

People Scrutiny Commission



22nd October 2020

Report of: Director, Legal & Democratic Services

Title: People Scrutiny Commission Annual Business Report

Ward: N/A

Officer Presenting Report: Dan Berlin, Scrutiny Advisor

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Recommendations:

1. To note the Scrutiny Commission's Terms of Reference
2. To elect a Vice-Chair for the Commission
3. To note the membership of the Commission for the 2020/2021 municipal year
4. To confirm the 2020/2021 meeting dates for the Scrutiny Commission

1. Context

1.1 Terms of Reference of the Commission

At its meeting on 21 May 2020 Full Council established this commission with the following terms of reference:

Terms of Reference - Overview

The role of the commission is the overview and scrutiny of matters relating to the People Directorate, including:

Adults: Front Door/ Hospital Social Care teams, Maximising Independence, Safeguarding/ Deprivation of Liberty, Approved Mental Health Act Service, Strategic Commissioning/ Contracts & Quality, Early Intervention/ Targeted support, and Intermediate Care, Reablement and Regulated Services.

Childrens: Early Help, Targeted Support, Safeguarding including Child Protection Social Work Services and Permanency and Specialist Services for children in care, care leavers and disabled children and their families.

Education: HOPE Virtual School, Early Years, School Partnerships, Specialist Education and Access, and Employment, Learning & Skills.

Public Health and the Statutory Health Overview and Scrutiny Function

Functions

1. To ensure that overview and scrutiny directly responds to corporate and public priorities, is used to drive service improvement, provides a focus for policy development and engages members of the public, key stakeholders and partner agencies.
2. To action the Annual Work Programme set by the Overview and Scrutiny Management Board using the following framework:
 - (a) Scrutiny of corporate plans and other major plan priorities within its remit, with particular reference to those areas where targets are not being met or progress is slow;
 - (b) Input to significant policy developments or service reviews;

- (c) Review and scrutiny of decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.
3. To make reports and recommendations to Full Council, the Mayor/Executive and/or any other body on matters within their remit and on matters which affect the authority's area or the inhabitants of that area and to monitor the response, implementation and impact of recommendations.
 4. To work in collaboration with the Mayor/relevant Executive Member and receive updates from that member on key policy developments, decisions taken or to be taken and progress against corporate priorities.
 5. To report to the Overview and Scrutiny Management Board on progress against the work programme and on any recommendations it makes.

1.2 Membership of the Commission:

- Cllr Claire Hiscott – Chair (confirmed at Full Council 21.05.2020)
- Cllr Celia Phipps
- Cllr Carole Johnson
- Cllr Gill Kirk
- Cllr Brenda Massey
- Cllr Ruth Pickersgill
- Cllr Steve Smith
- Cllr Jude English
- Cllr Eleanor Combley
- Cllr Tim Kent

Membership is subject to formal ratification at Full Council on 10 November 2020.

1.3 2020-21 Meeting Dates

- Thursday 22nd October 2020, 2pm
- Monday 14th December 2020, 10am
- Monday 8th March 2021, 2pm

Please Note: the Scrutiny Commission's Work Programme for the year can be located at Agenda Item 12.

1.4 Health Scrutiny Committee (sub-committee of the People Scrutiny Committee) Terms of Reference

Overview

The role of this Commission is to undertake the scrutiny of local Health Service provision in accordance with Section 7 of the Health and Social Care Act 2001, the Health and Social Care Act 2012 and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

Functions

1. To review and scrutinise any matter relating to the planning, provision and operation of the health service in its area.
2. To review and scrutinise any proposal for the substantial development or substantial variation of the Health Service as referred by a local NHS commissioner or provider under its statutory obligation to consult with the Council. To consider and assess impact assessments from such bodies and decide whether proposals are substantial variations or developments.
3. To require the local NHS body to provide information about the proposal under consideration and where appropriate to require the attendance of a representative of the NHS body to answer such questions as appear to it to be necessary for the discharge of its function in connection with the consultation.
4. To report to the Secretary of State in writing where it is not satisfied that consultation on any proposal referred to in paragraph 2 above has been adequate in relation to the content or time allowed.
5. To report to the Secretary of State in writing in any case where it considers that the proposal referred to in paragraph 2 above would not be in the interests of the health service in the area
6. Where a matter is referred to it by Healthwatch to consider whether to exercise any powers in relation to the matter, taking into account information supplied by Healthwatch.
7. To scrutinise matters relating to the health of the authority's population and contribute to the development of policy to improve health and reduce health inequalities.
8. To review and scrutinise the impact of the authority's own services and key partnerships on the health of its population.
9. Review and scrutinise decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.
10. In relation to the above functions:
 - a) To make reports and/or recommendations to the full Council, Executive of the Council, any joint committee, NHS bodies or any relevant partner authority as appropriate

- c) To consider any matter affecting the area or its inhabitants
11. To report on an annual basis to the People Scrutiny Commission on progress against the work programme and any recommendations it makes.

1.5 Membership of the sub-committee

- Cllr Brenda Massey (Chair)
- Cllr Gill Kirk
- Cllr Paul Goggin
- Cllr Chris Windows
- Cllr Harriet Clough
- Cllr Eleanor Combley

Membership is subject to formal ratification at Full Council on 10 November 2020.

1.6 2020-21 Meeting Dates

- The Health Scrutiny Committee will meet in February or March 2021, to be confirmed.
- Members of the Health Scrutiny Committee will attend the Joint Health Scrutiny Committee which will meet in February 2021, to be confirmed.

2. Public Sector Equality Duties

1. Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
 - i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
 - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- ii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

6. Legal and Resource Implications

N/A

Appendices:

None

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

- Full Council, 21 May 2020