

SCRUTINY OVERVIEW AND SCRUTINY COMMITTEE

1 DECEMBER, 2015 AT 6.00 P.M. AT THE COUNCIL HOUSE

Panel Members Present

Councillor J. Murray (Chair)
Councillor R. Burley
Councillor B. Douglas -Maul
Councillor E. Hazell
Councillor M. Longhi
Councillor I. Shires
Councillor P. Washbrook

Portfolio Holders:

Councillor M. Bird (Leader of the Council)
Councillor E. Hughes (Care and Safeguarding)

Officers Present:

Rory Borealis -	Executive Director (Change and Governance)
Neil Picken –	Senior Committee Business and Governance Manager

18/15 APOLOGIES

An apology for absence was received on behalf of Councillor S. Coughlan.

19/15 SUBSTITUTIONS

None.

20/15 DECLARATIONS OF INTEREST AND PARTY WHIP

There were no declarations of interest or party whip identified at this meeting.

21/15 MINUTES

Members considered the minutes of the meetings held on 15 September, 2015.

Resolved:

That the minutes of the meeting held on 15 September, 2015, a copy having previously been circulated, be approved as a true and accurate record.

The Chair invited each of the Scrutiny Committee Chairs to provide feedback on the recent round of meetings.

The Chair of the Social Care and Health Overview and Scrutiny Committee advised that the Committee was very busy and carried a heavy workload. This had been the case since the two previous committees had merged into one. It was a fine balance to ensure that items are considered and scrutinised properly which made setting agenda challenging. A special meeting had been called and would be held on 10 December, 2015 to consider the budget and implications of the proposed savings. The Committee often invited witnesses such as the Chief Executive of Walsall Healthcare Trust and so the Portfolio was not always the primary respondent.

Members were advised that key areas considered recently included:-

- Scrutiny of Dudley and Walsall Mental Health Trust - hearing from two representatives of the Trust resulting in requests for further information;
- The Trust Improvement Plan – hearing evidence from the Chief Executive of Walsall Healthcare Trust;
- System resilience for winter
- Mortality rates at Walsall Healthcare Trust;
- Safeguarding Adults Board Annual Report – scrutinising the outgoing Chair.

The Chair of the Scrutiny Overview Committee suggested that the issue of workload be considered further as it was important that Scrutiny Committees were able to give adequate consideration to items of business. The Chair of the Social Care and Health Overview and Scrutiny Committee explained that more meetings would be required to cope with the Committees remit. Working Groups were important and useful but also required the commitment of both staff and councillors at a time when resources were under increasing pressure.

The comments made regarding heavy workloads were endorsed by other Committee Members and Chairs of other Committees. It was noted that the Corporate and Public Services Overview and Scrutiny Committee had met twice the previous week. One was a special meeting to consider the budget. Both meetings were significant in terms of duration and the Executive Director (Change and Governance) was requested to note the comments made regarding workloads.

It was reiterated that three scrutiny Chairs, together with members of the Committee were expected to scrutinise the work of nine portfolio holders which was a clear imbalance.

The Chair of the Education and Children's Overview and Scrutiny Committee provided feedback on the recent work of the Committee. She advised that there had been two meetings since the last meeting of the Scrutiny Overview Committee. The revised layout continued to work well and a number of witnesses had been held to account. This had included the outgoing Independent Chair of Walsall Safeguarding Children's Board.

Key areas considered included:-

- A lengthy debate on Child Sexual Exploitation (including grooming, female genital mutilation, trafficking and forced marriage) questioning witnesses including the Regional Strategic Sexual Exploitation Coordinator and Child Sexual Exploitation Coordinator at the council;
- An update on the recommendations made by the Fostering and Adoption Working Group which has been re-established to continue to monitor progress and ensure that the recommendations are implemented;
- Monitoring of Walsall's Self Assessment of Children's Social Care and Safeguarding
- Consideration of the 2014/15 Walsall Safeguarding Children's Board - Annual Report during which it became clear that further efforts were required to ensure all agencies were committed and continue to make full contributions;
- The Toxic Trio - Substance Misuse, Mental Health and Domestic Abuse; and
- The budget during which a number of comments were made for consideration by Cabinet.

The Committee had also established a working group to consider Child Poverty which would include co-opted members from the Health and Wellbeing Board.

The Portfolio holder (Care and Safeguarding) commented that the work of Scrutiny on the budget was valued and embraced the suggestions and comments made.

The Leader of the Council advised that the budget was a highly complex document which required time to consider and comment on. The budget had been shared with all Group Leaders well in advance and access provided to officers to support each of the Leaders with questions and queries. It was clear that Social Care and Children's Services were in crisis and action needed to be taken to address this. The Council needed to identify good practice elsewhere and implement it. An example was given of Wolverhampton Council which had reduced the number of Looked After Children from 700 to 530. It was also important that the budget was realistic and that all Committees were Member led.

A Member commented that it was difficult to 'follow the threads' within the budget as each Scrutiny Committee only looked at issues which related to their remit. This should be given further thought in future. The Leader explained that raising awareness of the implications of the budget situation was important and asked how Scrutiny could help achieve that. It was accepted by the Overview Committee that public engagement could be a potential area to explore.

Resolved

That the Executive Director (Change and Governance) take note of the comments made regarding the workload of each Scrutiny Committee.

23/15 FEEDBACK FROM CABINET MEMBERS

The Committee considered a report [annexed] which set out feedback received from Portfolio Holders on the revised scrutiny arrangements.

Discussions ensued as to the most effective layout for meetings of Scrutiny Committees. Following debate it was agreed that the next round of Scrutiny Committees should take place in the Council Chamber.

A lengthy debate took place on time management and agenda control. It was confirmed that it was the role of the Chair to set agenda which were manageable and also to control debate at meetings. It was accepted that this was challenging in light of the fact that Panel remits had been merged. It was suggested that limiting the number of presentations and only allowing agenda items which were necessary would assist in managing the meeting.

The Leader advised that it would assist if Portfolio Holders were made aware of items to be considered at the earliest opportunity. The Senior Committee Business and Governance Manager agreed to circulate agenda to relevant Portfolio Holders, once approved by the Chairs of each Scrutiny Committee.

Resolved:

That Committee Chairs:-

- make every endeavour to ensure that agenda are set to ensure that the business should take no longer than two hours; and;
- manage debate to ensure that contributions are succinct and relevant.

24/15 BLACK COUNTRY EXECUTIVE JOINT COMMITTEE – CALL-IN ARRANGEMENTS

The Committee received a report [annexed] which sought to clarify the process to call-in a decision of the Black Country Joint Executive Committee (BCJCC).

The Chair welcomed the report which succinctly clarified the process should a member seek to 'call-in' a decision of the BCJCC.

In doing so he made reference to a request made at a previous meeting for the Executive Director (Change and Governance) to seek the view of Corporate Management Team (CMT) on resourcing scrutiny. The Chair asked whether the Executive Director had any feedback on this matter.

The Executive Director (Change and Governance) advised that it was the view of CMT that there were a number of existing staff that were able to provide support to Members. It was suggested that use of these resources should be maximised by Members, in the first instance, to establish whether there was a still a need to provide additional, dedicated resource. Members commented that it was not clear what support was available within directorates and so difficult to know who to approach.

A Member stated that he was discontent with the response from CMT. He stated that Members were often asked what could be done to improve Scrutiny, however, it appeared that the responses were not listened to. He commented that 3 Scrutiny Chairs were expected to scrutinise the work of 9 Portfolio Holders which was a clear imbalance. Effective, strong Chairs were required to co-ordinate the efforts of each Scrutiny Committee but additional support, such as a Policy Officer would be valued. The role of the post holder could be to identify and monitor Policy and Legislation which may require scrutiny in future. They could also provide regular briefings on the changes and potential implications for services to Chairs and Committee Members. This would put Members in a better position to be effective in their roles as Scrutineers. It was also important that this role was not linked to any directorate and was able to provide impartial advice.

Resolved

That the Executive Director (Change and Governance) provide a report to the next meeting of the Scrutiny Overview Committee setting out in more detail the availability of resources to assist Members in their roles as Scrutiny Members and to comment on the suggestion that a Policy Officer to support Members on Scrutiny Committees be employed.

25/15 AREAS OF FOCUS 2015/16

Members considered the areas of focus for each of the Scrutiny Committees.

Resolved:

That the areas of focus be noted.

26/15 FORWARD PLANS

Members considered the forward plan of key decisions from Cabinet and the Black Country Joint Executive (annexed).

Resolved:

That the Forward Plans be noted.

27/15 DATE OF NEXT MEETING

The date of the next meeting was noted as 17 March, 2016.

The meeting terminated at 7.50 p.m.

Chair:

Date:.....