

# People Scrutiny Commission



## 12 September 2022

**Report of:** Director, Legal & Democratic Services

**Title:** People Scrutiny Commission - Annual Business Report 2022/2023

**Ward:** N/A

**Officer Presenting Report:** Ian Hird, Scrutiny Advisor

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### Recommendations:

1. To note the membership of the Commission for the 2022-23 municipal year.
2. To note the Commission's Terms of Reference.
3. To note that the dates and times for remaining further meetings in 2022/23 are as follows:
  - 5.00 pm, Monday 28 November 2022
  - 5.00 pm, Monday 13 March 2023
4. To note the ongoing appointment of Warda Awale as a statutory parent governor representative co-optee.

## **1. Context**

### **1.1 Terms of Reference of the People Scrutiny Commission**

At the annual meeting on 24 May 2022, the Full Council established this scrutiny 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.

Children: 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:**

The Commission comprises 9 members (3x Labour; 3x Green; 2x Conservative; 1x Liberal Democrat); details as follows:

- Cllr Tim Kent
- Cllr Christine Townsend – Vice Chair
- Cllr Kerry Bailes
- Cllr Hibaq Jama
- Cllr Brenda Massey
- Cllr Sharon Scott
- Cllr Lisa Stone
- Cllr Mark Weston
- Cllr Tim Wye

## **1.3 2022-23 meeting dates**

In addition to the 12 September meeting, there will be two further meetings of the People Scrutiny Commission during 2022/23, as follows:

- 5.00 pm, Monday 28 November 2022
- 5.00 pm, Monday 13 March 2023

## **1.4 Health Scrutiny Sub-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

(9 members: 3x Labour; 3x Green; 2x Conservative; 1x Liberal Democrat)

- Cllr Graham Morris - Chair
- Cllr Jos Clark – Vice Chair
- Cllr Amal Ali
- Cllr Lorraine Francis
- Cllr Paul Goggin
- Cllr Tom Hathway
- Cllr Mohamed Makawi
- Cllr Brenda Massey
- Cllr Chris Windows

## 2. Statutory co-optees

- 2.1 There are three vacancies currently for qualifying persons to be co-opted onto this Commission, which is the Overview & Scrutiny Commission which deals with education matters.
- 2.2 An appointed co-optee of the People Scrutiny Commission is entitled to vote at a meeting of the Commission on any question which relates to any education functions which are the responsibility of Bristol City Council.
- 2.3 Two faith co-optee representatives are permitted. A Church of England school co-optee must be nominated by the Diocesan Board of Education for any Church of England diocese which falls wholly or partly in the authority area; and a Roman Catholic school co-optee must be nominated by the bishop of any Roman Catholic diocese which falls wholly or partly in the authority area.
- 2.4 Two parent governor co-optee representatives are permitted. They must be the parent of a child currently educated by the authority; and should not be:
  - employed by the local authority;
  - employed at a school maintained by the local education authority, either as teaching or non-teaching staff;
  - a councillor of any local authority.
- 2.5 The Council currently has one ongoing eligible nomination for a parent governor representative, Warda Awale, who was appointed last year for a two-year term.
- 2.6 Officers will liaise with the appropriate representative bodies to seek to secure appointments for the remaining vacancies.

## 3. Public Sector Equality Duties

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.

#### **4. Legal and Resource Implications**

N/A

#### **Appendices:**

None

#### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

##### **Background Papers:**

Full Council agenda, reports and minutes – 24 May 2022

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