paper and the Police and Justice Bill have already enshrined the enhanced role that scrutiny will undertake in order to promote an improved quality of life for local people. Even where the legislation is not yet in place it is clear that to make a real impact, scrutiny must seek to influence partners to secure improved outcomes for local people. The necessity of partnership working is being promoted in the development of local areas agreements and we anticipate an increased role over the coming years to monitor the implementation of Harrow's Local Area Agreement.

- *Other anticipated changes*

In addition to these already announced challenges, we can expect further impact upon the scrutiny function from the 2007 Comprehensive Spending Review, the Lyons' Review and the Local Government White Paper, which is expected in the autumn of 2006. Whilst there is no specific detail available at the moment, central government determination to enhance neighbourhood engagement and to devolve power to neighbourhoods would suggest that the powers enjoyed by members of overview and scrutiny committees will inevitably be expanded.

Each of these elements has contributed towards the proposals for reconfiguring the scrutiny sub committees that are outlined below.

There may be no perfect way to define the remit of each of the sub committees with the possibility of overlap and gaps whichever way responsibilities are assigned. However, there is a growing impetus for the council to organise itself around resident priorities and the council's performance is increasingly judged on how effectively it works itself and with other agencies to address these priorities. Given this focus and the related legislative proposals designed to enhance scrutiny's authority to hold partners to account outline above, it would seem logical to explore the potential of aligning our scrutiny remits with those of the local area agreement (LAA) in Harrow and the Harrow Strategic Partnership (HSP). The LAA blocs and related HSP management groups are:

- Safer and stronger communities
- Sustainable development and enterprise
- Children and young people
- Healthier communities and older people
- Cross cutting issues

At first glance there already appears to be a degree of 'co-terminosity' between the existing scrutiny structures and the LAA/HSP structures: Strengthening Communities sub committee would seem to equate well with 'safer and stronger communities'; Overview and Scrutiny committee already holds the brief for cross-cutting issues. This model would also clearly facilitate more detailed scrutiny of children's issues, the major cause of concern in the current system.

However, if this model were to be adopted, it would need to ensure that scrutiny's statutory responsibility to monitor the performance of our health partners in matters not specifically related to the care of older people and our responsibility to scrutinise NHS infrastructure and facilities could be met, it is proposed that this should sit with the Adult Health and Social Care sub committee.

There is no proposal to change the remit or scope of the call-in committee.

The proposed titles and scopes of the reconfigured committees are as follows, Appendix One – Four give details of the changed terms of reference of the reconfigured committees:

Adult Health and Social Care:

Health, older people, social care, public health

Children and Young People:

Every Child Matters outcomes (including health), schools, youth participation, 0 – 19 learning

Parent governors and church representatives will be voting members of the Children and Young People sub committee

Safer and Stronger Communities:

Equalities, community cohesion, partnership working, crime & disorder, anti social behaviour, fear of crime, liveability agenda, public realm

Sustainable Development and Enterprise:

Area renewal, regeneration, ICT, skills / adult learning, environmental sustainability, traffic and transportation

Options considered

Not applicable

Consultation

Not applicable

Financial Implications

There are no financial implications associated with the reconfiguration of the scrutiny sub committees. The scrutiny budget for 2006/07 is £340,400 which is made up of £266,050 for salaries and £74,350 for projects and other expenditure.

Legal Implications

Overview and Scrutiny is empowered by the Constitution to change the terms of reference and remits of its sub-committees.

Equalities Impact

The identification of equalities as a specific part of the remit of the Safer and Stronger Communities sub committee should enhance its integration into the council's wider performance.

Section 17 Crime and Disorder Act 1998 Considerations

The reconfiguration of the sub committees and linking crime and disorder activities to broader council performance will enhance their wider integration.

Section 3: Supporting Information/ Background Documents

None.

Appendix One – Terms of Reference of the Adult Health and Social Care Scrutiny Sub Committee

The Adult Health and Social Care Scrutiny sub-committee has the following powers and duties:

- a) to develop a work programme for scrutiny of the adult health and social care related functions of the Council and partners in consultation with the Overview and Scrutiny Committee;
- b) to have specific responsibility for policy development and scrutiny of the following functions:
 - *Health infrastructure*
 - *Adults' health care*
 - *Adults' social care*
 - *Public Health*
- c) to hold the HSP and its management groups to account for the delivery of the Local Area Agreement
- d) to review and make reports and recommendations to the Executive and the Council in respect of the functions within its terms of reference
- e) assist the Council and the Executive in the development of the budget and policy framework by analysis of policy issues
- f) conduct research, community and other consultation in the analysis of policy issues and possible options
- g) to consider, report and make recommendations on any matter within the subcommittee's terms of reference affecting the area and/or those who live, work or travel through Harrow
- h) to conclude reviews promptly, normally within 6 months;
- i) to contribute to the annual report of the work of scrutiny.

Appendix Two – Terms of Reference of the Children and Young People Scrutiny Sub Committee

The Children and Young People Scrutiny sub-committee has the following powers and duties:

- a) to develop a work programme for scrutiny of the children and young people related functions of the Council and partners in consultation with the Overview and Scrutiny Committee;
- b) to have specific responsibility for policy development and scrutiny of the following functions:
 - *Every Child Matters outcomes (including health),*
 - *All the functions of the council as an education authority*
 - *Youth participation,*
 - *Youth offending services*
 - *0 – 19 learning*
- c) to hold the HSP and its management groups to account for the delivery of the Local Area Agreement
- d) to review and make reports and recommendations to the Executive and the Council in respect of the functions within its terms of reference
- e) assist the Council and the Executive in the development of the budget and policy framework by analysis of policy issues
- f) conduct research, community and other consultation in the analysis of policy issues and possible options
- g) to consider, report and make recommendations on any matter within the subcommittee's terms of reference affecting the area and/or those who live, work or travel through Harrow
- h) to conclude reviews promptly, normally within 6 months;
- i) to contribute to the annual report of the work of scrutiny.

Appendix Three – Terms of Reference of the Safer and Stronger Communities Scrutiny Sub Committee

The Safer and Stronger Communities Scrutiny sub-committee has the following powers and duties:

- a) to develop a work programme for scrutiny of the safer and stronger communities related functions of the Council and partners in consultation with the Overview and Scrutiny Committee;
- b) to have specific responsibility for policy development and scrutiny of the following functions:
 - *Equalities,*
 - *Community cohesion,*
 - *Partnership working,*
 - *Crime & disorder,*
 - *Anti social behaviour,*
 - *Fear of crime,*
 - *Liveability agenda,*
 - *Public realm – including parks and open spaces*
 - *Regulatory functions*
 - *Anti –poverty strategy*
 - *Voluntary sector*
- c) to hold the HSP and its management groups to account for the delivery of the Local Area Agreement
- d) to review and make reports and recommendations to the Executive and the Council in respect of the functions within its terms of reference
- e) assist the Council and the Executive in the development of the budget and policy framework by analysis of policy issues
- f) conduct research, community and other consultation in the analysis of policy issues and possible options
- g) to consider, report and make recommendations on any matter within the subcommittee's terms of reference affecting the area and/or those who live, work or travel through Harrow
- h) to conclude reviews promptly, normally within 6 months;
- i) to contribute to the annual report of the work of scrutiny.

Appendix Four – Terms of Reference of the Sustainable Development and Enterprise Scrutiny Sub Committee

The Sustainable Development and Enterprise Scrutiny sub-committee has the following powers and duties:

- a) to develop a work programme for scrutiny of the sustainable development and enterprise related functions of the Council and partners in consultation with the Overview and Scrutiny Committee;
- b) to have specific responsibility for policy development and scrutiny of the following functions:
 - *Area renewal*
 - *Regeneration*
 - *ICT*
 - *Skills / adult learning*
 - *Environmental sustainability*
 - *Traffic and transportation*
 - *Housing*
- c) to hold the HSP and its management groups to account for the delivery of the Local Area Agreement
- d) to review and make reports and recommendations to the Executive and the Council in respect of the functions within its terms of reference
- e) assist the Council and the Executive in the development of the budget and policy framework by analysis of policy issues
- f) conduct research, community and other consultation in the analysis of policy issues and possible options
- g) to consider, report and make recommendations on any matter within the subcommittee's terms of reference affecting the area and/or those who live, work or travel through Harrow
- h) to conclude reviews promptly, normally within 6 months;
- i) to contribute to the annual report of the work of scrutiny.