

Committee: Children and Young People Overview and Scrutiny Panel

Date: 3rd July 2012

Agenda item: **11**

Wards: All

Subject: Children and Young People Overview and Scrutiny Panel Work Programme 2012/13

Lead officer: Rebecca Redman, Scrutiny Officer

Lead member: Cllr Jeff Hanna, Chair of Children and Young People Overview and Scrutiny Panel

Forward Plan reference number: n/a

Contact officer: Rebecca Redman: Rebecca.redman@merton.gov.uk 020 8545 4035

Recommendations:

That Members of the Children and Young People Overview and Scrutiny Panel:

- i) Consider their work programme for the 2012/13 municipal year, and agree issues and items for inclusion;
 - ii) Consider the methods by which the Panel would like to scrutinise the issues/items agreed;
 - iii) Identify a Member to lead for performance monitoring on behalf of the Panel;
 - iv) Identify a Member to lead for budget scrutiny on behalf of the Panel;
 - v) Agree on an issue for scrutiny by a task group and appoint members to the Task Group. Note that the dates set aside for meetings of the task group are 13 Sept, 2 Oct, 6 Nov, 26 Nov, 17 Dec, 23 Jan. The Task Group may subsequently agree to change these dates;
 - vi) Consider the appointment of co-opted members for the 2012/13 municipal year, to sit on the Panel and/or on the Task Group; and
 - vii) Inform the Scrutiny Officer of their views on their training and support needs.
-

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 The purpose of this report is to support and advise Members to determine their work programme for the 2012/13 municipal year.

1.2 This report sets out the following information to assist Members in this process:

- a) The principles of effective scrutiny and the criteria against which work programme items should be considered;
- b) The roles and responsibilities of the Overview and Scrutiny Panel;
- c) The findings of the consultation programme undertaken with Members, senior management, voluntary and community sector organisations, partner organisations and Merton residents;

- d) A summary of discussion by councillors and co-opted members at a topic selection workshop held on 29th May 2012; and
- e) Support available to the Overview and Scrutiny Panel to determine, develop and deliver its 2012/13 work programme.

2. **Determining the Overview and Scrutiny Panel Annual Work Programme for 2012/13**

- 2.1 Members are required to determine their work programme for the 2012/13 municipal year to give focus and structure to scrutiny activity to ensure that it effectively and efficiently supports and challenges the decision-making processes of the Council, and partner organisations, for the benefit of the people of Merton.
- 2.2 The Overview and Scrutiny Panels have specific roles relating to budget and business plan scrutiny and to performance monitoring that should automatically be built into their work programmes. Members are recommended to appoint a Performance Monitoring Lead Member and a Business Plan/Budget Scrutiny Lead Member on behalf of the Panel.
- 2.3 Overview and Scrutiny Panels may choose to scrutinise a range of issues through a combination of pre-decision scrutiny items, policy development, performance monitoring, information updates and follow up to previous scrutiny work. Any call-in work will be programmed into the provisional call-in dates identified in the corporate calendar as required.
- 2.4 The Overview and Scrutiny Panel has six scheduled meetings over the course of 2012/13, including the scheduled budget meeting (representing a maximum of 18 hours of scrutiny per year – assuming 3 hours per meeting). Members will therefore need to be selective in their choice of items for the Panel's work programme.

Principles guiding the development of the scrutiny work programme

- 2.5 The following key principles of effective scrutiny should be considered when the Panel determines its work programme:
 - **Be selective** – There is a need to prioritise so that high priority issues are scrutinised given the limited number of scheduled meetings and time available. Members should consider what can realistically and properly be reviewed at each meeting, taking into account the time needed to scrutinise each item and what the session is intended to achieve.
 - **Add value with scrutiny** – Items should have the potential to 'add value' to the work of the Authority and its partners. If it is not clear what the intended outcomes or impact of a review will be then Members should consider if there are issues of a higher priority that could be scrutinised instead.
 - **Be ambitious** – Panels should not shy away from carrying out scrutiny of issues that are of local concern, whether or not they are the primary responsibility of the council. The Local Government Act 2000 gave local authorities the power to do anything to promote economic, social and environmental well being of local communities. Subsequent Acts have conferred specific powers to scrutinise health services, crime and disorder issues and to hold partner organisations to account.

- **Be flexible** – Members are reminded that there needs to be a degree of flexibility in their work programme to respond to unforeseen issues/items for consideration/comment during the year and accommodate any developmental or additional work that falls within the remit of this Panel. For example Members may wish to questions officers regarding the declining performance of a service or may choose to respond to a Councillor Call for Action request.
- **Think about the timing** – Members should ensure that the scrutiny activity is timely and that, where appropriate, their findings and recommendations inform wider corporate developments or policy development cycles at a time when they can have most impact. Members should seek to avoid duplication of work carried out elsewhere.

Models for carrying out scrutiny work

2.6 There are a number of means by which the Overview and Scrutiny Panel can deliver its work programme. Members should consider which of the following options is most appropriate to undertake each of the items they have selected for inclusion in the work programme:

Item on a scheduled meeting agenda/ hold an extra meeting of the Panel	<ul style="list-style-type: none"> ■ Panel can agree to add an item to the agenda for a meeting and call Cabinet Members/ Officers/Partners to the meeting to respond to questioning on the matter ■ A variation of this model could be a single meeting to scrutinise an issues that, although important, does not merit setting up a ‘task-and-finish’ group.
Task Group	<ul style="list-style-type: none"> ■ A small group of Members meet outside of the scheduled meetings to gather information on the subject area, visit other local authorities/sites, speak to service users, expert witnesses and/or Officers/Partners. The Task Group can then report back to the wider Panel with their findings to endorse the submission of their recommendations to Cabinet/Council ■ This is the method usually used to carry out policy reviews
Panel asks for a report then takes a view on action	<ul style="list-style-type: none"> ■ The Panel may need more information before taking a view on whether to carry out a full review so asks for a report to give them more details.
Meeting with service officer/partners	<ul style="list-style-type: none"> ■ A Member (or small group of Members) has a meeting with service officers/partners to discuss concerns or raise queries. ■ If the Member is not satisfied with the outcome or believes that the Panel needs to have a more in-depth review of the matter s/he takes it back to the Panel for discussion
Individual Members doing some initial research	<ul style="list-style-type: none"> ■ A member with a specific concern carries out some research to gain more information on the matter and then brings his/her findings to the attention of the panel if s/he still has concerns.

2.7 Note that, in order to keep agendas to a manageable size, and to focus on items to which the Panel can make a direct contribution, the Panel may choose to take some “information only” items outside of Panel meetings, for example by email.

Support available for scrutiny activity

- 2.8 The Overview and Scrutiny function has dedicated scrutiny support from the Scrutiny Team to:
- Work with the Chair and Vice-Chair of each Panel to manage the work programme and coordinate the agenda, including advising officers and partner organisations on information required and guidance for witnesses submitting evidence to a scrutiny review;
 - Provide support for scrutiny Members through briefing papers, background material, training and development seminars, etc;
 - Facilitate and manage the work of the task and finish groups, including research, arranging site visits, inviting and briefing witnesses and drafting review reports on behalf on the Chair; and
 - Promote the scrutiny function across the organisation and externally.
- 2.9 The Overview and Scrutiny Panel will need to assess how they can best utilise the available support from the Scrutiny Team to deliver their work programme for 2012/13.
- 2.10 The Panel is also invited to comment upon any briefing, training and support that is needed to enable Members to undertake their work programme. Members may also wish to undertake visits to local services in order to familiarise themselves with these. Such visits should be made with the knowledge of the Chair and will be organised by the Scrutiny Team.
- 2.11 The Scrutiny Team will take the Overview and Scrutiny Panel's views on board in developing the support that is provided.

3. Selecting items for the Scrutiny Work Programme

- 3.1 Each Overview and Scrutiny Panel sets its own agenda within the scope of its terms of reference, with the Overview and Scrutiny Commission taking a coordinating role to ensure that any gaps or overlap in the scrutiny work programme are dealt with in a joined-up way.

The Children and Young People Overview and Scrutiny Panel has the following remit: -

- Children's social care, including child protection;
- Education, including school standards, special educational needs, the extended schools programme and the healthy schools initiative;
- Youth services and youth engagement including the Youth Parliament, young people 'Not in Education, Employment or Training';
- Youth offending;
- Children's Centres; and
- The Children's Trust

- 3.1 The Scrutiny Team has undertaken a campaign to gather suggestions for issues to scrutinise either as Panel agenda items or task group reviews. Suggestions have been received from members of the public, councillors and partner organisations including the police, NHS Sutton and Merton and Merton Voluntary Service Council. Other issues of public concern have been identified through the Annual Residents Survey. Issues that have been raised repeatedly at Community Forums have also been included. The Scrutiny Team has consulted departmental management teams in order to identify forthcoming issues on which the panel could contribute to the policymaking process.
- 3.2 A description of all the suggestions received is set out in Appendix 2.
- 3.3 The councillors who attended a “topic selection” workshop on 29th May 2012 discussed these suggestions.
- 3.4 The suggestions were prioritised at the workshop using the criteria listed in Appendix 3. In particular, participants sought to identify issues that related to the Council’s strategic priorities or where there was underperformance; issues of public interest or concern and issues where scrutiny could make a difference.
- 3.5 A note of the workshop discussion relating to the remit of this Panel is set out in Appendix 4.
- 3.6 Appendix 1 contains a draft work programme that has been drawn up, taking the workshop discussion into account, for the consideration of the Panel. The Panel is requested to discuss this draft and agree any changes that it wishes to make.
- 3.7 The Panel may also wish to select items for scrutiny from the presentations made by Directors and Cabinet Members (at the Panel’s meeting on 3 July 2012) or based on other public priorities of which Members are aware through their ward work.
- 3.8 Items on the Cabinet’s forward plan that relate to the remit of this Panel are listed in Appendix 5. The Panel may wish to include one or more of these issues in its work programme.

4. Task group reviews

- 4.1 The Panel is invited to select an issue for in-depth scrutiny and establish a task group in order to carry out the review.
- 4.2 One potential area for in-depth scrutiny was identified at the workshop:
- Provision of secondary school places

5. Co-option to the Panel membership

- 5.1 Scrutiny Panels can consider whether to appoint non-statutory (non-voting) co-optees to the membership, in order to add to the specific knowledge, expertise and understanding of key issues to aid the scrutiny function. Panels may also wish to consider whether it may be helpful to co-opt people from “seldom heard” groups.

6. Public involvement

- 6.1 Scrutiny provides extensive opportunities for community involvement and democratic accountability. Engagement with service users and with the general public can help to improve the quality, legitimacy and long-term viability of recommendations made by the Panel.

- 6.2 Service users and the public bring different perspectives, experiences and solutions to scrutiny, particularly if “seldom heard” groups such as young people, disabled people, people from black and minority ethnic communities and people from lesbian gay bisexual and transgender communities are included.
- 6.3 This engagement will help the Panel to understand the service user’s perspective on individual services and on co-ordination between services. Views can be heard directly through written or oral evidence or heard indirectly through making use of existing sources of information, for example from surveys. From time to time the Panel/Task Group may wish to carry out engagement activities of its own, by holding discussion groups or sending questionnaires on particular issues of interest.
- 6.4 Much can be learnt from best practice already developed in Merton and elsewhere. The Scrutiny Team will be able to help the Panel to identify the range of stakeholders from which it may wish to seek views and the best way to engage with particular groups within the community.

7. ALTERNATIVE OPTIONS

- 7.1 A number of issues highlighted in this report recommend that Panel members take into account certain considerations when setting their work programme for 2012/13. Overview and Scrutiny Panels are free to determine their work programme as they see fit. Members may therefore choose to identify a work programme that does not take into account these considerations. This is not advised as ignoring the issues raised would either conflict with good practice and/or principles endorsed in the Review of Scrutiny, or could mean that adequate support would not be available to carry out the work identified for the work programme.
- 7.2 A range of suggestions from the public, partner organisations, officers and Members for inclusion in the scrutiny work programme are set out in the appendices, together with a suggested approach to determining which to include in the work programme. Members may choose to respond differently. However, in doing so, Members should be clear about expected outcomes, how realistic expectations are and the impact of their decision on their wider work programme and support time. Members are also free to incorporate into their work programme any other issues they think should be subject to scrutiny over the course of the year, with the same considerations in mind.

8. CONSULTATION UNDERTAKEN OR PROPOSED

- 8.1 To assist Members to identify priorities for inclusion in the Panel’s scrutiny work programme, the Scrutiny Team has undertaken a campaign to gather suggestions for possible scrutiny reviews from a number of sources:
 - a. Members of the public have been approached using the following tools: articles in the local press, My Merton and Merton Together, request for suggestions from all councillors and co-opted members, letter to partner organisations and to a range of local voluntary and community organisations, including those involved in the Inter-Faith Forum and members of the Lesbian Gay and Transgender Forum;
 - b. Councillors have put forward suggestions by raising issues in scrutiny meetings, via the Overview and Scrutiny Member Survey 2012, and by contacting the Scrutiny Team direct; and
 - c. Officers have been consulted via discussion at departmental management team meetings.

9. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 9.1 There are none specific to this report. Scrutiny work involves consideration of the financial, resource and property issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific financial, resource and property implications.

10. LEGAL AND STATUTORY IMPLICATIONS

- 10.1 Overview and scrutiny bodies operate within the provisions set out in the Local Government Act 2000, the Health and Social Care Act 2001 and the Local Government and Public Involvement in Health Act 2007.
- 10.2 Scrutiny work involves consideration of the legal and statutory issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific legal and statutory implications.

11. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 11.1 It is a fundamental aim of the scrutiny process to ensure that there is full and equal access to the democratic process through public involvement and engagement. The reviews will involve work to consult local residents, community and voluntary sector groups, businesses, hard to reach groups, partner organisations etc and the views gathered will be fed into the review.
- 11.2 Scrutiny work involves consideration of the human rights, equalities and community cohesion issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific human rights, equalities and community cohesion implications.

12. CRIME AND DISORDER IMPLICATIONS

- 12.1 In line with the requirements of the Crime and Disorder Act 1998 and the Police and Justice Act 2006, all Council departments must have regard to the impact of services on crime, including anti-social behaviour and drugs. Scrutiny review reports will therefore highlight any implications arising from the reviews relating to crime and disorder as necessary.

13. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 13.1 There are none specific to this report. Scrutiny work involves consideration of the risk management and health and safety issues relating to the topic being scrutinised. Furthermore, scrutiny work will also need to assess the implications of any recommendations made to Cabinet, including specific risk management and health and safety implications.

14. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- 14.1 Appendix I – Children and Young People Overview and Scrutiny Panel draft work programme 2012/13
- 14.2 Appendix 2 – Summary of topics relating to this Overview & Scrutiny Panel's remit suggested for inclusion in the scrutiny work programme
- 14.3 Appendix 3 – Selecting a Scrutiny Topic – criteria used at the workshop on 29th May 2012

- 14.4 Appendix 4 – Notes from discussion of topics relating to the remit of the Children and Young People Overview and Scrutiny Panel, Scrutiny Topic Selection Workshop 29th May 2012
- 14.5 Appendix 5 – Extract from Forward Plan
- 15. BACKGROUND PAPERS**
- 15.1 None

One item may be selected for a full task group review. The topic (suggested at the topic selection evening on 29th May) was provision of secondary school places.

Please note the last page provides information on items on the council's forward plan that relate to the portfolio of this Scrutiny Panel.

Draft work programme for the Children and Young People Scrutiny Panel meetings

Meeting date – 3rd July

Item/Issue	Format
Update on developments in the CSF department	
Priorities for 2012/13	
Departmental Overview	
Continuous Improvement in Permanency and Adoption Services in Merton	
Performance monitoring	
Final Report – Post 16 Career Pathways Task Group	
Scoping Report – Task Group Review of the provision of secondary school places	
Work Programme Planning	

Meeting date – 4th September 2012

Item/Issue	Format
Update on developments in the CSF department	
School places	
Troubled Families	
SEN Transport	
Performance monitoring	
Financial Report	
Work Programme table	

Meeting date – 13th November 2012

Item/Issue	Format
Safeguarding and looked after children	
Update on developments in the CSF department	
Post Munro developments	
Gang culture	
Performance monitoring	
Work Programme table	

Meeting date 15th January 2013 – scrutiny of the budget

Item/Issue	Format
Update on developments in the CSF department	
CSF Budget proposals	
Performance Report	
Financial Report	
Work programme table	

Meeting date 27th February 2013 (formerly 13th February – meeting dates swapped to accommodate pre decision scrutiny of School Standards)

Item/Issue	Format
Update on developments in the CSF department	
School Standards	
School Leadership Succession Planning	
Draft Final Report – Provision of secondary school places Task Group	
Performance Report	
Work programme table	

Meeting date – 16th April 2013

Item/Issue	Format
Update on developments in the CSF department	
Early Intervention and Prevention	
Performance Report	
Financial Report	
Planning the work programme 2013/14	

Description of topic suggestions received in relation to the remit of the Children and Young People Overview and Scrutiny Panel

1. School Standards
2. Safeguarding
3. School Places
4. Bishopsford Arts College
5. Looked After Children
6. Ofsted Post Inspection Action Plan
7. Adoption
8. Merton's Children's Trust
9. Troubled Families
10. Early Intervention and Prevention Services
11. SEN Transport Review
12. Financial and performance monitoring
13. Service reviews, plans and four year budgets
14. Knife crime
15. Current Task Group – Post 16 career pathways
16. Update Reports on developments within the CSF department

Selecting a Scrutiny Topic – criteria used at the workshop on 29th and 30th May 2012

The purpose of the workshop is to identify priority issues for consideration as agenda items or in-depth reviews by the Scrutiny Panels and the Commission. The final decision on this will then be made by the Panels/Commission at their first meetings.

All the issues that have been suggested to date by councillors, officers, partner organisations and residents are outlined in the supporting papers.

Further suggestions may emerge from discussion at the workshop.

Points to consider when selecting a topic:

- Is the issue strategic, significant and specific?
- Is it an area of underperformance?
- Will the scrutiny activity add value to the Council's and/or its partners' overall performance?
- Is it likely to lead to effective, tangible outcomes?
- Is it an issue of community concern and will it engage the public?
- Does this issue have a potential impact for one or more section(s) of the population?
- Will this work duplicate other work already underway, planned or done recently?
- Is it an issue of concern to partners and stakeholders?
- Are there adequate resources available to do the activity well?

Notes from discussion of topics relating to the remit of the Children and Young People Overview and Scrutiny Panel, Scrutiny Topic Selection Workshop 29 May 2012

Attendees:

Councillors Jeff Hanna, James Holmes, Agatha Akyigyina, Karin Forbes, Oonagh Moulton, Linda Scott, Peter Walker, Simon Withey

Cabinet members - Maxi Martin and Martin Whelton

Paul Ballatt, Head of Commissioning, Strategy and Performance

Julia Regan, Head of Democracy Services (note taker)

Participants reflected on how Panel meetings had operated in the past year and agreed that shorter meetings in 2012/13 with fewer agenda items would be conducive to more effective scrutiny. They highlighted the need for improvements to be made to the recommendations and the executive summary so that it was made clear how scrutiny could contribute to the issue and what the key challenges are. Also stressed the importance of Panel members reading reports in advance of the meeting.

Participants agreed to recommend that the agenda for each meeting should comprise:

- one item for in-depth scrutiny (60 minutes max), with a brief introduction by the Cabinet Member
- two items for lighter-touch scrutiny (30 minutes each)
- information items for which there would be a total of 10 minutes allocated for questions and answers

It was agreed that the in-depth items should be:

- school standards
- safeguarding and looked after children
- school places
- adoption
- budget proposals
- early intervention and prevention services

Maxi Martin commented that taking safeguarding and looked after children at the same meeting would work well because the Ofsted inspection had considered both issues.

Agatha Akyigyina suggested that the Panel examine succession planning for teachers in order to improve representation of black and minority ethnic staff at a senior level. Other members suggested that this could include consideration of recruitment, retention and career planning as well as quality of leadership.

Paul Ballatt said that the department had taken on board previous comments made by the Panel about the need for the school standards report to be more forward looking and that this would include information on school leadership. He added that the Panel may wish to consider looking at school leadership as a separate item too.

It was agreed that the lighter touch items should include:

- troubled families initiative
- knife crime
- succession planning in schools (on same agenda as school standards report) – note Agatha Akyigyina would prefer this item to be an in-depth one to ensure that an appropriate number of BME teachers are employed at all levels
- SEN transport review

This will allow space for new and/or urgent issues as they arise during the year.

It was agreed that performance data be considered at every meeting and financial monitoring information would be taken quarterly as an information item. Also agreed that Panel should appoint a member to lead on performance and one to lead on finance and that these Members be responsible for introducing the item, highlighting any issues of concern to the Panel.

Action: Rebecca Redman to draw up draft timetable in consultation with Paul Ballatt – note budget item will be in January and school standards item will be in February.

Participants agreed to recommend that the issue for task group review should be the provision of secondary school places. This is a key challenge for the authority and an opportunity for scrutiny to contribute to policy development by providing a series of options, ideas and suggestions for Cabinet to consider. Agreed to focus on finding and funding school places.

Action: Rebecca Redman and Paul Ballatt to draft terms of reference for consideration by the Panel at its meeting on 3 July.

Forward Plan items relating to the remit of the Children and Young People Overview and Scrutiny Panel:

None identified that are to be considered by Cabinet before the meeting of the Panel on 3 July 2012.