

## **Council – 3 July 2006**

### **Review of the Council's Constitution – Scrutiny and Performance Panel Remits**

**Portfolio:** Leader of the Council, Councillor T Ansell

**Wards** All

#### **Summary of report**

On 24 April 2006, in the context of a review of the constitution, Council resolved to:

- align the Scrutiny and Performance Panels' (SPP) remits with those of directorates, and
- establish a Scrutiny Management Board (SMB) with a broad remit of co-ordinating the work of the existing SPPs with a view to receiving a fuller more detailed remit report for approval.

This report sets out that fuller remit for SMB and also some further amendments to the SPPs remits, and seeks Council approval to the recommendation set out below.

#### **Background Papers:**

Council papers 24 April 2006.

#### **Recommendation**

Council is recommended to approve the remit and terms of reference of the SMB for the 2006/7 municipal year as set out at **appendix 1** and the amendments to the remits of the SPPs referred to in the body of the report and set out at **appendix 2**.

#### **Resources and Legal Considerations**

Revised versions of the constitution will need to be circulated to relevant stakeholders. The cost of this is expected to be modest and can be met from existing budgets.

#### **Citizen Impact**

The constitution sets out in one document the main operating policies for the council. By ensuring that the constitution is up to date, fit for purpose and written in a way that makes it easier to understand it will enable more citizens to understand the way in which decisions are taken and so encourage greater engagement in local government.

#### **Environment Impact**

None directly as a result of this report.

## **Performance Management and Risk Management Issues**

Scrutiny has an important role in monitoring the council's performance and delivery against targets. It offers the opportunity to look in more depth at comparative performance, analysing why performance is not in keeping with targets and suggesting ways of improving decisions, enhancing engagement and achieving better outcomes as a result. The revised constitution will help to minimise any risk to the delivery of effective scrutiny.

## **Equality Implications**

By ensuring that all members, officers and stakeholders are aware of the council's constitution we can all contribute to ensuring that all matters dealt with by and on behalf of the council are undertaken from a basis of equality.

## **Consultation**

The report has been prepared in consultation with councillors and officers.

## **Vision 2008**

The constitution provides an overall framework in which the council's vision will be delivered.

**Signed:** .....

**Executive Director:**           **Carole Evans**

**Date:**                               **22 June 2006**

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## **Background information**

Council at its meeting on 24 April 2006 received and approved changes to the constitution and delegated authority to the Monitoring Officer to determine the commencement date for each of the changes approved and to make changes of a typographical and administrative nature not identified within the report submitted.

As part of the overall review of the constitution, Council resolved to align the SPP remits with that of the directorates. Council also agreed that the remits of each SPP would be set out in full in the revised constitution together with each panel's terms of reference. This would enable the members of each panel and citizens to have this information in one location within the constitution.

A Scrutiny Management Board (SMB) was also established as part of the constitution review with membership comprising of chairs and vice-chairs of the SPPs. The SMB's broad remit would be that of co-ordinating the work of the existing SPPs. It was agreed that fuller details of its remit would be developed for Council's approval.

## **Remit Update**

The first meeting of the SMB took place on 8 June 2006 at which members developed and agreed their remit and terms of reference, this is at **appendix 1**.

Some further changes have been made to the remits of the SPPs following the Council meeting on 24 April to reflect organisational structures. In particular, the transfer of the planning functions of development control; building control and local land charges from the Neighbourhoods directorate and remit of the Neighbourhoods SPP to the Regeneration directorate and remit of the Regeneration SPP. The other significant change relates to the Corporate Support services being removed from the Health Social Care and Inclusion directorate, the issues within that being divided between Neighbourhood, Regeneration and Corporate directorates and their respective SPPs. There have also been some further minor administrative changes made to the remits for Health Social Care and Inclusion panel and Neighbourhood panels. The amended remit documents have been brought to the attention of the panels affected. The amended remits are set out at **appendix 2**.

## Terms of Reference and Remit for the Scrutiny Management Board (SMB)

### 1. Terms of reference

#### 1.1 Membership

The membership of the SMB will consist of chairs and vice chairs of the scrutiny panels.

- Co-option

The SMB may co-opt to the board as appropriate.

- Substitution

By the nature of the membership of the SMB it will not be possible to substitute if a member is unable to attend.

- Quorum

The quorum for the meeting shall be one third of the total membership of the SMB.

#### 1.2 Chairing

The office of chair will be rotated between the chairs of the panels from meeting to meeting in alphabetical order of the names of the panels for the duration of each municipal year.

The office of vice chair will be rotated between the vice chairs of the panels from meeting to meeting in alphabetical order of the names of the panels for the duration of each municipal year, save that the cycle will commence with the SPP coming second in alphabetical order.

The table below sets out the order of chairing and vice chairing for the municipal year 2006/7.

Chair	Vice chair	Date of meeting
Children's and Young Peoples SPP	Corporate SPP	8 June 2006
Corporate SPP	Health, Social Care and Inclusion SPP	1 August 2006
Health, Social Care and Inclusion SPP	Neighbourhood SPP	4 October 2006
Neighbourhood SPP	Regeneration SPP	3 January 2007
Regeneration SPP	Children's and Young Peoples SPP	12 March 2007

In the event that either the chair or the vice chair are not present at the meeting, the office of chair for that meeting shall be taken by the member scheduled to hold that position first in the above table, from those present.

### **1.3 Meetings**

The SMB will meet on a bi-monthly cycle on the dates set by council within each municipal year.

The venue for the meeting will normally be a conference room of the council house.

### **1.4 Access to meetings**

Meetings of the SMB are public meetings of the council. The public and the press will have a right to attend the meetings except where exempt matters are being discussed. The meetings will need to comply with access to information rules contained within the constitution.

### **1.5 Inclusion of items on the agenda**

Any member of the SMB may ask for an item to be included on the agenda provided that:

- The item falls within the remit of the SMB
- Items for the agenda are communicated to Helen Dudson Corporate Performance and Scrutiny Manager 14 days prior to the meeting to allow consideration by the chair at the agenda meeting.
- Reports are received at least 7 days prior to the meeting.

Late items will be accepted at the discretion of the chair if (s)he considers them to be urgent business.

## **2. Remit**

It shall be the responsibility for SMB:-

- To co-ordinate the work of the council's scrutiny and performance panels.
- To act as a forum to share good scrutiny practice and to ensure that scrutiny procedures are maintained in accordance with the constitution.
- To ensure that referrals from scrutiny to cabinet, either by way of report or for consideration following a call-in, are managed efficiently.
- To propose amendments to the scrutiny arrangements within the constitution to council.
- To make decisions about the priority of referrals made to the executive in the event of the number of reports exceeding the limits in the constitution.
- To raise the profile of scrutiny.

## Remits for 2006/07 scrutiny panels

<b>CHILDREN'S &amp; YOUNG PEOPLE SCRUTINY AND PERFORMANCE PANEL</b>	
<b>Scrutiny Panel Remit</b>	<b>Directorate</b>
<p><b>Chair:</b> Councillor M Bird  <b>Vice Chair:</b> Councillor E E Pitt  <b>Scrutiny officer:</b> Nikki Ehlen ☎ 2080</p>	<p><b>Executive Director:</b>  David Brown ☎ 2081  <b>Assistant Director:</b>  <b>Pauline Pilkington, Louise Hughes</b>  <b>Cabinet Portfolios:</b>  Councillor Zahid - Children's services</p>
<p><b>Education</b></p> <ul style="list-style-type: none"> <li>• Educational opportunities</li> <li>• Schools</li> <li>• Support to schools and other bodies in collaboration with Education Walsall</li> <li>• WEB, SERCO contract interface.</li> <li>• Education Walsall</li> </ul> <p><b>Children's Services</b></p> <ul style="list-style-type: none"> <li>• Homes and families</li> <li>• Carers</li> <li>• Looked after children</li> <li>• Corporate parenting</li> <li>• Health and social care needs of care leavers</li> <li>• Disabled children and young people,</li> <li>• Service planning and provision</li> <li>• Assessment</li> <li>• Inclusion and family support</li> <li>• Child protection and review</li> <li>• Children's placements</li> </ul> <p><b>Youth Services</b></p> <ul style="list-style-type: none"> <li>• District Youth Work</li> <li>• Specialist Youth Work</li> <li>• Youth Opinions Unite</li> <li>• Staff Training &amp; Development</li> <li>• Duke of Edinburgh Award Scheme</li> </ul> <p><b>Children and Young People Partnership</b></p> <p><b>Communications</b></p> <ul style="list-style-type: none"> <li>• Communications and marketing</li> <li>• Print and design</li> <li>• Mayoral</li> </ul> <p><b>Procurement</b></p>	

**CORPORATE SCRUTINY AND PERFORMANCE PANEL**

Scrutiny Panel Remit	Directorate
<p><b>Chair:</b> Councillor A Griffiths  <b>Vice Chair:</b> Councillor H Sarohi</p> <p><b>Scrutiny Officer:</b> Stuart Bentley ☎ 3317</p>	<p><b>Executive Director:</b>            Carole Evans ☎ 2910</p> <p><b>Assistant Directors:</b>            Andy Burns, Sara Homer</p> <p><b>Head of Service</b>            Robert Flinter</p> <p><b>Cabinet Portfolios:</b>            Councillor M Longhi - Performance Management            Councillor J O'Hare – Resources            Councillor G Perry – Safer stronger communities, Partnerships and Vision 2021</p>
<p><b>Finance</b></p> <ul style="list-style-type: none"> <li>• Accountancy, financial planning, funding,</li> <li>• Financial systems</li> <li>• Local taxation (council tax &amp; business rates)</li> <li>• Housing and welfare benefits, anti poverty</li> <li>• Insurance and treasury management</li> <li>• Payrolls and pensions</li> <li>• Debtors and creditors</li> </ul> <p><b>Corporate Performance Management</b></p> <ul style="list-style-type: none"> <li>• Beacon index, performance reporting</li> <li>• Performance analysis and review</li> <li>• CPA inspections</li> <li>• Overview and scrutiny function</li> <li>• Best value (BVPP, reviews, policy etc)</li> <li>• Complaints</li> <li>• Freedom of information</li> <li>• Consultation</li> </ul> <p><b>Governance</b></p> <ul style="list-style-type: none"> <li>• Legal services (including monitoring officer) – contracts, non-contentious, conveyancing, advice, litigation, social services team.</li> <li>• Democratic services (including constitutional and member support services)</li> </ul> <p><b>Strategic Transformation</b></p> <ul style="list-style-type: none"> <li>• Human Resources and Organisational Development</li> <li>• Process re-engineering</li> <li>• Improving customer experience</li> </ul>	

**HEALTH SOCIAL CARE and INCLUSION  
SCRUTINY AND PERFORMANCE PANEL**

**Scrutiny Panel Remit**

**Directorate**

**Chair:** Councillor T Oliver  
**Vice Chair:** Councillor D Pitt  
  
**Scrutiny Officer:** Nikki Ehlen ☎ 2080

**Executive Director:**  
David Martin  
**Assistant Directors:**  
Kathy McAteer, Sue Byard  
**Cabinet Portfolios:**  
Councillor Paul - Social Care and  
health & housing

**Adult Care**

- People with learning disabilities
- People with physical disabilities/ sensory impairment
- Older people
- People with mental health problems

**Strategic Housing**

- Homelessness and Housing Advice
- Gypsies and Travellers
- Supporting People
- Aids and adaptations
- Renovation grants
- Access to housing
- Private sector housing
- Domestic energy efficiency
- Housing Strategy and Partnerships

**Health**

- tPCT



**NEIGHBOURHOOD  
SCRUTINY AND PERFORMANCE PANEL**

<b>Scrutiny Panel Remit</b>	<b>Directorate</b>
<p><b>Chair:</b> Councillor C Towe  <b>Vice chair:</b> Councillor R Burley</p> <p><b>Scrutiny Officer:</b> Pat Warner ☎ 2951</p>	<p><b>Executive Director:</b>            Jamie Morris ☎ 3203</p> <p><b>Assistant Directors :</b>            Keith Stone, Tim Challans</p> <p><b>Cabinet Portfolios:</b>            Councillor R Walker - Environment &amp; Street Pride            Councillor L Harrison - Leisure &amp; Culture            Councillor G Perry – Safer stronger communities, Partnerships and Vision 2021            Councillor J O'Hare - Resources</p>
<p><b>Community Safety</b></p> <ul style="list-style-type: none"> <li>• Safer Walsall Borough Partnership (including crime and disorder strategy)</li> </ul> <p><b>Leisure, Culture and Lifelong Learning</b></p> <ul style="list-style-type: none"> <li>• Libraries and Heritage</li> <li>• Sports and Leisure</li> <li>• New Art Gallery</li> <li>• Green Spaces,</li> <li>• Arts events and marketing</li> <li>• Customer Contact,</li> <li>• College of Continuing Education</li> <li>• Electoral registration and administration</li> </ul> <p><b>Neighbourhood Partnerships &amp; Programmes Team</b></p> <ul style="list-style-type: none"> <li>• Neighbourhood Partnerships merged with Programmes Team</li> <li>• Programme Team manages a range of external funds including, SRB, ESF, ERDF, and NRF.</li> <li>• LNPs</li> <li>• Community Development</li> <li>• Voluntary and community sectors</li> <li>• Equalities</li> </ul> <p><b>Emergency Planning and Business continuity</b></p> <p><b>Built Environment</b></p> <ul style="list-style-type: none"> <li>• Pollution</li> <li>• Highways maintenance and traffic management</li> <li>• Refuse collection and waste disposal</li> <li>• Street cleansing; grounds maintenance</li> <li>• Managing land and property</li> <li>• Public protection in relation to public health / consumer issues</li> <li>• Registrar</li> <li>• Coroner</li> </ul>	

**REGENERATION  
SCRUTINY AND PERFORMANCE PANEL**

**Scrutiny Panel Remit**

**Directorate**

**Chair:** Councillor I Shires  
**Vice Chair:** Councillor M Pitt  
**Scrutiny Officer:** Stuart Bentley ☎ 3317

**Executive Director:**  
 Tim Johnson ☎ 2431  
**Assistant Director:**  
 Martin Yardley  
**Cabinet Portfolios:**  
 Councillor A Andrew – Regeneration  
 and Enterprise  
 Councillor R Walker – Strategic  
 transportation  
 Councillor Ansell - LAA

**Economic**

- Working with partners to promote the borough of Walsall as a desirable area for business investment
- Developing an integrated approach for local people to access jobs and training
- Initiating special projects designed to improve the economic regeneration of Walsall

**Environmental**

- Conservation and improvement of the borough's natural and built environment, in support of Walsall's UDP and emerging Local Development Framework
- Provision of landscape planning and arboriculture advice to the Council and general public
- Provision of Landscape and Urban Design support for Council
- Delivery of Environmental Improvements throughout Walsall

**Physical**

- Markets
- Contribution to regional and sub-regional planning
- Preparation of the Local Development Framework
- Preparation of transport strategy
- Facilitation and support of major development proposals
- Support of Walsall-based regeneration agencies
- Strategic Transportation

**New Deal for Communities**

**Walsall Borough Strategic Partnership**

- Developing the community strategy
- Administering neighbourhood renewal fund (NRF)
- Local Area Agreement administration

**Planning**

- Development control
- Building control
- Local land charges

**Policy**

**Black Country Consortium West Midlands Groups**

### Summary of changes

- 1) Equalities from Health Social Care and Inclusion SPP to Neighbourhoods SPP.
- 2) Complaints from Health Social Care and Inclusion SPP to Corporate SPP.
- 3) Freedom of Information from Health Social Care and Inclusion SPP to Corporate SPP.
- 4) Emergency planning and business continuity from Health Social Care and Inclusion SPP to Neighbourhoods SPP.
- 5) Voluntary and community sector from Health Social Care and Inclusion SPP to Neighbourhoods SPP.
- 6) Planning from Neighbourhoods SPP to Regeneration SPP.
- 7) Policy from Health Social Care and Inclusion SPP to Regeneration SPP.
- 8) Health Social Care and Inclusion SPP.

Housing services changed to become Strategic Housing and summary content amended to the following (changes in bold):

- Homelessness and housing advice
- Gypsies **and Travellers**
- Supporting people
- **Aids and adaptations**
- **Renovation grants**
- Access to housing
- **Private sector housing**
- **Domestic energy efficiency**
- Housing strategy **and partnerships**

- 9) Neighbourhoods SPP.

The summary for leisure, culture and lifelong learning has been amended to the following (changes in bold):

- Libraries **and Heritage**
- Sports **and Leisure**
- **New Art Gallery**
- **Green Spaces**
- Arts events **and marketing**
- **Customer contact**
- College of continuing education
- Electoral registration and administration