



BUSINESS SUPPORT OVERVIEW AND SCRUTINY COMMITTEE

2 JULY 2020

WORK PROGRAMME

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Summary

This report advises Members of the current work programme and allows them to adjust it in the light of latest priorities, issues and circumstances and provides an opportunity to shape and direct the Committee's activities over the year. The report also provides an update on action to strengthen overview and scrutiny arrangements in Medway and recommends that the next Task Group should focus on a topic related to Early Help, to be led by the Children and Young People Overview and Scrutiny Committee.

1. **Budget and Policy Framework**
 - 1.1 Under Chapter 4 – Rules, paragraph 21.1 (xv) General terms of reference, each overview and scrutiny committee has the responsibility for setting its own work programme.
2. **Background**
 - 2.1 Appendix 1 to this report sets out the existing work programme for this Committee. One of the Committee's functions is to provide guidance and leadership on the development and co-ordination of the scrutiny function for all Overview and Scrutiny Committees. Appendix 2 sets out the work programmes for the other Overview and Scrutiny Committees.
3. **Agenda Planning Meeting**
 - 3.1 Members will be aware that Overview and Scrutiny Committees hold agenda planning meetings on a regular basis. These give officers guidance on information Members wish them to provide when scrutinising an issue. An agenda planning meeting took place on 12 June attended by the Chairman, Vice-Chairman and Opposition Spokesperson.

3.2 Members discussed the Committee's work programme (Appendix 1) and have made the following recommendations (NB this includes proposals made at the agenda planning meeting which took place for the subsequently cancelled April meeting):

- that instead of having a report on Local Welfare Provision (agreed as an additional agenda item at the January 2020 meeting), the report on Universal Credit and Welfare Reform should be expanded to contain the information on local welfare provision that Members wish to see, i.e. the accessibility of the service by telephone, support with removal costs, the extent of the statutory duty, if any, around this service, the cost of the service and details of funds distributed to vulnerable people. No date has yet been set for when this item will come to the Committee.
- that a Member's item on the issue of selective licensing schemes be considered as part of the discussion on the Housing Enforcement and Licensing Policy.
- that the Year End Outturn 2019/20 report considered by Cabinet on 9 June be added to the agenda for this meeting but should also include the Quarter 3 2019/20 revenue monitoring report.
- that beginning with the next round of meetings, all the O&S Committees should be recommended to scrutinise the Council's response to the Covid-19 pandemic insofar as it relates to their remit. The most recent monthly report to Cabinet on this matter should form the basis of the reports to O&S.
- that a report should be submitted to a future meeting of this Committee reflecting on lessons learned from the introduction of the legislation and technology to allow the Council to hold remote meetings. This will include what further Member development might be needed and also to what extent the Council wishes to use this technology post recovery to facilitate the democratic process.
- to add to the work programme an item on potential changes to how O&S operates, following the actions previously agreed by this Committee to strengthen Overview and Scrutiny arrangements in Medway in response to the new statutory guidance on overview and scrutiny in local authorities published in May 2019.
- to note that the following items due to be considered at the April and July meetings have been deferred – Universal Credit and Welfare Reforms Annual Progress report, complaints handling and the risk environment.

3.3 Since the agenda planning meeting took place consultation has taken place with Portfolio Holders regarding a revised schedule for being held to account. Dates for the relevant Portfolio Holders for this Committee are set out in the work programme (Appendix 1).

4. Forward Plan

4.1 The latest Forward Plan of Cabinet decisions was published on 8 June.

<https://democracy.medway.gov.uk/mgListPlanItems.aspx?PlanId=372&RP=115>

4.2 The items that are relevant to the Business Support O&S Committee are set out below so that Members have an opportunity to identify any further items they wish to consider as pre-decision scrutiny (where dates permit) other than those already programmed.

Title of Decision	Anticipated Decision Date
Capital Budget Monitoring 2020/21 - Round 1 To report on the latest monitoring position.	25 August 2020
Council Plan Monitoring and Risk Register Review 2020/21 - Quarter 1 This report will provide details of Quarter 1 performance for 2020/21 against the priorities set out in the Council Plan and will bring forward the latest risk management review.	25 August 2020
Medway Commercial Group Limited (MCG) Six Monthly Report This report will provide details of performance for the latest monitoring period.	25 August 2020
Revenue Budget Monitoring 2020/21 - Round 1 To report on the latest monitoring position.	25 August 2020
Medium Term Financial Strategy This report will provide details of a review of the major financial issues facing the Council during this and the next four years. It will also provide a framework for the more detailed preparation of the 2021/2022 Revenue Budget.	22 September 2020
Medway Development Company Ltd - Annual Report This report will provide an update on the activity of Medway Development Company (MDC) in the past year.	22 September 2020

<p>Medway Norse Update</p> <p>This report will provide details of a review of the performance of the Joint Venture from the perspective of the Council client since the last report (June 2020). It will be accompanied by an update on the Joint Venture's achievements and financial performance prepared by the Partnership Director</p>	<p>22 September 2020</p>
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5. The Co-ordinating Role of the Business Support Overview and Scrutiny Committee

5.1 Under Medway's Constitution, Chapter 4 – Rules – paragraph 22.2 (xxiii) this Committee has the overall responsibility *'to provide guidance and leadership on the development and co-ordination of the scrutiny function for all overview and scrutiny committees, including guidance on priorities for scrutiny activities'*.

5.2 To assist the Committee in fulfilling this role, it has been agreed that a regular overview of business discussed by the other overview and scrutiny committees should be presented at these meetings. Whilst each overview and scrutiny committee is able to determine its own work programme, this Committee may wish to comment on common themes and the balance of business being covered by each Committee. The work of overview and scrutiny committees can include:

- items raised by Members
- work on matters referred for review by the Council
- pre-decision scrutiny of items on the Cabinet's Forward Plan selected by the Committee for discussion
- policy review and development pre-budget scrutiny
- consideration of petitions
- consideration of called-in Cabinet decisions.

5.3 Appendix 2 to this report sets out the current work programmes of the other three overview and scrutiny committees.

6. Progress on action agreed in relation to the new Ministry of Housing, Communities and Local Government (MHCLG) statutory guidance on overview and scrutiny

6.1 At its meeting on 19 July 2019 this Committee agreed a number of actions to strengthen Overview and Scrutiny arrangements in Medway in the context of

new statutory guidance on overview and scrutiny in local authorities (published by MHCLG in May 2019). Below is a table summarising progress against those actions.

a) Progress on action agreed in relation to the new MHCLG statutory guidance on overview and scrutiny:

Action	Progress
1. Ensure all members are able to access the new Statutory Guidance	This is now available via the Medway member Portal
2. Work with the Chief Legal Officer to develop a framework for overview and scrutiny of the performance of the Council's commercial entities noting that the proposed starting point is a Member Development Session in the Autumn with the recently published Centre for Public Scrutiny guide scrutiny of risk and commercialisation as a point of reference as set out in agenda item 7, and;	<p>A Member Development Session took place in October 2019 to clarify roles and responsibilities between the Cabinet and Overview and Scrutiny in relation to agreeing the business case for new commercial entities, review and approval of annual Business Plans, matters reserved for decision by the Council and ongoing performance monitoring.</p> <p>Reports to Overview and Scrutiny and Cabinet on annual Business Plans and the performance of the Council's commercial entities are now presented with a covering client-side officer report.</p> <p>The Chief Legal Officer will be bringing forward a Commercialisation Strategy for the Council.</p>
3. Consider how scrutiny of SELEP might be incorporated into the Medway Overview and Scrutiny arrangements, noting that the Centre for Public Scrutiny will be publishing guidance on scrutiny of LEPs later in the year.	<p>Responsibility for scrutiny of SELEP will sit with the Regeneration, Culture and Environment Overview and Scrutiny Committee. At its meeting on 11 June 2020 the RCE Overview and Scrutiny Committee agreed the following approach to scrutiny of SELEP:</p> <p>a) That as a first step a member briefing on SELEP should be arranged (covering its role, responsibilities, achievements/challenges and the new governance arrangements) where members would have time to ask questions and get a good understanding of the role of the LEP in the context of economic</p>

	<p>growth in Medway</p> <p>b) that an annual invitation be extended to SELEP to appear at RCE O and S Committee – similar to the arrangement for scrutiny of the Community Safety Partnership – maybe coinciding with the relevant Portfolio Holder being held to account. This can be kept under review as best practice emerges up and down the country to see if it is an effective way of scrutinising the LEP.</p> <p>c) That the Committee should consider how it might scrutinise economic growth at a local level. Subject to timings, one example might be an opportunity to comment on the Kent and Medway Enterprise and Productivity Strategy which will sit underneath the SELEP Industrial Strategy.</p> <p>Note:</p> <p>In addition, a link is now provided from the Council’s web pages to the papers for meetings of SELEP Partnership Ltd and the SELEP Accountability Board and it is planned to provide an alert to all Members of Accountability Board call-in deadlines so this is more widely advertised. (Note: Each constituent upper tier Council may call-in Accountability Board decisions within three days of publication insofar as they relate to a decision affecting their own area and excluding any day to day management or routine operational decisions.)</p>
<p>4. Explore the scope to draw more extensively on independent local experts where appropriate in Overview and Scrutiny reviews (for example, the Universities in Medway);</p>	<p>This will be built into the scoping stage for Task Groups and other in-depth reviews undertaken by Overview and Scrutiny Committees.</p>

<p>5. Explore the potential for Overview and Scrutiny to develop a closer working relationship with the Council's Communications Team with a view to more reporting and promotion of Overview and Scrutiny activity with a particular focus on the use of new digital technology and to consider the scope to improve the connection between Overview and Scrutiny and the public (for example by more use of the Citizen's Panel);</p>	<p>The Communications Team and Democratic Services Officers with responsibility for O and S Committee have met to identify a range of potential actions – these have not yet been progressed as priority has been given to the other initiatives listed in this report and there are currently some capacity issues in both teams due to COVID19. The ideas include building on the profile for O and S in Medway Matters, A Better Medway and on the Council's website and involvement of the Comms Team in Task Group evidence gathering with potential for use of the Citizens Panel.</p>
<p>6. Work to more systematically evaluate and capture learning from the impact of Overview and Scrutiny activity generally across all Overview and Scrutiny Committees.</p>	<p>An analysis of Scrutiny Impact during 2019/20 is due to take place further into the COVID19 Recovery phase so that the Chairman, Vice Chairman and designated Opposition Spokesperson of this Committee can review what is working well and how we might work differently. This is likely to include reducing information items and more themed in-depth scrutiny work in and outside of Committee meetings. This work will now need to be progressed at a later stage in the COVID19 Recovery phase.</p>

b) Progress on action in response to the recommendations of the Commissioner for Children's Social Care and subsequent Statutory Direction from DfE:

6.2 The following table summarises the measures agreed by the Children and Young People Overview and Scrutiny Committee in response to the report dated December 2019 from the Commissioner for Children's Social Care in Medway to the Minister of State for Children and Families. The Commissioner's report stated that going forward the role of scrutiny of children's services needs strengthening, with more training for the wider group of members on children's issues and their role as ward councillors, if they are to deliver on making a real difference to children. The subsequent statutory direction to Medway Council from DfE in relation to children's services required the Council to co-operate with a Leadership Improvement Partner who will among other things provide training and coaching to key members including overview and scrutiny and corporate parenting board members. The actions set out below have been agreed by the Children and Young People Overview and Scrutiny Committee with a view to providing evidence of improved impact in the scrutiny of children's services:

Proposed new ways of working	Action	Timeline
1. Member Development	<p>The Local Government Association is working with officers to share its expertise and assist in developing some bespoke training for Medway Members. In the meantime, to start building on the knowledge required to undertake effective scrutiny of children’s social care two interactive development sessions have already taken place:</p> <ul style="list-style-type: none"> • 6 February – Performance data in Children’s Services • 11 February – the journey through education of a child who is looked after <p>Further sessions are planned to include:</p> <ul style="list-style-type: none"> • Quality Assurance (to include Part 2 of performance data in Children’s Services) • The whole system – partners and multi - agency working • Contextual Safeguarding • Child Sexual Exploitation <p>These sessions will incorporate themes such as Early Help, the Multi-Agency Safeguarding Hub and the journey of the child.</p>	Completed (with part 2 to be scheduled) Completed
2. Performance Information	<p>With the agreement of the Cabinet Member additional performance measures for children’s social care have been added to the Council Plan for 2020/21. To strengthen the capacity for effective scrutiny of performance against the Plan in formal Overview and Scrutiny Committee meetings all Members of the Committee are being provided with more in-depth performance data on a monthly basis in between Committee meetings. The Director will be hosting, along with the Assistant Director, Children’s Social Care, an informal performance data workshop every 6-8 weeks open to all members of the Committee. This provides an informal setting in which</p>	Commenced in June 2020

	<p>detailed analysis of the data can be undertaken. The new Independent Scrutineer appointed by the Medway Safeguarding Children's Partnership (who is also the Independent Chair of the Medway Improvement Board) is also being invited to each workshop to provide a multi-agency perspective. These workshops were originally due to start in April 2020 but unfortunately the Covid-19 pandemic caused some delay in being able to move these to virtual workshops. However, they are now set up and the first workshop took place on 17 June 2020.</p>	
<p>3. In-depth scrutiny review work</p>	<p>The CYP O&S Committee has agreed to ask this Committee to delay the next planned Task Group (on Physical Activity) to provide capacity for the next Task Group to focus on a topic relating to Early Help which will contribute to the Children's Social Care Improvement journey. See below</p> <p>In addition, consideration is being given, a pilot basis, to planning for one of the CYP Committee meetings 2020/21 to focus solely on a particular theme related to children's social care with evidence from service users, other stakeholders and relevant experts.</p>	<p>Start date to be determined – delayed due COVID19 pressures affecting the teams required to support this work.</p>
<p>Reality checking – hearing the experiences of children, families and front-line workers</p>	<p>It is proposed to offer ongoing opportunities for Overview and Scrutiny Committee members to engage with the Children in Care Council and social care professionals on a multi-agency basis both in learning and development settings and to listen to their views of what it is happening "on the frontline". This will include multi-agency training events and other partner engagement events the first of which was the Medway World Social Work Day event on 17 March 2020.</p>	<p>Timescales under review due to restrictions imposed by COVID19 social distancing rules</p>

c) Overview and Scrutiny Task Groups

6.3 The Council has agreed that up to three in-depth scrutiny Task Groups or themed Overview and Scrutiny Committee meetings can be supported in total across all four of the Council's Overview and Scrutiny Committees every year with each review running successively. The Business Support Overview and Scrutiny Committee has a co-ordinating role, inviting the nomination of topics from each Committee and then prioritising them on the basis of a criteria- based selection process which reflects national best practice.

6.4 The current round of topics with an indicative timeline is as follows:

Topic	Timeline (approx 20 weeks per review)
Review 1: The Voluntary Sector	November 2019 to March 2020
Review 2: Physical Activity	April 2020 to August 2020
Review 3: Town Centres	September 2020 to January 2021
Review 4: Support for Carers	February 2021 to June 2021

6.5 Given that the improvement of children's social care is a priority for the Council during 2020 the Children and Young People Overview and Scrutiny Committee has recommended this Committee to agree that the next Task Group should focus on a topic relating to Early Help and that one of the Children and Young People Overview and Scrutiny Committee meetings should be a themed meeting on a topic related to children's services. This would mean delaying the start of a Task Group on Physical Activity until later in the year.

6.6 At the agenda planning meeting for this Committee back in March 2020 the Chairman, Vice Chairman and designated Opposition Spokesperson agreed to further discuss the topics previously selected for Task Groups to ensure they remain relevant, as set out above, and to also review the criteria based process for selecting topics which has been adopted by Medway in line with best practice to ensure it is still fit for purpose.

6.7 The Committee is asked to agree that the next Task Group should focus on a topic related to Early Help to be led by the Children and Young People Overview and Scrutiny Committee. The start date of this Task Group has yet to be determined as a consequence of COVID19 on working arrangements and capacity.

7. Financial and legal implications

7.1 There are no financial or legal implications arising from this report.

8. Recommendations

8.1 Members are asked to:

- a) agree the proposed changes to the Committee's work programme (Appendix 1) as set out in paragraph 3.2 above;

- b) note the work programmes of the other overview and scrutiny committees (Appendix 2);
- c) recommend that, beginning with the next round of meetings, all the O&S Committees should scrutinise the Council's response to the Covid-19 pandemic insofar as it relates to their remit;
- d) note the update on actions to strengthen overview and scrutiny arrangements in Medway and also the progress on action in response to the recommendations of the Commissioner for Children's Social Care, as set out in section 6 of this report and;
- e) agree that the next Task Group should focus on a topic related to Early Help, to be led by the Children and Young People Overview and Scrutiny Committee.

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Appendices:

Appendix 1 - Business Support O&S work programme

Appendix 2 - Other O&S Committees' work programmes

Background papers:

None