

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: Executive Director - Core Services

TITLE: Overview and Scrutiny Work Programme for the 2023/24
Municipal Year

REPORT TO:	CABINET
Date of Meeting	6th September 2023
Cabinet Member Portfolio	Core Services
Key Decision	No
Public or Private	Public

Purpose of report

To outline the proposed draft work programme for 2023/24 for the Overview & Scrutiny Committee (OSC) and its three Task & Finish Groups (TFGs).

Council Plan priority

Sustainable Barnsley
Growing Barnsley
Healthy Barnsley
Learning Barnsley
Enabling Barnsley

Recommendations

That Cabinet:

1. Note the proposed Overview and Scrutiny Work Programme for 2023/24 as outlined in sections 2.3 and 2.4 of this report whilst acknowledging that this is subject to change should any urgent issues arise.

1. INTRODUCTION

- 1.1 Scrutiny was introduced in the Local Government Act 2000 (following the abolition of the old committee structure) as a means to hold the new council cabinets to account for the decisions they make. Since then, subsequent acts of parliament have bolstered Scrutiny by extending its remit (and its statutory responsibilities) beyond the council to the work of partner organisations as well. Much of this legislation was consolidated in the Localism Act 2011. This includes Overview and Scrutiny having a specific role in exercising the Authority's powers in relation to the scrutiny of health services and the crime

and disorder partnership in the borough. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities was released in 2019, providing further advice on policies and practices authorities should consider adopting. The Health and Care Act 2022 introduced Statutory Integrated Care Boards and Integrated Care Partnerships, for which there continues to be a statutory health scrutiny role to ensure these new bodies are locally accountable to their communities.

- 1.2 The need for sound effective decision making is critical, especially as we continue to recover from the global COVID-19 pandemic which has had, and will continue to have, a profound impact on individuals, communities and services, as well as the cost-of-living crisis. Elected members who sit on Barnsley's scrutiny committee have a vital role to play as 'scrutineers', providing a valid mechanism of challenge to performance, monitoring decision making and to ensure value for money is delivered.
- 1.3 Barnsley Council's scrutiny arrangements continue to incorporate an OSC of 34 Councillors. There are also 2 Parent Governor vacancies and 2 Diocese Representative vacancies which are advertised as relevant on a cyclical basis. The OSC meets formally 12 times per year in total; three of these meetings are in plenary mode to which all 34 committee members attend. For the remaining nine meetings, each committee member allocates time to one of three workstreams which each meet three times per year consisting of 12 Elected Members (including the Chair). However, although members are assigned to a specific workstream they do have an open invitation to attend the meetings of other workstreams as well if they so wish.
- 1.4 To support the work of the organisation and to ensure that the committee can hold decision makers to account, the workstreams of the committee have been aligned to three of the council's priorities:
 - Sustainable Barnsley
 - Growing Barnsley
 - Healthy Barnsley
- 1.5 The Full Committee will ensure that responsibility for key strategic issues is shared across all Members. This includes overall performance/inspections of both the Council and partner agencies; substantial NHS changes and consultations; and challenging the safeguarding of our most vulnerable, incorporating the children's social care performance report and development plan update which is scrutinised as part of a private member briefing. These full committee meetings also incorporate the Council's 'Learning Barnsley' priority given that the full committee annually considers education attainment across the borough.
- 1.6 As the Council's 'Enabling Barnsley' theme cuts across all priorities, topics for this area could be covered by any of the workstreams or full committee, whichever is deemed most appropriate. The committee will endeavor to link relevant topics to each workstream; however, a fluid approach will be taken to topics to ensure timely consideration of issues as required. The committee will

also undertake 'pre-decision scrutiny' as appropriate, so that committee members can contribute to policy development.

- 1.7 In addition to the 12 meetings of the full committee and workstreams, the OSC will also maintain three Member-led task and finish groups to carry out in-depth investigations.
- 1.8 The OSC and its TFGs are responsible for not only holding the Council to account but also for scrutinising the performance of both the Council and its partners to determine whether they are delivering the intended outcomes. In relation to safeguarding business, the majority of this work will be undertaken by committee members in plenary sessions. However, safeguarding considerations will also be a feature of all workstreams as appropriate to ensure services are protecting the most vulnerable and to ensure that they are achieving the outcome that 'people are safe and feel safe'. The committee will consider an annual report on adult social care performance, which will become embedded into the future work programme cycle so that it is presented to the full committee at least annually.
- 1.9 Area Councils can also undertake local investigations and invite internal and external services to discuss any concerns. The Area Councils can also feed any areas of concern and recommendations to the OSC and its TFGs. The OSC Chair meets with the Area Council Chairs periodically to liaise regarding topics on the OSC work programme and ensure any relevant concerns are raised.
- 1.10 The topics proposed in paragraphs 2.3 and 2.4 of this report reflect the input into the work programme from a variety of sources and stakeholders, to identify the key issues requiring scrutiny during the 2023/24 municipal year. It is important to note however that the programme may be updated on an ongoing basis should any issues require consideration at short notice.

2. PROPOSAL

- 2.1 The Council's Scrutiny arrangements form an important part of the overall governance and internal control framework. The appetite of the Council to have meaningful and constructive scrutiny of its decisions makes a significant contribution to the transparency and accountability of Council activities.
- 2.2 It is important that the Scrutiny work programme is developed to ensure effective scrutiny of local services to help improve outcomes for local communities. Forward planning is undertaken to identify key issues which require scrutiny during each municipal year, as well as allowing for the work programme to be reactive and evolve should issues require scrutiny at short notice. Therefore, it is important to note that the proposals below remain subject to change and each suggested investigation will need to be scoped in more detail.
- 2.3 The table below shows the proposed work programme for the OSC and notes when the Council's quarterly performance reports will be available throughout the year should they highlight any issues requiring further investigation:

Meeting Date & Workstream	Topics
2023-24 Municipal Year	
Tues 6 th June 2023, 2pm (Sustainable Barnsley)	<ol style="list-style-type: none"> 1. Employee Survey 2. Cyber Security Q4 & Year-End Council Plan Performance Report 2022/23 (Cab 31/05/23)
Tues 27 th June 2023, 2pm (Growing Barnsley)	<ol style="list-style-type: none"> 1. Consultation on the Inclusive Economy Strategy
Tues 18 th July 2023, 2pm (Healthy Barnsley)	<ol style="list-style-type: none"> 1. Children and Young People's Mental Health Services 2. SEND Provision in Barnsley 3. Adult Social Care Annual Performance Report 2022/23
Tues 12 th September 2023, 2pm (Full Committee)	<ol style="list-style-type: none"> 1. Barnsley Safeguarding Adults Board Annual Report 2022-23 2. Barnsley Safeguarding Children Partnership Annual Report 2022-23 3. Private Member Briefing - Children's Social Care Performance Report and Development Plan Update
Tues 10 th October 2023, 2pm (Sustainable Barnsley)	<ol style="list-style-type: none"> 1. Anti-Social Behaviour Q1 Council Plan Performance Report 2023/24 (Cab 20/09/23)
Tues 31 st October 2023, 2pm (Growing Barnsley)	<ol style="list-style-type: none"> 1. Berneslai Homes Annual Performance Report & Business Plan
Tues 28 th November 2023, 2pm (Healthy Barnsley)	<ol style="list-style-type: none"> 1. Healthy Life Expectancy
Tues 9 th January 2024, 2pm (Full Committee)	<ol style="list-style-type: none"> 1. Provisional Education Outcomes across the Borough 2022/23 including vulnerable groups 2. Private Member Briefing - Children's Social Care Performance Report inc. Annual Ofsted Conversation and Development Plan Update Q2 Council Plan Performance Report 2023/24 (Cab 13/12/23)
Tues 6 th February 2024, 2pm (Sustainable Barnsley)	<ol style="list-style-type: none"> 1. Sustainability & Climate Change Strategic Direction
Tues 5 th March 2024, 2pm (Growing Barnsley)	<ol style="list-style-type: none"> 1. Draft Visitor Economy Strategy Q3 Council Plan Performance Report 2023/24 (Cab 06/03/24)
Tues 26 th March 2024, 2pm (Healthy Barnsley)	<ol style="list-style-type: none"> 1. Domestic Abuse
Tues 23 rd April 2024, 2pm (Full Committee)	<ol style="list-style-type: none"> 1. Integrated Care Partnership – Barnsley's Health & Care Plan 2023-25 2. FOR INFORMATION ONLY – 2022/23 TFGs Progress Report 3. Private Member Briefing - Children's Social Care Performance Report and Development Plan Update
2024-25 Municipal Year	
Tues 4 th June 2024, 2pm (Sustainable Barnsley)	<ol style="list-style-type: none"> 1. Equality, Diversity & Inclusion Plan Q4 & Year-End Council Plan Performance Report 2023/24 (Cab 12/06/24)
Tues 25 th June 2024, 2pm (Growing Barnsley)	<ol style="list-style-type: none"> 1. Microsoft Dynamics 365 Implementation & Impact
Tues 16 th July 2024, 2pm (Healthy Barnsley)	<ol style="list-style-type: none"> 1. Alcohol 2. Substance Misuse

2.4 The table below shows the proposed topics for the Task & Finish Groups:

TFG 1	Commercial Contract Management
TFG 2	Vaping
TFG 3	Adult Health & Care Workforce

- 2.5 To advise the OSC and its TFGs with their investigations, on occasion 'Expert Participants' have been invited to contribute to meetings. This is to be able to both advise Members as well as ask questions of their own to witnesses in relation to topics where they have particular expertise, either by profession or service user experience. The committee therefore plans to continue this practice as appropriate on an ongoing basis.
- 2.6 In accordance with legislation and the provision for Local Authorities to form Joint Health Overview and Scrutiny Committees with other Councils to respond to substantial reconfiguration proposals covering more than one council area, the OSC Chair will continue to participate in these as appropriate. These meetings can be convened over varying geographical areas as well as over varying timescales as is deemed appropriate for the matters being considered.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

There are no specific financial implications arising from this report, however recommendations could be made by the OSC/TFGs as part of their investigations which would require assessment of financial implications by the appropriate services responding which may be the Council or partnership agencies.

The development of an agreed work-programme provides a great deal of focus and control to risks. Additionally, the flexibility built into the work programme provides a robust mitigation in the event of new or emerging issues requiring Scrutiny attention during 2023/24.

3.2 Legal

There are no specific legal implications arising from this report, however recommendations could be made by the OSC/TFGs as part of their investigations which would require assessment of legal implications by the appropriate services responding which may be the Council or partnership agencies.

3.3 Equality

The Equality Act 2010 requires public authorities to pay due regard to the impact of their services, policies, functions and decisions on diverse groups (called "people with protected characteristics" in the Act). For Scrutiny this means ensuring that as part of their investigations they consider how the services or policies affect people from these groups, and ideally ensuring that people with direct experience have an opportunity to have their voices heard. Scrutiny should also seek to understand what steps services have taken to proactively assess the likely equality impact of their service design and delivery and how they have sought to monitor the actual impact once implemented.

By using 'Expert Participants' (see paragraph 2.5) the committee will be able to utilise a range of representatives to ensure appropriate challenge to services which will include those from minority groups. This work may require the engagement of the Equality and Inclusion Team, as well as exploring the options for other expert participants from within the community, when appropriate.

3.4 Sustainability

There are no specific sustainability implications arising from this report, however recommendations could be made by the OSC/TFGs as part of their investigations which would require assessment of sustainability implications by the appropriate services responding which may be the Council or partnership agencies.

During 2023/24, the committee plans to consider the Sustainability & Climate Change Strategic Direction, including considering progress since the task and finish group undertaken on air quality and carbon reduction during 2021/22.

3.5 Employee

There are no specific employee implications arising from this report, however recommendations could be made by the OSC/TFGs as part of their investigations which would require assessment of employee implications by the appropriate services responding which may be the Council or partnership agencies.

During 2023/24 the committee are taking particular note of the recent Employee Survey and resulting actions.

3.6 Communications

It is noted that the work of Scrutiny keeps under review the performance of the Council and other relevant organisations in providing services to Barnsley communities. Proactive communication about these services and activities takes place on a regular, planned basis as part of the communication strategy for each directorate of the Council and on occasion will be requested to be undertaken by other relevant organisations.

Communication is a common thread that runs through all the topics scrutinised by the committee and members often challenge services on how their messages are delivered to Barnsley residents.

To allow for robust scrutiny, accountability and transparency, agenda packs are published one week before the date of the meeting and all sessions are held in public except for items that are exempt because the public interest in maintaining confidentiality outweighs the public interest in disclosing the information.

4. CONSULTATION

As the process is member led, a workshop was held at the start of the municipal year to establish topics committee members would like to consider. Further consultations have also taken place with Area Council Chairs, partners, Barnsley Leadership Team and officers representing the Youth Council, Care4Us Council and the SEND Forum so that Members can understand how young people are impacted by the topics and will be inviting them to submit questions for inclusion in the committee's reports.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The work programme will remain in draft form to allow the committee to respond to topics that may arise throughout the year.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The work of the OSC allows for critical friend challenge and amplifies the voices and concerns of the public. The work programme supports continuous service improvement to ensure that the needs of residents are effectively met; and that the Council can achieve the outcomes identified in the Council Plan and its ambitions for 2030.

7. GLOSSARY

OSC Overview & Scrutiny Committee
TFG Task & Finish Group

8. LIST OF APPENDICES

None.

9. BACKGROUND PAPERS

- Council Plan 2021-2024 (Cab.24.3.2021/9):
<https://barnsleymbc.moderngov.co.uk/documents/s77030/Appendix%201.pdf>
- Local Government Act 2000:
<https://www.legislation.gov.uk/ukpga/2000/22/part/1A/chapter/2/crossheading/overview-and-scrutiny-committees>
- Localism Act 2011:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf

10. REPORT SIGN OFF

Financial consultation & sign off	<i>Vanessa Hunter</i> <i>22nd August 2023</i>
Legal consultation & sign off	<i>Anthony Harold</i> <i>Interim Head of Legal Services 22.08.23</i>

Report Author: Anna Marshall/Jane Murphy
Post: Scrutiny Officers
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