

BARNSELY METROPOLITAN BOROUGH COUNCIL (BMBC)

This matter is not a Key Decision within the council's definition and has not been included in the relevant Forward Plan.

Report of the Executive Director Core Services

PROPOSED CHANGES TO THE OVERVIEW AND SCRUTINY COMMITTEE (OSC)

1. Purpose of report

- 1.1 The purpose of this report is to outline proposed changes to the Overview and Scrutiny Committee (OSC) to ensure it continues to be fit for purpose. As a result of this, proposed amendments to documents outlining the Council's Constitution are attached.

2. Recommendations

- 2.1 **It is recommended that the amendments to the Council's Constitution set out at Appendix 1, be approved**
- 2.2 **It is recommended that the revised terms of reference for the Overview and Scrutiny Committee set out at Appendix 2, be approved.**
- 2.3 **It is recommended that the revised Member arrangements for Corporate Parenting and Safeguarding Children set out at Appendix 3, be approved.**

3. Introduction/Background

- 3.1 Since the Cabinet decision (Cab.10.10.2012/6) to change the way the Council carried out its Overview and Scrutiny functions, the OSC has continued to undergo changes to ensure it continues to be fit for purpose. The links to the relevant reports which outline the changes are listed in Section 17 of this report.
- 3.2 During 2017/18 OSC Members were surveyed with regards to how the function was operating and participated in a workshop to review their comments. The session also included feedback sought from Witnesses who had attended meetings as experts in their field to answer questions from OSC Members.
- 3.3 The feedback identified both positives regarding the current structure as well as areas which could be improved to aid Members in challenging performance and ensuring the continued improvement of services.
- 3.4 During this time, the Council has continued on its Future Council improvement journey. This has included our Children's Social Care Services recently gaining a 'Good' rating following an OFSTED (Office for Standards in Education, Children's Services and Skills) inspection.
- 3.5 As a result of the changes highlighted above and the feedback from OSC Members; it is appropriate that the current Scrutiny arrangements are amended accordingly to enable Elected Members to appropriately challenge services.

4. Proposals and justification

- 4.1 To maintain the positive elements of the current OSC structure and respond to feedback from OSC Members as well as acknowledge the improvements in Council services, it is proposed that:
- The OSC increases its Membership to 34 Councillors instead of the current 26.
 - The OSC continues to meet formally 12 times per year in total however will meet 3 times per year in plenary mode to consider Safeguarding topics including continuing the private briefing on Children's Social Care performance and other significant issues, such as substantial National Health Service (NHS) changes.
 - For the remaining 9 meetings, Committee Members will allocate time to 3 workstreams which will each meet 3 times per year consisting of 12 Elected Members, aligned to the Council priorities of:
 - Thriving and Vibrant Economy
 - People Achieving Their Potential
 - Strong and Resilient Communities
 - The OSC will appoint 1 Chair who will chair all 12 formal OSC meetings
 - The OSC maintains 3 Task and Finish Groups (TFGs) to undertake detailed investigations which will be chaired by 3 TFG Lead Members
- 4.2 In practice OSC Members will be required to attend all plenary meetings as well as the meetings of one of the workstreams. However all OSC Members are able to attend all OSC meetings should they wish.
- 4.3 By making these changes the OSC continues the positive mixture of OSC and TFG meetings; maintains 1 OSC Chair to provide consistency across meetings; and increases the involvement of non-executive Members in scrutiny.
- 4.4 Safeguarding business will be undertaken by all 34 OSC Members in plenary sessions, such as considering the Safeguarding Children Board and Safeguarding Adults Board Annual Reports as well as the private briefing on Children's Social Care Performance. This reduces the frequency of the OSC receiving private briefings on Children's Social Care performance in line with the improved performance acknowledged by Ofsted; however maintains the important focus on this area of Scrutiny work. Safeguarding considerations will be a feature of all workstreams to ensure services are protecting the most vulnerable. However, safeguarding will be a key feature of the 'People Achieving Their Potential' workstream in challenging services to ensure they are achieving the outcome that 'children and adults are safe from harm'.
- 4.5 The OSC will continue to develop a work programme based on the Council's overall priorities which is cognisant of other bodies such as the Council's Corporate Parenting Panel to avoid duplication of effort. This will be shared with the Council's Cabinet with the acceptance that it is subject to change to enable the timely consideration of issues as appropriate.
- 4.6 The OSC will continue to co-opt statutory representatives of the Anglican and Catholic Dioceses and Parent Governors who will be invited to attend all meetings. Where appropriate, the OSC will co-opt individuals with particular experience or expertise who can contribute to its work.

- 4.7 To enable the effective scrutiny of services, training and briefings will continue to be provided for committee members to assist with their understanding of topics as well as specialist items such as Children's Social Care performance.

5. Implications for local people / service users

- 5.1 By endorsing the work to continue to improve the Scrutiny function, this will help the continued improvement of services delivered in our communities. By increasing the number of Members on the committee this will give better representation from across our communities.

6. Financial implications

- 6.1 There are no direct financial implications arising from this report.
- 6.2 It is noted however that the work of Scrutiny helps to ensure the delivery of value for money services across the Borough.

7. Employee implications

- 7.1 There are no direct employee implications arising from this report.

8. Communications implications

- 8.1 It is noted that the work of Scrutiny keeps under review the performance of the council and other relevant organisations in providing safeguarding and other 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.

9. Consultations

- 9.1 Consultation has taken place with Elected Members and the Council's Senior Management Team.

10. The Corporate Plan and the Council's Performance Management Framework

- 10.1 The work of Scrutiny contributes to the achievement of and improvement in services in relation to a number of outcomes identified in the Council's Corporate Plan Performance Report.
- 10.2 Children's and adults' services, in particular to those who are vulnerable, are a high priority for the council and the work of Scrutiny promotes this emphasis and contributes to performance improvement.

11. Tackling health inequalities

- 11.1 Ensuring the wellbeing and safeguarding of our adults and children continues to be a priority for the Council and its partners. The work of Scrutiny contributes to this work in highlighting issues and ensuring appropriate plans are in place to address them.

12. Risk management and health & safety issues

- 12.1 Scrutiny of service performance both of the Council and its partners contributes towards the effective control and mitigation of risks relating to the delivery of services including the protection of vulnerable adults and young people in the Borough.
- 12.2 The amendments to the Overview and Scrutiny function will be reflected in the Council's Risk Management Framework accordingly.

13. Promoting equality & diversity and social inclusion

- 13.1 The work of Scrutiny promotes equality and diversity and social inclusion throughout all its work in considering the performance of and improvement in services. The Committee will continue to consider the impact of service provision on all Barnsley communities including vulnerable groups. The involvement of co-optees on the OSC and its TFGs will also enable the committee to further involve those from our diverse communities; thereby promoting social inclusion.

14. Reduction of crime & disorder

- 14.1 As part of Scrutiny's role in performance management and service improvement, work is specifically undertaken in relation to the reduction of crime and disorder through the consideration of particular services and work with partners. As a result of a recent TFG report, a recommendation has been made to the Police Crime Panel to undertake further investigation into Policing and Mental Health Services.

15. Appendices

- 15.1 Appendix 1 – Proposed Amendments to the Council's Constitution
Appendix 2 – Proposed Terms of Reference – Overview and Scrutiny Committee
Appendix 3 – Proposed Member arrangements for Corporate Parenting and Safeguarding Children

16. Glossary

- 16.1 NHS - National Health Service
OFSTED - Office for Standards in Education, Children's Services and Skills
OSC - Overview and Scrutiny Committee
TFG - Task and Finish Group

17. Background papers

- 17.1 Cabinet reports relating to the revised Scrutiny arrangements are available on the links below:

- Member Governance arrangements Cab.10.10.2012/6:
<http://barnsleymbc.moderngov.co.uk/Data/Cabinet/201210101000/Agenda/cab%2010%2010%202012%20c6.pdf>
- Revised arrangements for scrutiny of Children's Services / Safeguarding Cab.20.5.2015/10:
<http://barnsleymbc.moderngov.co.uk/Data/Cabinet/201505201000/Agenda/item%20j10.pdf>

- Safeguarding Scrutiny Committee - Review of Arrangements
Cab.15.6.2016/14:
<http://barnsleymbc.moderngov.co.uk/documents/s10571/Safeguarding%20Scrutiny%20Committee%20-%20Review%20of%20Arrangements.pdf>
- Review of the Overview and Scrutiny Committee (OSC) safeguarding
workstream Cab.3.05.2017/15:
<https://barnsleymbc.moderngov.co.uk/documents/s19783/Review%20of%20the%20Overview%20and%20Scrutiny%20Committee%20Safeguarding%20Workstream.pdf>

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