

Scrutiny Committee

Agenda

Date: Monday, 15th December, 2008
Time: 2.00 pm
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Note: In order for officers to undertake any background research it would be helpful if questions were submitted at least one working day before the meeting.

Please contact Carole Roberts on 01270 529733 or 01270 529736
E-Mail: carole.roberts@cheshireeast.gov.uk with any apologies or requests for further
information or to give notice of a question to be asked by a member of the public

4. **Minutes of Previous meeting held on 10 October 2008** (Pages 1 - 6)

To approve the minutes of the meeting held on 10 October 2008.

5. **Action taken by the Chairman**

To note details of action taken by the Chairman since the last meeting as follows:

1. **Waiving of Finance Procedure Rule 5.30**

- Free Swimming for under 16year olds.
- Appointment of an Interim Places Director
- Procurement of suitably experienced advice and resources on shared services

2. **Urgent decision Standing Order no 25**

- Appointment of Interim Head of Children's Services.

6. **Formal Establishment of Scrutiny Panels** (Pages 7 - 8)

To consider formally establishing Standing Scrutiny Panels.

7. **County Council Schedule of Scrutiny Reviews** (Pages 9 - 48)

In response to the following Notice of Motion adopted by the County Council at its meeting on 16 October:

“That the County Council will ensure that medium and long term actions arising from Reviews undertaken by its Scrutiny Panels and Committees are properly processed and passed on to the new Authorities in both East and West.”

The County Performance & Overview Committee has received the attached Schedule of major Scrutiny reviews undertaken by the County Council and resolved that it be brought to the attention of the new Authorities.

The Committee is requested to receive the Schedule of County Council Scrutiny Reviews.

8. **Scrutiny Procedure Rules** (Pages 49 - 62)

To consider a paper setting out the draft Scrutiny Procedure Rules which will apply with effect from 1 April 2009.

9. **Work Programme**

To consider and note items for inclusion on the Committee's Work Programme:

- Scoping Report for Outline Review of Facilities for Young People (AT)
- Forward Plan

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Scrutiny Committee**
held on Friday, 10th October, 2008 at Tatton Room, Town Hall Macclesfield
SK10 1DX

PRESENT

Councillor A Thwaite (Chairman)
Councillor A Richardson (Vice-Chairman)

Councillors G Baxendale, M Davies, Ms O Hunter, R Menlove,
Mrs L Smetham and J Wray

16 APOLOGIES FOR ABSENCE

Apologies were received from Councillors A Barratt, S Broadhurst,
S Conquest, P Edwards, Miss S Furlong and Mrs B Howell.

17 DECLARATIONS OF INTEREST

In accordance with the relevant provisions of the Constitution relating to
Scrutiny the Chairman declared he was deputy Whip of his Group.

18 PUBLIC SPEAKING TIME/OPEN SESSION

There were no questions from the public.

19 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 7 August 2008 were approved as a
correct record.

**20 ACTION TAKEN BY THE CHAIRMAN - WAIVER OF CALL-IN:
TRANSFORMING LEARNING COMMUNITIES -EMERGING ISSUES
FROM LOCALITY REVIEW FOR ALSAGER, CONGLETON,
SANDBACH AND HOLMES CHAPEL**

The Chairman reported that he had taken the following action since the
last meeting:

**1. Exemption from Call-in: Transforming Learning Communities -
emerging issues from Locality Review for Alsager, Congleton,
Sandbach and Holmes Chapel:**

Agreement to waive call-in (under rule 13.1 of the Scrutiny Procedure
Rules) of the Cabinet decision offering advice to Cheshire County
Council's Children's Services Executive on 13 October that the
proposals should be the subject of formal consultation.

2. Decision taken under the urgency procedure rules - Top Management Structure:

Consent as required under urgency procedure rules, to enable the recruitment process for four alternative posts to be commenced as soon as possible bearing in mind that there may be a need to recruit externally and the Council has to appoint the two statutory post holders by 31 December at the latest.

It was noted that the decision taken under the urgency procedure was to alter the top management structure of Cheshire East Council by replacing the post of Director of Performance and Capacity with the posts of:

- i. Head of Human Resources and Organisational Development
- ii. Head of Policy and Performance
- iii. Borough Treasurer and Head of Assets (Section 151 Officer) and
- iv. Borough Solicitor (Monitoring Officer)

and to authorise commencement of the recruitment process to the four posts in accordance with the recommendations of the Staffing Committee on 11 September 2008

3. Key Decision not included in the Forward Plan: New Model of Social Care

A Key decision relating to the New Model of Social Care for the new Council had not been included on the Forward Plan. To enable the matter to be considered and determined at the Cabinet meeting on 7 October, action had been taken in accordance with the Constitution, under Rule 12 of the Access to Information Procedure Rules. This decision had to be taken by such a date that it was impractical to defer the decision until it could be included in the next Forward Plan and until the start of the first month to which the next Forward Plan relates.

The Chairman then referred to the provision in the Procedure Rules that required the Interim Monitoring Officer to inform the Chairman of the Scrutiny Committee in writing by Notice of the matter to which the decision is to be made and to make copies of the Notice available to the public at the offices of the Shadow Council. He believed that copies of the Notice should also be circulated to all members of the Council and had requested that this be done electronically in this case. The Chairman suggested the Constitution should be amended to cover this point.

Other matters: Procedure to handle Call-in of a Cabinet Decision at Scrutiny Committee

The Committee gave consideration to a procedure proposed by the Chairman to deal with any future Cabinet decisions that may be Called in. It was noted that the Procedure would assume that:-

- background documentation on the issue will have been circulated with the Agenda papers (Call-Ins may occasionally have to be dealt with in Part 2 of the meeting)
- the (minimum) eight signatories to the Call-In will have agreed beforehand on the one member to appear as a Witness on their behalf and will have produced a short written statement summarising the grounds for Call-In

Handling procedure for Call-ins at Scrutiny Committee:

1. Scrutiny Officer to brief the Committee (5 mins)
2. Call-In Lead Member to explain reasons for Call-In (5 mins)
3. Members of Committee question Call-In Lead Member (10 mins)
4. Cabinet Member to explain reasons for decision (5 mins)
5. Members of Committee question Cabinet Member (10 mins)
6. Opportunity for Call-In Lead Member to respond (2 mins)
7. Chairman sums up and puts the matter to the Committee

NB: Changes to the above timings will be at the Chairman's discretion

RESOLVED – that

- 1 the action taken by the Chairman in respect of the three matters set out above be noted;
- 2 the Governance and Constitution Committee be requested to consider amending the Constitution so that the provision in the Procedure Rules requiring the Interim Monitoring Officer to inform the Chairman of the Scrutiny Committee in writing by notice of the matter to which the decision is to be made and to make copies of the Notice available to the public at the offices of the Shadow Council be amended so that copies of the Notice should also be required to be circulated electronically for information to all members of the Council; and
- 3 the Procedure for handling Call-Ins as set out above be adopted.

21 HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

It was reported that the Governance and Constitution Committee at its meeting held on 8 September had endorsed this Committee's advice and had recommended to Council that a separate Health and Adult Social Care Scrutiny Committee be established within the Council's Political structure. This recommendation would now be considered by the Council at its meeting on 20 October. The Committee also supported the principle of continuing joint scrutiny arrangements for Mental Health Service issues across Cheshire and Wirral.

It was noted that the Places Advisory Group were currently considering the new Social Care Redesign Programme and there was potential for

duplication of scrutiny work in this area that would need careful management.

The Chairman reminded members of the heavy workload that the new Committee would have and he invited nominations for membership of the new Committee to be submitted to him prior to the Council meeting on 20 October.

RESOLVED – that the current position be noted.

22 APPOINTMENT OF STATUTORY CO-OPTED MEMBERS TO THE SCRUTINY COMMITTEE – ELECTED PARENT GOVERNORS AND NOMINATED CHURCH REPRESENTATIVES

The Governance Lead Officer submitted a paper setting out the statutory requirement to have co-opted representation on the Scrutiny Committee when dealing with Education matters. It was noted that appointees would have voting rights on those Educational matters. The current Cheshire County Council procedures for parent governor representatives, eligibility and guidance on voting rights etc. were attached at Appendix 1. The paper also outlined a typical timetable for an election of parent governors' representatives to take place.

The requirements and duties of local authorities in England to provide Church representatives with voting rights on Scrutiny Committees dealing with education and the scope of direction would also fall on Cheshire East Council.

RESOLVED - to recommend the Governance and Constitution Committee:-

- 1 That two parent governor representatives should be appointed to the Scrutiny Committee for the purposes of dealing with education matters; one being drawn from the primary education sector, and the other being drawn from the secondary education sector.
- 2 That officers be authorised to make arrangements for the appointment of the parent governor representatives by election (if contested) by way of secret ballot.
- 3 That the period of office of the parent governor representatives should be 2 years with effect from 1st April 2009.
- 4 That one nominated representative of the Church of England Diocese and one nominated representative of the Roman Catholic Diocese should be co-opted to the Scrutiny Committee for the purposes of dealing with education matters.

23 RESPONSE TO DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT CONSULTATIONS

The Governance Lead officer briefed the Committee on the content of a Consultation Paper published by the Department for Communities and Local Government (DCLG) on developing and strengthening overview and scrutiny, new powers to hold local officers to account and facilitating the work of Councillors. It was noted that responses to the consultation were to be received by 30 October. The Government would take account of responses received before introducing the appropriate primary and secondary legislation.

The appendix to the report summarised the relevant sections of the Consultation Paper and included Officer initial comments on them. The key sections were as follows:-

- the enhancement of scrutiny's powers in relation to Local Area Agreement partners and their delivery of LAA improvement targets
- how best to raise the visibility of, and to strengthen, the scrutiny function
- increasing the accountability of chairs and chief executives of local public bodies
- enabling councillors to use technology to participate in meetings and vote remotely

Members expressed concerns that there should be clear funding or ring fencing provision for any extra duties placed on the Council as a result of further primary or secondary legislation.

RESOLVED - that the Chairman and Vice Chairman of the Committee draft with the assistance of the Governance Lead Officer, a response on behalf of Cheshire East Council to the Consultation.

24 TRAINING/DEVELOPMENT

The Governance Lead Officer submitted a paper to assist the Committee in identifying its on-going training and development needs. The Committee was reminded that it had already agreed to participate in the Cheshire and Warrington Improvement and Efficiency Partnership (CWIEP) Programme of Overview and Scrutiny Member Development.

The focus of the CWIEP Programme was on the enhanced role of scrutiny and on equipping Elected Members to undertake scrutiny of non-local authority providers and deliverers, and on considering appropriate governance arrangements. It was noted that those signed-up to CWIEP were Cheshire East, Cheshire West and Chester Shadow Authorities, Warrington Borough Council and Cheshire Fire and Rescue Authority.

The Programme of four events would take account of the context of each Authority and the varying experiences of Members. The Programme was

being designed and delivered by the Centre for Public Scrutiny, including an experienced Peer Member. An appropriate Officer from each authority will assist with facilitation to support sustainable development. Further details of the proposed programme had already been circulated separately to members. It was noted that Cheshire East Council would be hosting the first training event on 14 November.

Members referred to the importance of identifying a future work programme for Scrutiny and ensuring that there was an ongoing dialogue with the Leader and Deputy Leader and the Chief Executive as to how they see the Scrutiny function operating.

Noting the relevance of the training provided earlier in the day by Tameside MBC, it was stressed that appropriate resourcing with competent officers for scrutiny was key to moving forward. Consideration was given to meaningful scrutiny work that could be achieved in the short term and regard was given to the potential implications of a robust scrutiny function not being in place when the first CPA inspection of the new Council takes place in two years time.

RESOLVED -

- 1 To note the outcomes of the discussions held with representatives of Tameside MBC earlier in the day;
- 2 To note the arrangements for the delivery of the CWIEP Member Development Programme on Overview and Scrutiny;
- 3 The Chief Executive be asked to attend the next formal meeting of the Scrutiny Committee to set out her aspirations for the next 12 months on the direction she expects the Council to be taking, and the key role of Scrutiny;
- 4 That proposals be brought to the next meeting on the Committee's work programme up to end March 2009.

25 DATE OF NEXT MEETINGS

RESOLVED - that the next meetings of the Committee be held in late November (subject to the availability of the Chief Executive) and then early January 2009.

The meeting commenced at 2.00 pm and concluded at 3.45 pm

Councillor A Thwaite (Chairman)

CHESHIRE EAST COUNCIL

SCRUTINY COMMITTEE

Date of meeting: 15 December 2008
Report of: Governance Lead Officer
Title: Formal Establishment of Scrutiny Panels

1.0 Purpose of Report

- 1.1 To enable the Committee to consider formally establishing its Standing Scrutiny Panels.

2.0 Decision Required

- 2.1 To agree:

1. to the establishment of the following Standing Scrutiny Panels:

People Scrutiny Panel
Places Scrutiny Panel
Performance & monitoring Scrutiny Panel

to undertake Scrutiny activity as determined by the Scrutiny Committee

2. the membership of the Panels as follows:

People Scrutiny Panel

Councillor G Baxendale (Leader)
Councillor S Conquest
Councillor S Furlong
Councillor R Hunter

Places Scrutiny Panel

Councillor R Menlove (Leader)
Councillor A Barratt
Councillor B Howell
Councillor J Wray

Performance & Monitoring Scrutiny Panel

Councillor P Edwards (Leader)
Councillor S Broadhurst
Councillor M Davies
Councillor L Smetham

3.0 Financial Implications for Transition Costs

3.1 None, on the basis that each Panel will be self-sufficient.

4.0 Financial Implications 2009/10 and beyond

4.1 To be considered as part of the overall support to be provided to the Scrutiny function.

For further information:

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Background Documents:

None

Review of Scrutiny Reviews

October 2008

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1. Corporate Parenting - 12.12.2002

Terms of Reference

To review the current framework for Corporate Parenting in the County Council, establish progress made on implementation, and to identify any further action required to carry out the role effectively.

Recommendations

1. The profile of corporate parenting role should be raised in the County Council by the responsibility for monitoring of corporate parent being allocated at Director level to the Director of Social Services and Health (Director of Children's Services from 18 May 2006) with progress reviews at Management Board level.
2. A review should take place to agree how the monitoring and development of Corporate Parenting should best be dealt with in the Political Management system to ensure it is given high priority.
3. The Corporate Parent should produce a five year plan which addresses the issues in this report and promotes the development of excellence in services for looked after children .As part of this plan, the action plan identified in this report should be further developed and form part of the medium term strategy proposals for the future.

Outcomes

- The Corporate Parenting Board was established by the County Council's Executive in July 2006 following a review of corporate parenting. It met for the first time in December 2006.
- The Board consisted of officers representing social care, health, education, Connexions/IYSS and District Councils, and was formed as a sub group of the Children and Young People's Strategic Partnership. Membership of the board was at a senior strategic level, to ensure that members had the ability to commit resources and influence policy and practice. The Board's remit was to take an overview of strategies and policies, and to ensure that all agencies were working together to achieve positive outcomes for Cheshire's looked after children. It would receive regular reports on activity and performance relating to looked after children, and identify where further action is necessary across agencies to improve outcomes.
- Each of the Board Members oversees issues in relation to one of the five ECM outcomes, and relates to a wider audience of professionals as well as to looked after children and their carers. This was either through the formation of specific reference groups or through existing mechanisms where these were appropriate.
- The Corporate Parenting Board relates to the Cheshire County Council Members Corporate Parenting Group, which exists to advise the Lead Member for Children's services and to help other members to be aware of ways in which they can fulfil their corporate parenting duties, as well as reviewing issues arising from member activity including reports regarding Regulation 33 visits.

2. Redsands Residential Centre - 31.01.2006

Terms of Reference

To consider if it makes sense for Cheshire County Council to continue with the provision of this type of service in light of the changing circumstances; to make recommendations as to the future of the Centre, including options; and to consider the implications for other services of adopting any particular option.

Recommendations

1. Properly costed replacement plans to provide 3 x 4 bedded locality units be developed;
2. properly costed transitional plans be developed as part of the 2006/10 MTS process to ensure the continued operation of the existing open unit until such time as the replacement provision is in place;
3. a Memorandum of Understanding with mainstream schools should be negotiated to address and reduce the difficulty in placing Looked After Children in mainstream education;
4. the Children's Services department should identify ways to ensure that appropriate resources are in place to ensure that education is provided for Looked After Children with severe emotional or behavioural difficulties, either in mainstream schools, or in special schools, or in their place of residence;
5. the impact of recommendations 1, 3 and 4 above on other parts of the children's care service be identified; and
6. the issues associated with possible alternative use by the County Council of the Redsands site be identified in the event of closure

Outcomes

Project board managed by County Manager. A report was taken to Council this year to get approval to purchase 3 properties, 2 in Crewe and one in Vale Royal. Negotiations were currently taking place with third parties but the plan was to open the Crewe houses by end of December 2008 and to deliver the Vale Royal property in 2009.

3. Management of Absence - 12.12.2002

Terms of Reference

To review the policies and the management of absence procedures as implemented in the Social Services Department, to identify good practice and areas for improvement for application as appropriate across all County Council Services.

Recommendations

1. A senior Member should have responsibility to champion effective attendance management - it is suggested that this role is assigned to the Chairman of the P&O Committee. In addition Service Boards should be asked to identify one of their Members who would lead the scrutiny of attendance at Service Level.
2. The P&O Committee should review this action plan and performance in relation to this model, at least once a year.
3. The Management Board should consider absence management at least half yearly. Management Board discussions should take account of the results of management stress audits and progress towards achieving the work/ life balance standard as part of the Organisational Development Strategy. Management Board members should ensure the commitment of senior managers through regular debates at DMT's.
4. All Departmental Management Teams should adopt the good practice evident in Social Services. Each DMT should identify a Health and Safety Champion (at County Manager level) in accordance with the County Council's Health and Safety policy and attendance absence data should be considered on a half yearly basis. Targets for improving attendance levels should be reflected in service plans.
5. The recommendations in this action plan should be briefed to EMB.
6. Across all departments steps should be taken to ensure that all line managers, supervisors and staff receive appropriate training, not just on attendance management policies and processes but in the skills of dealing with difficult absence cases and return to work interviews. In the long term managers and supervisors should feel confident and competent to take action to implement absence policies as an integral part of their supervisory responsibilities without too much reliance on personnel support.
7. Future action to benchmark the County Council's performance within this model should be taken by the Personnel Service.
8. Briefing and awareness sessions on the role, benefits and facilities provided by the occupational health unit should be organised for staff and managers. Occupational health doctors should plan visits to departmental management teams, once per year, to attempt to

- discuss respective roles and close the knowledge gap. Occupational health should continue to develop more proactive work in relation to Health Promotion and monitor the success of flu vaccinations in preventing/reducing absence.
9. Managers in all departments should, through training and briefing, understand the importance and costs of absence and its effects on service delivery. Managers should use staff induction to reinforce the importance of good attendance. Staff appraisal discussions should include a review of attendance.
 10. All the Trade Unions should be engaged in discussions with the Occupational Health Unit about the role of occupational health doctors and managers and they should be invited to participate in health promotion activities. The Trade Unions should review their understanding and involvement in all departments.
 11. Personnel and Managers should sustain existing approach to Policy development and application.
 12. Absence management training should be a core training requirement for all new managers and supervisors and management should ensure that staff are nominated, attend programmes and review effectiveness as appropriate.
 13. Targets should be reviewed with senior managers as part of the staff appraisal process and performance against targets should be used as a proactive tool in the management of attendance.
 14. Benchmarking with other local authorities should take place.
 15. The business case for family friendly policies is included in the DTI standard for work/life balance which the County Council has agreed to work towards as part of the Organisational Development strategy. Personnel policies and conditions of employment should be reviewed to ensure that they deliver benefits to both employees and the County Council. Revised policies should be packaged and promoted with a strong theme of mutuality of responsibility and benefit.
 16. The take up of working arrangements such as part time, job share and other flexible working patterns should be monitored and benefits should be identified.
 17. In areas where work is particularly stressful managers should consider rotating staff and reviewing working patterns. The design of jobs should be considered carefully as new jobs are evaluated as part of the Single Status exercise and flexible working patterns should be considered as part of the implementation of Single Status.
 18. More proactive healthy lifestyle campaigns should be considered by OHU. Stress audits of the workforce should be carried out periodically by management. The use of County Council leisure facilities and healthy eating should also be included in health awareness programmes.

19. Training of staff and managers should reinforce personal responsibility for attendance and health. Ways in which good attendance can be recognised and celebrated should be considered by EMB and a Corporate approach should be agreed with County Personnel and trade unions.
20. In order to ensure that a good example is set Members should formally review the difficulties they experience with attendance at official meetings.
21. Every effort should be made to sustain current processes for recruitment and induction.
22. Return to work contact should be reinforced as mandatory after every absence and managers should ensure through quality checks that this is taking place. Documentation following return to work discussions should also be subject to quality checks by managers and action plans for improvement should be discussed as appropriate in management teams.
23. Managers should embark on face to face visits (with prior agreement if the visit is to be held in the employees home) at an appropriate time and ensure that employees are kept up to date with developments at work. All parties should recognise the objective of ensuring earliest possible return to work. Alternative work and changed working patterns and assistance with return to work should be more actively explored.
24. Areas of good practice should be identified by managers and shared for Short-Term Absences .
25. Action plans for improvement should be agreed for all areas where problems exist and support should be targeted where non attendance is highest.
26. Options for rehabilitation and redeployment should be included in discussions with staff at an early stage of Long Term Absences and flexible returns to work should be considered in conjunction with the trade unions.
27. The Redeployment procedure should be reviewed to recognise the issues for the County Council and the employee of long term absence returners.
28. Further work should be undertaken to explore the benefits of paying for private consultations.
29. Information is collected for all staff outside of schools. Every effort will continue to be made to encourage schools to adopt a corporate system. IBS should be developed so that absence data can be locally input and management reports can be accessed locally through self serve.

30. Reports should be developed to explain the costs of absence.

Outcomes

There was nothing else of value for this review in the remaining few months. There were no really serious issues to address, and it was a comparatively long time away with no real problems happening since.

4. Communications - 02.07.2003

Terms of Reference

To review the way the Council communicates within and outside the County Council and in particular:

- How resources – staff and expenditure – are deployed on corporate and service communications activities
- How activities might be better co-ordinated across the Authority to ensure a more consistent approach and more effective use of resources

With the ultimate aim of ensuring the Cheshire public feel better informed about County Council Services

Recommendations

1. Significant resources are put into communications across the authority but the impact is dissipated by a lack of co-ordination
2. Internal communication and culture is fundamental to how we are perceived externally. All staff should be able to perform an ambassadorial / advocacy role with the public beyond their service specialism
3. The public prefer to make contact with us on the telephone and, increasingly via the internet but 0845 1133311 and www.cheshire.gov.uk not well known
4. There is considerable public interest (89%) in a council newspaper, although this must contain localised content and not be self-congratulatory
5. Inconsistent branding and standards of communication across the authority
6. Structure / content of website needs to be reconfigured to meet current and future needs of target audiences
7. People want information about how to obtain information when they need it
8. Feedback on media relations activity is good but a differentiated response is needed for broadcast and printed media
9. One size doesn't fit all – need to develop a differentiated approach to communications

Outcomes

The only points not completed were:

- rolling programme of corporate induction for new starters

- code of conduct for contractors working on behalf of CCC
- school signage (for which there was never any budget)
- reissue of Clearly Cheshire
- monthly digest of CCC publications for governors

and on this basis it was suggested that the Scrutiny Review of Communications should be officially deemed a success.

5. Transport Co-Ordination's Service Level Agreements with Social Services and Education 18.12.2003

Terms of Reference

To review the implementation of the Transport Co-ordination Service's Best Value Review Improvement Plan - with particular reference to the Service level agreements with the Education and Social Services Departments - to ensure that the County Council continues to meet its obligations to provide statutory transport in as efficient, risk-free and sustainable manner as possible.

Recommendations

1. The chairpersons of the Transport Board and Schools Board, plus the corresponding executive Members, plus appropriate county managers, hold a joint meeting to discuss how to take forward the issues raised by the publication of the Government document "Travelling to school: an action plan".
2. A trial area is chosen where discussions take place with schools about a package of measures to improve transport above the normal standards (eg. newer buses, drivers trained in "child management"/evacuation procedures), allocated seats, CCTV cameras etc) in return for their co-operation to assist with behaviour control and social education about transport use.
3. A further trial area is sought where schools might be willing to change hours in order to save costs, and be incentivised by being provided with "quality buses" and the full package of measures which go with them.
4. A special school transport liaison function be established at each school (as part of another post), who are provided with training and a good practice guide for reference. Governor designated with special responsibility for transport.
5. A code of conduct be developed in conjunction with schools regarding their responsibilities for safety at drop off sites within school premises, with a requirement that TCS are consulted on the design of new facilities.
6. The SLA between TCS and Education needs reviewing, to bring it up to date with regard to issues such as performance monitoring, and the shifts of emphasis in accountabilities which are emerging from the work of this panel and the Government Report "Travelling to School: an action plan".
7. The level of staff input which the Education Department provides for the client side liaison on transport issues be reviewed so that it is commensurate with the review of activities implicit in this report.
8. A definitive legal opinion is obtained which restates the respective responsibilities of the parties for scholar safety during the different parts of the journey to school by a bus provided as part of the Council's statutory duty.

9. A further review be undertaken of where it would be appropriate to replace the more expensive outsourced mainstream school contracts with “quality buses”, under a range of options including in-house and external provision, a range of vehicle types including “yellow buses” but also good quality conventional buses/coaches, and a range of financing arrangements for the vehicles and a wide range of contract lengths.
10. An investigation takes place to examine the relative cost and advantages/disadvantages of employing escorts directly by Transport Co-ordination instead of through taxi operators, for both special needs and social services transport, and certain conventional school buses.
11. A study be carried out about the cost and relative merits of employing escorts directly, as with special needs transport.
12. The make up of the type of vehicles in the fleet be reviewed to see if this is the best arrangement for providing flexibility, reliability, safety and comfort, whilst maximising the ability of the fleet to be optimally used (ie relate this to the evaluation of existing hired out work to identify opportunities to pilot county-fleet operations using smaller “people carrier” sized vehicles whilst maintaining accessibility).
13. Develop a vehicle working group, including driver/escort representatives, to consider alternative fleet operations to ensure that the specifications meet the combined demands of service users, staff and fleet management considerations as far as is possible.
14. Review the current scheduling process, including evaluating software.
15. A review be carried out of the practice of changing contracts after a fixed time interval, rather than at a time which more closely meets the needs of vulnerable clients and their relationship to those transporting them.
16. A study be established into the efficiency of the communication system used for the county between clients and the control / vehicles to investigate how this could be improved at all times, including outside normal office hours.
17. A study take place, in conjunction with the above, about how the gap between the expectations of those receiving transport and those providing it be narrowed, both regarding punctuality and the useful time available at the end point of the transport; and in parallel, the service user forum be reinstated to discuss quality and service developments.
18. A review of the clarity of the information that is provided to external operators in the tendering process be undertaken, in conjunction with Social Services, to see if there is scope to give greater detail about client conditions, without breaching the necessary confidentiality.

19. Review the level of understanding among front-line social service staff about what transport is accessible to them through the SLA, and what other options are available to them.
20. Specify need for further specialist training for fleet driver/escorts (familiarisation with special medical situations, full first aid) and develop and introduce where appropriate.

Outcomes

The circumstances relating to many of the actions were considerably changed from those at the time of the review. Adapting to these became the Service priority in the short and medium term, although development of any unconcluded actions continued where appropriate (such as the installation of software to better control and plan client/demand responsive transport). For example, there was a significant restructuring taking place in the provision of transport in relation to the formulation of the Children's Services and adult and Community Departments. A thorough review of Education Transport Policy was proposed. Transport Coordination was also engaged in the roll out of its "Route and Branch" review approach to both bus and flexible transport provision, which was the new framework for change management and efficiency improvement within the Service.

6. Grants to Voluntary Organisations - 20.05.2004

Terms of Reference

To review the County Council's policies on grants to community and voluntary organisations, in particular the operation of the single grant administration model and monitoring arrangements approved by Policy Committee in June 1999, and to identify areas for improvement.

Recommendations

1. The Action Plan produced by the Scrutiny Review Panel be endorsed and implemented, acknowledging that any staff and budgetary requirements need to be assessed as part of subsequent years' MTS processes;
2. People and Communities Scrutiny Sub-Committee be the body responsible for monitoring County Council funding for the community and voluntary sector, and for the implementation of this report's action plan on an annual basis; and
3. Performance and Overview Committee considers what advice it wishes to offer to the Executive concerning the allocation of additional resources to support the Scrutiny Review process.
 - The terms grant, contract and service level agreement, as defined in the 1999 Policy paper, be endorsed, and that these definitions be applied consistently across all Departments. These definitions to be supplemented by clear guidelines on the criteria for using each type of funding
 - All funding awards be linked more closely to the County Council's priorities and values statement, and should be widely published as such
 - The relevant sections of the Financial Regulations, and the Code of Practice on Financial Management, be applied on all funding allocations to the voluntary sector
 - All funding awarded on a historical basis be reviewed as a matter of urgency, with particular consideration given to the ongoing validity of these awards in the light of changes to both the County Council's priorities, and the nature of the recipient organisation and the services it delivers
 - A County Co-ordinating Group be established to gather data, ensure that processes are adhered to and review processes to explore possibilities for further improvement
 - Each Department supplies the relevant information for the maintenance of a consistent and complete Funding to Community and Voluntary Organisations database
 - Cheshire Local Strategic Partnership be identified as the appropriate body to take the lead in developing a local Compact between public bodies and the voluntary sector
 - Further information be provided to Area Forums concerning funding to local voluntary organisations, and that the role of the local Member in linking with the allocation of resources and monitoring these organisations be further investigated and developed
 - The County Council should provide better publicity on the availability of funding for the community and voluntary sector, and recipient organisations should be encouraged to publicise the financial support they receive from Cheshire County Council

Outcomes

No further action needed at this time. A number of these issues to be rolled forward to the new Shadow Councils in due course.

7. Risk Management - 26.05.2005

Terms of Reference

Consider the Council's strategic approach to Risk Management and how the technique is used to support decision making and review, at both officer and Member level.

Recommendations

1. the report of the Scrutiny Review Panel and the findings, principles and recommendations contained therein be adopted, namely:
 - accept Risk Management as a key and integral tool to identify and manage resources at all levels of the organisation;
 - base resource allocation decisions on risk management to demonstrate the importance the County Council places on the process;
 - involve the Executive, together with the Management Board, in the identification of corporate risks;
 - involve Service Boards in the scrutiny of service strategic risks as part of the service planning process;
 - subject to endorsement by the Organisation Committee, appoint spokespersons on the Performance & Overview Committee as Member Risk Management Champions;
 - introduce positive steps through Members and Senior Managers to raise awareness of risk management and demonstrate how it can be used to add value;
 - introduce a clear reporting cycle and roles for Members and Officers;
 - fully integrate risk management and performance management as they are developed;
 - simplify the methodology for risk management;
 - review and update the risk register throughout the year;
 - ensure in year decisions reflect priorities and risks;
 - introduce Member involvement through the full cycle to ensure risk management takes place;
 - introduce a formal, rather than optional, supported process for the identification and evaluation of risks for planning. This should start at the corporate level and work down to the service strategic level;
 - increase general Risk Management training and publicity to raise awareness of the benefits and clarify the responsibilities of managers and Members;
 - include a specific risk management module in the corporate training programme for middle and senior management;
 - provide targeted training and post training support to people with key roles in the risk management process to ensure clear understanding of how to apply it and the consequences of individual's actions; and
 - continue with controlled and targeted communication ensuring it is capable of being supported to reinforce the message and help manage the change, including the use of concrete examples such as waste
2. the Environment and Resources Scrutiny Sub Committee be requested to monitor and report as necessary on the implementation of the proposals as set out in 1. above.

Outcomes

Most of the actions had been completed, those that had not would be swept up in LGR. Some issues around the champions - but life has moved on so far now it has become irrelevant.

8. Support for Older People - 26.05.2005

Terms of Reference

To examine the factors which lead to planned/unplanned admission/re-admission to Hospital or long-term care for Older People in Cheshire and the contribution which could be made by Cheshire County Council to provide services/support relevant in changing social and economic circumstances.

Recommendations

1 The County Council should develop an over-arching strategy to improve services to Older People.

Issues	Action	Responsibility
<u>Leadership on the Change Agenda</u> The County Council offer and ensure that Older People are involved in decision-making about strategies, priorities and resources.	(1) Increase substantially the numbers involved in the Older People Network (2) Develop procedures to improve access by the Network to key decision-makers and (3) Set up an Older People's Partnership Board.	Chief Executive
<u>Education /Life Long Learning Opportunities</u> The County Council encourage and facilitating the participation of Older People in Lifelong Learning opportunities.	Make Adult Education more accessible and well advertised.	Director of Adult & Community Services
<u>Access/Mobility</u> The County Council, through the forthcoming Review of the Local Transport Plan, address the mobility and access issues faced by Older People.	Provide accessible and affordable transport and well maintained pavements.	Director of Environment
<u>Leisure Facilities</u> The development of services, including leisure facilities, responsive to the needs of Older People be made a priority in the Cheshire Community Strategy	Improve access to leisure activities, countryside and other facilities for Older People.	Cheshire Community Partnership
<u>Health Supervision</u> Attention be given to earlier assessment and better management of long-term health conditions – particularly of those over 75 years of age.	The County Council invite the PCTs in Cheshire to report on the development of systems of regular health monitoring for Older People and on initiatives for improved management of long term conditions in the community	County Health Scrutiny Sub-Committee
<u>Housing</u>	The County Council to provide a wide range of	Executive

Increased choice of housing options to enable Older People to retain their independence.	resources to support initiatives which help retain independence and increase the choice of housing options, including Extra Service Housing.	
<u>Opportunities for Employment after Retirement</u> Re-training and suitable employment opportunities required to enable those over 65 years of age to enter/remain in work.	An 'Age Positive' employment and training policy to be developed by the County Council. Other employers to be encouraged to have similar policies.	County Personnel Officer Cheshire Community Partnership
<u>Information/One Stop Shop</u> Access to the right information at the right time in a format appropriate for Older People and their Carers.	The County Council to provide and develop One Stop Shops, review the presentation of information, and investigate the possibility of providing information on a 24-hour basis.	County Communications & Research Officer
<u>Accessing Advice and Services</u> The reluctance of Older People to approach Social Services.	The County Council to consider ways of improving the image of Social Services.	Director of Adult & Community Services/County Communications & Research Officer
<u>Allocation of Resources</u> Implications of any increasing commitment to Older People's Services within the overall resource allocation process.	To be addressed in the County Council's Corporate Plan.	Executive

- 2 The County Council should support the development of volunteering in all sectors of the community where Older People can be both "donors" and "beneficiaries".

Issues	Action	Responsibility
<u>Mutual Support and Volunteers</u> Acknowledge the needs of Older People and the roles that they themselves can play in any initiatives to promote volunteering.	The County Council to work with the Voluntary Sector to increase the range of volunteering options for Older People.	Director of Adult & Community Services
<u>Encouraging Volunteering</u> Shortage of Volunteers	The County Council to develop a programme to encourage participation in voluntary work through: (1) its own workforce (2) young people (3) Local Strategic Partnerships	County Personnel Officer Director of Children's Services Local Authority Members

3 The County Council should continue and strengthen its investment in partnerships to achieve effective Care Services.

Issues	Action	Responsibility
<u>Preventative Services</u> (1) Early identification of the vulnerable and (2) Keeping Older People fit, healthy and independent - to reduce the incidence of unexpected admissions to hospital	The County Council to look for innovative ways of resolving these issues, and in particular give priority to the development of the Innovations Forum and development of a Local Public Service Agreement.	Director of Adult & Community Services
<u>Intermediate Care</u> Availability of "transitional" services.	The County Council to give priority to pursuing discussions with the PCTs to improve this level of service	Director of Adult & Community Services
<u>Carer Support</u> Insufficient Carer support.	The County Council to explore opportunities of additional alternative sources of finance to develop care support and explore opportunities to develop a range of innovative methods to support Carers of Older People	Director of Adult & Community Services
<u>Joint Commissioning of Care</u> Improving partnership working between agencies.	The County Council to develop a joint commissioning strategy with the PCTs and housing providers to provide seamless services for Older People and Carers	Director of Adult & Community Services
<u>Partnership Working with the Independent and Voluntary Sectors</u> A clearer steer from the County Council to the Independent & Voluntary Sector Providers about the types and quantities of services which need to be delivered to Older People.	The County Council to work with providers from Health, the Voluntary and the Independent Sectors to produce a capacity plan.	Director of Adult & Community Services
<u>Crisis & Specialist Support</u> Strengthen support for Crisis and Specialist Services	The County Council to produce a costed plan to improve and develop Crisis and Specialist Services.	Director of Adult & Community Services
<u>Care Worker Shortage</u> Shortage of care workers.	The County Council to explore innovative ways to recruit Care Workers and create a cohort of generic Care Workers.	Director of Adult & Community Services

4 The attached Action Plan (appendix 1) be endorsed and implemented.

5 Progress on the implementation of the Action Plan be reviewed in 12 months.

Outcomes

The Action Plan was reviewed at Community Services Scrutiny Select Committee on 19 June 2006. It was reported that all of the recommendations had been progressed and action had been taken to implement each strand of the Plan.

9. County Record Office - 02.05.2006

Terms of Reference

To examine and report upon the adequacy of the current County Record Office accommodation and recommend options for the future.

Recommendations

1. The records of Cheshire are at risk due to inadequate storage conditions.
2. The storage conditions at Duke Street and The Castle are unsuitable for their purpose. The Records they hold will deteriorate due to inappropriate environmental conditions. They are also vulnerable to damage from damp or fire. Remedial repairs are needed in Duke Street at a cost of £1,065,000 if a new building is not found in the short term.
3. There is insufficient capacity in the current Record Office.
4. The capacity of the existing buildings has been exceeded resulting in poor conditions and increasing use of remote storage locations which is inefficient. The number of Records users has also increased significantly beyond existing capacity. The Sub-Committee is satisfied that Record collecting and retention policies and found them appropriate. Capacity cannot be released by Records disposal or reduced collection rates.
5. A new Record Office is required in Chester.
6. The existing Duke Street building is not capable of being improved to either increase capacity or to provide suitable environmental conditions and security; a new building is required. Consideration of the nature of use of the buildings leads to the conclusion that it should be in Chester with good public transport links and with local amenities nearby. Conversion of an existing building is not likely to result in substantial savings in capital costs and suitable buildings have not been found. (Problems are not anticipated in finding a new site at a cost of around £0.5m. The building cost may be around £5-8m so site acquisition is not a large proportion of the total cost).
7. The Kingsway location offers some advantages but only if Capital is likely to be forthcoming.
8. It may be possible to reserve some land at the Kingsway site for a future Record Office. The location, whilst attractive, is not ideal and there may be an opportunity cost and planning issues. As seen above, site costs are not a large part of the total cost.
9. The County Council's current Capital processes are unlikely to fund a new Record Office.

10. The Record Office has been on the draft Capital Program for many years along with other projects. However, the capital allocation and prioritization processes are such that there is not a realistic prospect that it would be funded, even considering Heritage Lottery Funding and PFI sources.

11. The Council may wish to commission a review of the Capital Allocation and Prioritisation processes

Outcomes

The paper which finally went to the Executive recommended the possibility of a review of the method of capital allocation. The resolution by the Executive was that the Director of Community Services be asked to evaluate and cost:

- potential short term alternative storage options such as extending the lease at the Salt Mine
- improved courier arrangements
- review the County's property holdings
- digitisation of records
- longer term options such as collaborative arrangements with the University of Chester or working with the TLC programme be explored.

None of these options have been taken any further.

10. Cheshire West Financial Recovery Plan - 06.09.06

Terms of Reference

Whether:

- as a statutory body, Health Scrutiny has been properly consulted within the consultation process;
- in developing the proposals for service changes, the consulting body has taken into account the public interest through appropriate patient and public involvement and consultation; and
- the proposals are in the interests of the local health service.

Recommendations

1. Health Scrutiny require reassurance from the existing and future management of the PCTs that there is sufficient capacity to manage the necessary change to deliver health services which meet the needs of the local population within balanced budgets.
2. The PCTs take note of the comments made about consultation and in particular the inadequate consultation with the Voluntary Sector, Patient and Carer Groups and Health Scrutiny seeks assurances that these failures will not be repeated in any future consultation.
3. The new PCTs in Cheshire, the Acute Trusts, Partnership Trust and Social Care Authority put in place a joint strategy on future statutory consultations which includes for example the distinction between consultation and communication in the interests of genuine engagement.
4. The PCTs respond to the concerns listed in the whole of para 11 before any new proposals are brought forward.
5. The PCTs set out clearly how they will work with Health Scrutiny in monitoring the impact of the implementation of these proposals and the Turnaround Plan as a whole.

Outcomes

- Health Scrutiny is delighted that Western Cheshire PCT has achieved its immediate financial target without impacting adversely on patient services. Much work remains to be done – not least in developing Community Services, Mental Health Services and the Public Health agenda – but the receipt of the monies from the SHA should enable some much needed investment to be made locally in these services.
- Health Scrutiny has been impressed by the commitment and leadership style of the new PCT Chief Executive and the Chairman in forging positive working relationships with Partner and Patient Organisations. Engagement and consultation will, if anything, become even more important as the aspirations of the Local Development Plan are translated into concrete proposals against a background of continuing financial constraint.

- The Panel feels comfortable with and commends the PCT on what has been achieved to date. However, there are two areas which it wishes to draw to the attention of the Committee. First, an integral part of the PCT's strategy to achieve financial balance has been to take advantage of an underspend on Specialised Commissioning expenditure to the tune of £8.7m, (this has been in the form of a "loan" which will be a first-call on the PCT Budget in 2007/08). Specialised Commissioning is responsible for providing "specialised" services such as Specialised Cancer Services, Burns Services, Renal Services, Medical Genetics Services, Specialised Mental Health Services etc and the Panel feel that some reassurance is required that patients have not been directly affected through this underspend.
- Secondly, the Panel recognises that 2006/07 for the PCT has been about tightening-up financial performance. 2007/08 promises to be more about redesigning services. Scrutiny will want to ensure that the PCT continues to engage early and fully with those directly affected.

11. Libraries Provision - 31.10.2006

Terms of Reference

To examine the building stock of the Libraries Service and to make recommendations on sustainable Libraries provision in Cheshire taking account of spatial distribution and fitness for purpose, acknowledging that many libraries can also provide a range of community services.

Recommendations

1. Develop a Libraries Service Framework - It has been apparent throughout the Review that some Libraries are no longer fit for purpose when assessed against the future agenda. Difficult decisions may have to be taken by the Authority in the future as to where additional investment (and by implication, with limited resources in mind, disinvestment in some instances) could develop a sustainable Libraries Service. The key recommendation is for Cheshire County Council to develop an overall Framework against which future decisions of the Library Service are taken. This framework should set out the key principles of the Service and encourage the Council to adopt these within an understanding of the need for the modernisation and improvement of the Service. The Framework should make sense of the various challenges that this Review has found and provide a means by which desired outcomes and individual strategies can be assessed and implemented via a modern Libraries vision. This Framework should provide direction not only to the Libraries Service but all Services within the County Council who provide a community service and should ensure that closer partnership working is developed to build on any opportunities that arise.
2. Audit of Social Capital Opportunities - There is an urgent need to commission a detailed exploratory study of County buildings taking in a range of factors including, size, location, characteristics of the area and population within which they sit, fitness for purpose and, importantly, the community function that each provides and the scope to develop these as centres of service provision for a range of community functions. This should provide a focus to explore the existing network of County buildings taking into account other Adult, Community and Children's Services Agendas. This should feed into an overall Libraries Strategy, as suggested in previous section
3. Review of Capital Programme - When reviewing the County Council's Capital Programme, the Panel formed the same conclusions as those that had been found by the Scrutiny Review of the County Record Office. Therefore, the recommendation follows the similar lines. The Panel has observed that existing processes have been in place for some time and that some Services do not have a Capital Allocation. This has a far-reaching impact upon those delivering such Services. There is a substantial number of pressing projects which are necessary but without prospect of funding. The recommendation is for the Executive to consider commissioning a review of these matters to aggregate the total impact - both financial and risk assessments - upon the Authority.

Outcomes

The Scrutiny Review on Libraries fed into the Transforming Cheshire project. Part of that was a service delivery framework which was agreed by County Council Members but was now on hold pending consultation with the Members of the shadow authorities. It was not anticipated that much progress would be made in the current year.

12. Climate Change - 12.07.2007

Terms of Reference

To investigate and report to the Council on the impact of climate change in Cheshire, with particular reference to:-

- the evidence of climate change and its potential impact locally
- key impacts on Council services, practical and pragmatic opportunities for reducing use by the Council and recommendations for change
- the Council's role in leading the local community in tackling climate change issues.

Recommendations

1. Provide greater commitment and increase support to energy/ resource management within its estate as a whole
2. Review internal transport policy to achieve an overall reduction in emissions from transport from service delivery and support activities
3. Coordinate its internal waste collection processes to achieve reductions and greater recycling
4. Ensure that a Sustainable Procurement Policy is developed and implemented across all Services within Cheshire County Council
5. Provide support for better sustainable energy advice to Cheshire's residents, through advice on energy efficiency and renewable technology
6. Review transport policy to achieve an overall reduction in emissions from transport across Cheshire as a whole
7. Continue to support Waste Management Strategy and its implementation at the highest level
8. Ensure climate change impacts on flood risk, water resources and emergency planning are taken into account
9. Embed and maintain the core issues of climate change mitigation and adaptation at the heart of the planning process at all levels
10. Give an explicit corporate acceptance of climate change and how human activity contributes to it
11. Clarify political and management leadership and accountability on climate change within Cheshire County Council
12. Detailed assessment of climate change impacts on Council services and development of adaptive responses
13. Develop a Climate Change Action Plan, supported by clear targets

14. Develop a high profile communications programme.

Outcomes

Over the last two years, the County Council has helped to establish the Cheshire & Warrington Climate Change Group, which coordinates and supports work in this area. It has representatives from all the local authorities and other public sector organisations (Environment Agency, Natural England, Fire and Rescue Service), as well representatives from the Business and Voluntary networks. Consequently, County Council officers have been working very closely with colleagues in the District Councils on climate change issues across Cheshire, through joint working and awareness raising programmes. In addition, the County Council is taking part in Chester City Council's own Climate Change Scrutiny Review Panel, which started late last year. Following the LGR announcement, two groups have been established (West and East) to see how Climate Change can be taken forward in the two new Unitary Councils. These groups consist of representatives from the Districts and the County Council and are now working on this 'work-stream' and feeding into each of the Places Blocks for West and East. Work to date has included:

- Preparation of a Project Brief documents for West and East setting out key issues to take Climate Change forward
- Development of an Issues Log to highlight issues to be considered
- Input into the Places Induction day for new Members on Cheshire East Council at Tatton (12 June 2008).

Cheshire County Council continues to tackle climate change through a range of actions. Building upon a close working relationship, the County Council has been asked to take a lead in helping to prepare the two new authorities to tackle the challenges of climate change over the next few years.

13.Support to Members - 12.07.2007

Terms of Reference

To review the nature and resourcing of the support facilities currently provided to Members, and to identify and make recommendations on ways in which Councillors can be better enabled to carry out their developing roles, including under the Transforming Cheshire Programme. The review is to take account of the issues raised in the “Getting the best out of Councillors” Notice of Motion, and the approach taken in other appropriate Councils.

Recommendations:

1. The County Council acknowledge that the role of the Local Member is changing in the context of increased local expectations and the Local Government White Paper
2. To enable the role of the Local Member to be developed, early attention be directed to the provision of resources, including those under PP4.
3. Members be encouraged to use the Customer Access Centre (CAC) as the preferred method for processing routine casework.
4. Further work be undertaken urgently to commission a stand-alone casework tracking system for Members.
5. A new report template be introduced forthwith that captures the essential information that Members require for effective understanding and decision making.
6. Corporate guidance be issued on effective report writing as soon as possible and a re-shaped training course be put in place.
7. There be a presumption that communications with Members should primarily be through electronic means.
8. Further work be undertaken to establish which additional technologies would benefit Members.
9. PIN be replaced as a matter of urgency as part of the Transforming Cheshire project PP6, to meet the needs of users.
- 10.Procedures be put in place to enable individual Members to be notified of changes to, and the content of, their Web Pages.
- 11.The role of Members’ Secretaries be restated and promulgated, and be subject to regular review.
- 12.The Members’ Secretaries be involved in the planning of and support for Members’ IT developments.

Outcomes

An endorsement had been received from the Party Group Whips that the outstanding actions in this Review be suspended in view of the LGR decision. There was a good deal of follow up on the potential for Members to use the Customer Contact Centre for processing their casework, which was being taken forward, but no progress had been made on this.

14. Demographic Change - 11.10.2007

Terms of Reference

- To understand the nature and extent of demographic change in the Cheshire population for the period to 2021 in order to assess the implications for future demand for the Council's services and its Community Leadership role.
- To determine what the Council and its partners have done so far to respond to the forecast change, and how adequate and effective that response has been.
- To determine whether the Council is using the funding it currently receives in the most cost-effective way in comparison with other authorities; assess whether the external funding received by the Council in comparison with other authorities is adequate and appropriate; and identify ways in which such funding and other forms of external assistance can be enhanced.
- To help inform the Council's future leadership, policy-making, service delivery and resource allocation.
- To examine issues relevant to the Council's aspiration (as recorded at its meeting on 12 October) "to ensure that the provision of Older People's Services will move into the top quartile of this area of Shire Counties' functions".
- To examine ways in which the Council's partners and the private and voluntary sectors can be more effectively engaged in addressing the issues arising from demographic change and in providing solutions.
- To seek to ensure that the Council adopts a holistic, cross-cutting approach in response to the demographic change and contributes effectively to the Local Area Agreement outcomes for the "Older People and Healthier Communities" Block.

Recommendations

1. The Government should be persuaded to give greater priority to the issue of demographic change in determining resource allocation to reflect the fact that the County Council is not able to use money saved as a result of falling numbers of young people to help meet the needs of the growing numbers of older people.
2. Public awareness to be raised about the ageing of Cheshire's population.
3. The Council will encourage other players in the system, including partners and stakeholders, to give a higher priority to Older People and make a more significant contribution.
4. The priorities and the resource allocations of the County Council will be changed during the consideration of the revised Corporate Plan 2006/10 to reflect the impact of demographic change.
5. The Council will seek to spend the money it does have more 'smartly'.
6. The Council will actively promote employment and training opportunities amongst its older workforce.

7. As a major employer of people locally, the Council will offer a proactive and flexible approach to the employment of Older People.

Outcomes

A full report of the Corporate Scrutiny Select Committee was signed off in October 2007, including a clear list of actions with associated lead officers identified. Where possible these actions have been put into place. However, as the majority of the actions are longer term in nature and inextricably linked to LGR, it is more difficult to identify results at this stage.

With this in mind, Alistair suggested that the Scrutiny Review Members could consider whether to circulate the results of the Scrutiny Review Report more formally so that the outcomes can be shared with the two shadow authorities and that they in turn seek to take them into account in their relevant strategies.

This continues to remain a high profile issue both nationally, regionally and indeed at a European level. For example, at regional level the NWDA is currently developing a "Regional Ageing Strategy". There is also a North West European Partnership group on Demographic Change which Cllr Doyle chairs and which is gaining momentum. There may also be funding attached to these developments and therefore it would be useful to understand which action points Members see as priorities and which are likely to continue into the future so that we don't miss opportunities.

15. Tackling Obesity in Cheshire - 22.11.2006

Terms of Reference

- To better understand the impact and implications of obesity on all age groups in Cheshire
- To examine the effectiveness of the various initiatives currently being undertaken by Health, Local Authorities and Partner Agencies
- To make recommendations for improvement.

Recommendations

1. That the proposed County Council Award recognising nurseries and pre schools providing healthy food and promoting healthy lifestyles be supported and promoted widely to encourage the provision of healthy food and the promotion of healthy lifestyles and all appropriate organisations be encouraged to achieve the Award. Consideration should be given to making the award as widespread as possible so that child minders were also eligible to achieve the Award;
2. That each school be encouraged to nominate by the Autumn Term 2007 a Parent Governor to be responsible for promoting healthy lifestyles throughout their school and the Director of Children's Services be recommended to consider holding a Governor's conference on healthy lifestyles to promote this new responsibility;
3. That the recommendations of the scrutiny review on Food in Schools (attached as Appendix A) conducted by the Central Cheshire Local Health Scrutiny Committee be supported and the Panel recommends that these be circulated and adopted throughout Cheshire and that the County Council's Children's Services Scrutiny Select Committee be recommended to review progress in the near future;
4. That when Extended Schools are introduced consideration be given as to how healthy lifestyles can be endorsed through Extended School provision as this may mean some children and young people having the majority of their nutrition provided at schools. The Panel recommends that the nutritional guidelines which apply to school meals should apply to any meal provision made in Extended Schools;
5. That the provision of cookery lessons in secondary schools be supported and Cheshire Members of Parliament and the Local Government Association be urged to lobby the Government to make cookery lessons compulsory for all secondary school children;
6. That County Business Services be urged to support the provision of locally produced food to schools where possible;
7. That the County and Borough Councils and Primary Care Trusts work together to investigate ways in which children can learn about food including its origins through gardening clubs and allotments at school; information on good examples be made available to schools who should be encouraged to share best practice and look at ways to develop gardening opportunities in more urban schools where land is available;

8. That local authorities, health partners and other organisations should work together to look at innovative ways to introduce physical activities into schools to achieve the target of two hours per week as part of the school curriculum, alongside this, consideration also be given to introducing “active playtimes” whereby children are encouraged to spend lunch and break times in active play such as football and skipping;
9. The introduction of data collection regarding children’s weight and height was welcomed. However, it was important that data, once collected, should be analysed and appropriate interventions made once trends were identified to address any issues and adequate resources should be allocated to enable such interventions to take place;
10. That District Councils be urged to consider the provision of free leisure facilities for Looked After Children as a way of enabling them to lead healthier lifestyles. Consideration should be given to introducing a free leisure pass to those children who are eligible for free school meals through a partnership arrangement involving Local Authorities and health;
11. That the Cheshire Members of Parliament and the Local Government Association be urged to lobby the Government to consider the introduction of a range of free activities to all school age children to be made available during the school holidays as a way of addressing the rise in obesity and to ensure that activities are available to all children regardless of families’ income levels;
12. That as the regulation of food advertisements does not appear to be working effectively then Cheshire Members of Parliament and the Local Government Association be urged to lobby the Government to introduce legislation;
13. That Cheshire Members of Parliament and the Local Government Association be urged to lobby the Government to introduce one single comprehensive system of food labelling guidance on all processed foods to reduce confusion and provide clarity;
14. That the County Council’s Children’s Services Scrutiny Select Committee be invited to consider this report to ensure that its recommendations are progressed.

Outcomes

After being endorsed by Council, the Report went to Children’s Services Scrutiny Select Committee on 24 September 2007 when progress on the recommendations was reported by:

- Sue Egersdorff, County Manager – Children and Families, Cheshire County Council;
- Steve Buttrick, County Business Services Officer, Cheshire County Council;
- Julie Webster, Associate Director of Public Health, Western Cheshire PCT;
- Mike Pyrah, Chief Executive Central and Eastern Cheshire PCT: and
- Vale Royal Borough Council.

The Committee recommended that a progress report be submitted in 12 months time.

16. Diabetes Review - 01.12.2004

Terms of Reference

To report on performance in Cheshire on the detection, access to services and prevention elements of the NHS National Service Framework for Diabetes, with particular reference to Type 2 Diabetes.

Recommendations

1. All Local Authorities in Cheshire be encouraged to take every opportunity to draw attention to the risk of developing diabetes and its accompanying complications which arise from unhealthy life-styles and to the personal responsibility which falls upon individuals to reduce those risks.
2. All Cheshire Schools be signed-up and accredited under the Healthy Schools Initiative within two years.
3. The Local Education Authority commend to Cheshire Schools the introduction of joint programmes for pupils, parents and carers on Healthy Eating
4. Firm and consistent guidelines on screening be agreed by the PCTs and Health professionals across Cheshire for implementation without further delay
5. All retail pharmacies in Cheshire consider offering basic blood glucose screening services
6. The Local Optometric Committee be urged to make as much progress as quickly as possible on meeting the NSF targets on digital eye screening and to put in place a strategy for keeping patients and their carers informed as to where and when services will be available
7. The clients of Services provided by the Cheshire Local Authorities be encouraged to take advantage of screening services
8. Diabetes UK leaflets and other relevant literature be issued to all patients upon diagnosis.
9. Information on on-going care management be available in a range of formats.
10. The County Council provide awareness-raising and training to its Care and other appropriate staff in the treatment of diabetic episodes.
11. Patients should be provided with a care plan should they so choose.
12. All patients be issued with a regular supply of Sharps containers.

13. Health-care professionals should accept and dispose of used containers.
14. Clear instructions should be issued to patients and carers on the disposal of Sharps
15. An annual review be available to all those diagnosed with diabetes; primary care services should ensure that basic annual checks are always carried out on time irrespective of whether there are consultant shortages or other problems with outpatient appointments.
16. The annual review cover the areas listed in the Diabetes UK leaflet "What Diabetes Care to Expect".
17. Decisions not to implement National Institute for Clinical Excellence (NICE) guidelines, for what ever reason, be kept under review
18. To ensure consistency in developing both guidelines and practice, a communications network be established by the PCTs for the development of diabetic services across Cheshire
19. A central register of on-going training of Health professionals be maintained in order to identify areas where additional specialist input is needed.
20. PCTs bear in mind the desirability that every General Practice has someone with specialist diabetic training when assessing practices under the new GP contract.
21. The balance of availability of consultants at the three Cheshire Acute Hospitals be addressed immediately.
22. The Cheshire PCTs and Local Authorities be asked to report further in 12 months time on the implementation of the Local Delivery Strategy and progress on effecting changes to lifestyles.

Outcomes

A Review of the Diabetes Action Plan was commissioned by the Health Scrutiny Sub-Committee and a further set of Recommendations was published in March 2006.

Recommendations

1. The Director of Children's Services ensure that Schools be encouraged to attain full National Healthy School Status and that appropriate officer support is available to support schools in this endeavour;
2. the Tackling Obesity Scrutiny Panel continue to monitor the implementation of the National Healthy School Status throughout Cheshire, with particular emphasis on the core theme relating to healthy eating;

3. the Local Pharmaceutical Committee encourage local pharmacies to offer basic blood glucose screening services;
4. Cheshire West and Ellesmere Port and Neston PCTs be urged to reconsider their decision not to fund the revenue costs of the new digital camera based screening scheme;
5. the County Care Manager be asked to report back to the County Health Scrutiny Sub-Committee on progress which will ensure that the Clients of Services provided by the County Council be encouraged to take advantage of screening services and as part of facilitating this, awareness raising and training be provided to Care and other appropriate staff in the management of diabetic episodes;
6. PCTs ensure that the literature issued to all patients upon diagnosis is standardised across all PCTs and covers all areas listed in the "Diabetes UK" Literature;
7. PCTs be encouraged to adopt as best practice the handheld care record system as operated within Eastern Cheshire;
8. all PCTs ensure that at the point of diagnosis all patients are given clear instructions for the disposal of any sharp items and health care professionals accept and dispose of used containers - and accordingly Central and Eastern Cheshire PCTs be urged to adopt the procedures for Sharps Disposal as operating within West Cheshire for immediate implementation, specifically ensuring that at the point of prescription patients are asked whether they require a Sharps container (as opposed to relying on the patient to request one);
9. all PCTs throughout Cheshire move as quickly as possible to having at least one clinician who has undertaken Specialist Diabetic Training in each GP practice;
10. PCTs address as a priority the imbalance in Consultant cover across Cheshire to ensure equitable service provision;
11. PCTs ensure that clear communications systems exist to enable patients with routine queries about their care to receive advice from an appropriate specialist within a short timescale and that all patients are clear at the point of diagnosis on how to access such advice;
12. the Meals on Wheels service be encouraged to make clients aware of the low calorie alternatives available; and
13. the County Health Scrutiny Sub-Committee monitor the implementation of these recommendations alongside the recommendations arising out of the work of the Tackling Obesity Scrutiny Panel when it reports in Summer 2006.

Outcomes

There have been no further outcomes reported since March 2006.

17. Community Support Centres - 23.01.08

Terms of Reference

To receive the results of consultation, interview appropriate witnesses and report to the County Health and Adult Social Care Scrutiny Select Committee with a recommended Scrutiny commentary on the proposed changes to Residential Short Stay and Day Services for Older People to be considered by the Executive before decisions are taken.

Recommendations

That the Executive be recommended:

1. to take note and to respond to the Scrutiny findings and conclusions.
2. to give an assurance that within the life of this Council, all capital receipts accruing from the implementation of the strategy be ring-fenced to the Older People's Budget
3. that the attention of the new Unitary Authorities be brought at the earliest possible time to the outcome of the consultation, the implementation strategy and the challenges for the provision of Social Care Services for the Elderly in Cheshire.
4. that if a decision is taken to proceed with phasing, to invite the Health and Adult Social Care Scrutiny Select Committee to monitor the implementation of the Year 1 proposal.
5. to inform all consultees of its decision on this matter and the reasons therefore as soon as possible.
6. to require a corporate approach to consultation to be implemented across all Service areas.

Outcomes

The closure proposals, the preparatory work and scrutiny reports be passed to the Joint Implementation Committees required by the Structural Change Order for their consideration and no closure decisions be made by the County Council at this stage but the implementation of the strategy be recommended to the developing, and any new, Local Government bodies.

18. Transforming Learning Communities - 15.05.08

Terms of Reference

To assess whether the TLC process is addressing the issue of surplus school places; and, by reference to selected case studies, to review and report on the consultation process undertaken to date on TLC proposals so that lessons learned may be applied across the Council's activities in the future.

Recommendations

The following options to be considered by politicians and managers with strategic responsibilities in the area post LGR:

1. The Directors of Children's Services should be asked to develop clear rural schools and small schools policies, including criteria to assess the genuine community value of a small school (ie if fewer than 50% of its pupils on roll are from the local community then it is not local) as well as specifying a minimum viable size in educational terms for rural and urban schools respectively. These will provide a strategic objective framework for future decisions; they will not be prescriptive in their own right.
2. The Directors of Children's Services should be asked to develop a guidance note for Members on the role of federation in achieving structural transformation of education and reducing surplus places as a first step leading towards two schools amalgamating or one closing. Decisions to federate schools should be subsequently reviewed to verify that the anticipated benefits are being realised. If no changes are taking place then the Council should formally reconsider amalgamation or closure as an option.
3. Lead Members for Children, Directors of Children's Services and their Schools Forums should consider a fundamental review of LMS (school funding) formulas to consider the operation and sizes of small school allowances and whether these continue to deliver educational benefits appropriate to local needs and objectives.
4. Lead Members for Children and Directors of Children's Services to develop future school organisation reviews taking account of the issues that the Panel has identified in relation to consultation in section 5.7 of the report and decision making. The Panel's advice is that a four stage approach should be considered as follows:
 - Share the problem and invite local solutions – then consult;
 - Develop a strategic vision and plan for a locality and then formally consult on it;
 - Issue Public Notices that are required as part of the local plan and take these final decisions as necessary;
 - Take the final decision on the whole set of proposals for the locality.
5. Project Closure Reports should be compiled and published for each locality review in order to capture and publicise the full range of benefits that have been achieved, including:
 - ECM transformational changes (ie new Children's Centres);
 - Closures and amalgamations;

- Number of surplus places removed;
 - How much money has been reinvested locally.
6. Council Leaders, Members and Legal Officers to take account of the decision making issues raised in section 3 of the report (especially 3.9) when developing governance arrangements, political structures and Constitutions for the new authorities.

19. Community First Responders - 28.10.08

Terms of Reference

To investigate and report upon the need for, and potential impact of, the changes proposed by NWS to the operation of Community First Responder (CFR) Schemes in Cheshire, taking into account the latest available information on NWS's performance in Cheshire, recruitment/training/retention of volunteers and the effectiveness of NWS's communications strategies.

Recommendations

1. NWS, having redefined the role of, and governance arrangements for supporting CFRs, discuss with the Cheshire Association of Local Councils as a matter of urgency the target areas for CFR Schemes in Cheshire, the means of identifying/making use of pre-existing skills within local communities, and the provision of ongoing support;
2. NWS progress as soon as possible the discussions with PCTs and other Emergency Services on the development of CFR+ and Co-Responders Schemes;
3. NWS review its internal governance arrangements for reporting to its Board proposed service changes;
4. NWS review the criteria underpinning its consultation/communications strategy, particularly its relationships with OSCs;
5. NWS provide monitoring reports (initially quarterly) to the Cheshire OSC and its successors in Cheshire West and Chester and Cheshire East on response time performance, particularly in those areas operating a CFR Scheme;
6. The Department of Health consider what further measures can reasonably be put in place to ensure that response time targets for Ambulance Services take account of local as well as regional performance; and
7. The Healthcare Commission ensure through its Annual Health Check process that all Ambulance Services keep under review the effectiveness of and governance arrangements for CFR Schemes.

CHESHIRE EAST

SCRUTINY COMMITTEE

Date of meeting: 15 December 2009
Report of: Interim Monitoring Officer
Title: Scrutiny Procedure Rules

Purpose of Report

- 1.1 For the Committee to consider the draft Scrutiny Procedure Rules which will apply with effect from 1 April 2009.

2.0 Decision Required

- 2.1 That, having considered the issues raised in this report, the Committee make recommendations upon the Scrutiny Procedure Rules which will take effect on 1st April 2009.

3.0 Financial Implications for Transition Costs

- 3.1 There are no implications for Transition Costs.

4.0 Financial Implications 2009/10 and beyond

- 4.1 There are no financial implications 2009/10 and beyond.

5.0 Legal Implications

- 5.1 The legal implications are taken into account in the body of this report.

6.0 Risk Assessment

- 6.1 As the recommended model of Procedure Rules largely follows the Modular Constitution format prepared by the Government Department, taking on board tried and tested provisions of Rules in use across Cheshire, no identifiable risks arise.

7.0 Background

- 7.1 The Council has adopted a Constitution, including Procedure Rules, which govern the way in which its Council meetings, Committees, Sub-Committees and Cabinet operate during the Council period.

- 7.2 These are currently in use and, with the exception of a small number of changes which have been considered by Members, have served the Council well.
- 7.3 Whilst the existing Constitution has been in operation since the Council came into being, this was prepared to serve the needs of the limited functions for which it was responsible. However, the Council will need to adopt a Constitution which will take effect on 1st April 2009 and which will serve the purposes of a unitary local authority.
- 7.4 The adoption of a new Constitution is therefore an opportunity for Members to consider whether the current Scrutiny Procedure Rules contain satisfactory provisions.
- 7.5 Attached to this report as Appendix B are the current Rules, containing minor amendments e.g removal of references to "Council" and "Interim Monitoring Officer".
- 7.6 Appendix A is a schedule of key issues identified by officers by way of a reminder of key provisions of the Rules.

8.0 Conclusions and Recommendation

- 8.1 The Committee is asked to give consideration to the issues raised in the schedule at Appendix A and to provide direction to officers upon the provisions which should be included in the Rules which will form part of the Constitution from 1st April 2009.

For further information:

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Background Documents:

- ***Cheshire East Council Constitution***
- ***Government Department Modular Constitution***
- ***Cheshire local authorities' constitutions***

Appendix A

Page/ref	Issue	Comment
Pg 5 / R 2.2	Task and Finish Panels	Scrutiny Committees may appoint such Panels
Pg 6 / R 2.10	Scrutiny structure	Any expansion of the Scrutiny Committee structure will need to be reflected in the drafting
Pg 7 / R 4.3	Scrutiny Work Programme	The approved Scrutiny Work Programme is to be provided to all Members of the Council
Pg 7 / R 5.2	Scrutiny Member rights	Any Scrutiny Member may require that an item appear on the Committee's agenda
Pg 7 / R 5.3	Cabinet Member rights	Any Cabinet Member may require that an item appear on the Committee's agenda
Pg 8 / R 5.4	Council Member rights	Any Council Member may request that an item appear on the Committee's agenda
Pg 8 / R 6.2	Policy Development	Scrutiny Committees have a role in developing policy. This role needs to be developed and reflected in the Policy and Planning Framework. Scrutiny Committees may involve themselves in the development of policy which is not strictly part of the Policy and Planning Framework, so long as policy falls within their remit.
Pg 8 / R 6.3 & 4	Powers of Scrutiny Committees	In carrying out their work, they may hold enquiries, appoint specialists to assist them, visit sites, conduct public surveys, hold public meetings, commission etc. They may call witnesses on any matter under consideration and may pay specialists and witnesses for doing so within budgetary provision.
Pg 8 / R 7	Scrutiny reports to Council/ Cabinet	Such reports are to be considered at the next appropriate meeting.
Pg 9 / R 10	Officer and Member attendance at Committee meetings	Scrutiny Committees may require officers (with the agreement of the Chief Executive) and Cabinet Members to attend meetings.
Pg 10 / R 11	Other attendance at	Individuals may be invited to

	meetings	attend meetings to discuss issues of local concern/ answer questions.
Pg 10 / R 12.1	Call-in (application to decisions)	Call-in applies to all executive decisions, including those which may be taken under delegated powers
Pg 10 / R 12.2	Call-in (decisions not to take effect)	Executive decisions not to take effect until 5 working days have elapsed from publication
Pg 10 / R 12.3	Call-in (number of Members required)	Call-in is triggered by any 8 Members of the Council
Pg 11 / R 12.8	Call-in (advice to decision-maker)	Scrutiny Committees may offer advice to the Cabinet but cabinet is not bound to accept such advice (note that, where referred-up for reconsideration, Cabinet performs this role).
Pg 11 & 12 / R 13	Call-in (urgency)	Call-in is suspended where delay caused by the call-in process would seriously prejudice the Council's or the public's interests. The Chairman of the appropriate committee must agree the reasons for urgency. All Members will be notified where such agreement is reached.
Pg 12 / R 14	Party Whip	General assumption that there will be no Whip in respect of scrutiny matters but, where it applies, there is a requirement for disclosure.
Pg 13 / R 16	Where a scrutiny matter falls within the remit of more than one Committee	The matter will be resolved by the relevant Committee Chairmen and Vice Chairmen.

Appendix B

SCRUTINY PROCEDURE RULES

1 Scrutiny Arrangements

- 1.1 The Council has established Scrutiny arrangements in accordance with the Local Government Act 2000.
- 1.2 It is recognised that these arrangements are an important and integral part of the Council's functions, not only in relation to calling the Cabinet to account but in allowing all Members of the Council to participate in the development of the Council's policies, plans and strategies, including budgetary work, and to contribute to decision making in the Council, and to work with partners in developing services and improving outcomes for local people.
- 1.3 The role of the Council in scrutinising other public bodies such as the National Health Service is recognised and the Council's arrangements reflect these statutory responsibilities.
- 1.4 The Council's political structure seeks to provide a wide-ranging, robust and well managed Scrutiny function with particular emphasis on ensuring that the Council and its successors can meet obligations and deliver services effectively and as efficiently as possible to its citizens. The monitoring, reviewing and developing of the Council's policies, plans and strategies is also recognised as a key and important function for the authority on both the Cabinet and Scrutiny sides of the organisation.
- 1.5 The Council will keep under review its Scrutiny arrangements and will make changes where it considers these are appropriate and will lead to improvements and an improved Scrutiny function.

2 Scrutiny Structure

- 2.1 Subject to any matters reserved to the Council, the Scrutiny Committees will oversee the discharge of the Council's Scrutiny functions and responsibilities. The detailed responsibilities of the Committees are set out in Part 3 of this Constitution.
- 2.2 The Committees may appoint such task and finish panels as they consider appropriate to undertake specific tasks on their behalf, with the same powers as those Committees. Whilst these will be on a task and finish basis in most cases, the Committees are not precluded from establishing such Panels on a more permanent basis subject to regular

review. Task and finish panel members do not have to be members of the Scrutiny Committees, but may not be members of the Cabinet.

- 2.3 Where the Committees establish any Panel under 2.2 above, they will set out the name of the Panel, its membership (including the Chairman and, if appropriate, the Vice-Chairman) and the terms of reference including relevant dates for completion of the task or review.
- 2.4 The Council may from time to time, as it considers appropriate, review and change its Scrutiny arrangements.
- 2.5 The functions of the Council's Scrutiny Committees are set out in detail in Part 3 of this Constitution.
- 2.6 Any body established under these Scrutiny arrangements will be a politically proportionate body reflecting the overall political representation on the Council.
- 2.7 The Council will appoint the Chairman and Vice-Chairman of the Scrutiny Committees at its Annual meeting.
- 2.8 A Member who is appointed to and sits on the Cabinet shall not be appointed as a Member of any Scrutiny Committee, or any task and finish panel.
- 2.9 No Member of the Council shall be involved in scrutinising a decision where he/she has been directly involved.
- 2.10 The Council has appointed the following Scrutiny Committees:

[Insert details of the appointed Committees as further details emerge]

3 Co-option

- 3.1 There are four statutory co-optees in respect of the Council's Education function as follows:
 - A Church of England Diocese representative
 - A Roman Catholic Diocese representative
 - Two parent governor representatives
- 3.2 The statutory co-optees will be voting members of the **[appropriate]** Scrutiny Committee. They will be invited to attend other Scrutiny Committee meetings (excluding Full Council) where Children's Services matters are under consideration, subject to any exclusions in law or statutory guidance.
- 3.3 At those other bodies to which they have not been appointed, they shall be entitled only to speak on matters relating to Children's

Services issues. They may speak on other issues only with the consent of the Chairman.

The Scrutiny Committees shall be entitled to appoint persons to be non-voting co-optees taking into account any advice or guidelines issued from time to time by the Council. Such co-options may relate to a prescribed period of office or to specific issues under consideration. Any person co-opted under these arrangements will be entitled to participate fully in the work of the Committees subject to any conflicts of interests.

4 Work Programme

- 4.1 The Scrutiny Committees will consult with other parts of the organisation as appropriate, including the Cabinet, on the preparation of any work programme.
- 4.2 The Committees will take into account any views expressed following consultation under 4.1 above in drawing-up and agreeing any work programme. It should also take into account the resources, both officer and financial, available to support its proposals.
- 4.3 Once any programme has been approved, a copy will be sent to all Members of the Council and all relevant officers.
- 4.4 The Scrutiny Committees shall respond, as soon as they may consider it is possible to do so, to requests from the Council and the Cabinet, to review particular areas of Council activities. Where they do so, they will report their findings and any recommendations back to the Cabinet and/or Council.

5 Agenda for Scrutiny Committees

- 5.1 Matters to be considered will be set out in an Agenda, together with appropriate and relevant supporting papers.
- 5.2 Any Member of a Scrutiny Committee shall be entitled to require, in writing, that an item be included on the agenda, and such item shall appear on the agenda for the next meeting of the Committee in question. The Committee will decide how the item should be considered and whether or not it can be included in its work programme.
- 5.3 Similarly, the Leader of the Council or a Cabinet Member with specific portfolio responsibilities may give notice in writing requiring an item to appear on an agenda of a Scrutiny Committee, relating to their area of responsibilities. The Committee will decide how the item should be considered and whether or not it can be included in its work programme.

- 5.4 Subject to Council Procedure Rule 34 and Appendix 6 of the Council Procedure Rules, any other Member may give notice in writing to the Monitoring Officer, requesting an item to appear on an agenda of a Scrutiny Committee. The item shall be included after consulting the Chairman of the Committee.
- 5.5 Any Member raising an item under 5.2, 5.3 and 5.4 above shall be precluded from raising the matter again for a period of six months from the date it is considered by the Committee in question.

6 Policy Review and Development

- 6.1 The Scrutiny Committees have a key role in policy and budget development.
- 6.2 The Budget and Policy Planning Framework contains details of the process by which the Scrutiny Committees may perform that role.
- 6.3 In relation to the development of the Council's approach to other matters not forming part of its Policy and Planning and Budget Framework, the Scrutiny Committees may make proposals to the Cabinet for developments in so far as they relate to matters within their terms of reference.
- 6.4 Scrutiny Committees may hold enquiries and investigate options for future direction in policy development and may appoint specialists to assist them in this process. They may visit sites, conduct public surveys, hold public meetings, commission research and undertake such other things they consider reasonable and necessary to inform their deliberations. They may call witnesses on any matter under consideration and may pay to any specialists and witnesses a reasonable fee and expenses for doing so within budgetary provision.

7 Reports from the Scrutiny Committees

- 7.1 The Council or Cabinet (as appropriate) shall consider any report from the Committees at its next programmed meeting.

8 Access to the Forward Plan

- 8.1 The Scrutiny Committees will have access to the Cabinet's Forward Plan and timetable for decisions and intentions for consultation.

9 Rights of Scrutiny Members to documents

- 9.1 In addition to their rights as Councillors, Members of Scrutiny Committees have the additional right of access to documents, and to

notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

- 9.2 Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Scrutiny Committees depending on the particular matter under consideration.

10 Members and Officers giving account

- 10.1 The Scrutiny Committees may scrutinise and review decisions made or actions taken in connection with the discharge of any Council function. As well as reviewing the documentation, in fulfilling its scrutiny role, it may require any Member of the Cabinet, to attend before it to explain in relation to matters within their remit:

- any particular decision or series of decisions;
- the extent to which the actions taken implement Council policy; and/or
- their performance.

and it is the duty of those persons to attend if so required.

- 10.2 Where any Scrutiny Committee requires an officer to attend to answer questions or discuss issues, this will be agreed with the Chief Executive.

Where it is agreed that an officer should appear to answer questions, their evidence should, as far as possible, be confined to questions of fact and explanation relating to policies and decisions. Officers may explain:-

- what the policies are;
- the justification and objectives of those policies as the Cabinet sees them;
- the extent to which those objectives have been met; and
- how administrative factors may have affected both the choice of policy measures and the manner of their implementation.

- 10.3 Officers may be asked to explain and justify advice they have given prior to executive decisions being taken. They may also be asked to explain and justify executive decisions they have taken under delegated powers.
- 10.4 Officers should not be expected and should avoid being drawn into discussions of politically contentious matters and any officer input should be consistent with the requirements for political impartiality.
- 10.5 The requirements of any protocols on Member/Officer relationships and the Officer Code of Conduct must be adhered to where an officer is attending the Scrutiny Committees.

- 10.6 Where any Member or Officer is required to attend a Scrutiny Committee under this provision, the Chairman of that Committee will inform the Monitoring Officer, who will inform the Member or Officer in writing giving, at least ten clear working days notice of the meeting. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the Member or Officer concerned will be given reasonable and sufficient notice to allow for its preparation.
- 10.7 Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Committee shall, in consultation with the Member or Officer, arrange an alternative date for attendance.

11 Attendance by others

- 11.1 The Scrutiny Committees may invite individuals other than those referred to in paragraph 10.1 and 10.2 above to address it, discuss issues of local concern and/or answer questions.

12 Call-in

- 12.1 When a decision is made by the Cabinet, or a Committees or Sub-Committees of the Cabinet, by an individual Cabinet Member, or when a key decision is made by an officer with delegated authority from the Cabinet, the decision shall be published, by electronic means, and shall be available at the main offices of the Council normally within 2 clear working days of being made. All Members of the Council will be sent an electronic record of all such decisions within the same timescale.
- 12.2 Subject to paragraphs 12.3 and 12.4 below a decision taken and to which paragraph 12.1 above refers will not come into force, and may not be implemented, until the expiry of 5 clear working days after the decision was made and recorded.
- 12.3 Where a decision referred to in paragraph 12.1 has been made, any 8 or more Members of the Council may submit a call-in notice, in writing, within the period specified in paragraph 12.2 above, to the Monitoring Officer. Where the notice is valid, the decision cannot be implemented until the procedures in this section have been followed. Where a valid notice is received the decision shall stand referred to the appropriate Scrutiny Committee for advice.
- 12.4 Where as a result of a corporate electronic system failure or planned shutdown, which prevents the issuing of or access to Cabinet decisions or the submission of a call-in notice by electronic means in accordance

with the Council's call-in provisions, the periods for notification or submission shall be extended by the period of delay, provided that period is in excess of four hours. When, in the opinion of the Monitoring Officer, the period of delay is likely to extend beyond two clear working days, he/she shall agree with the Chairman of the appropriate Scrutiny Committee, alternative arrangements to avoid any delay in implementing Cabinet decisions not subject to "call-in".

- 12.5 The decision will be referred to the first available meeting of the appropriate Scrutiny Committee, subject to the Access to Information Procedure Rules.
- 12.6 The Committee may decide to offer no advice, in which case the decision may be implemented. Where advice is offered, the Cabinet will reconsider the decision as set out in paragraph 12.8 below.
- 12.7 Once the Scrutiny Committees has decided to offer advice or not to offer advice, no further call-in notices may be served in respect of that matter subject to the decision in question. This does not prevent the matter being scrutinised further by the appropriate Committee after the decision has been implemented in accordance with these rules.
- 12.8 Where a matter is considered and advice is offered by a Scrutiny Committee, its advice will be submitted to the Cabinet for a decision to be made on the matter. The Cabinet shall consider the advice but shall not be bound to accept it in whole or in part. It shall have sole discretion to decide on any further action to be taken in relation to the decisions in question, including confirming with or without amendment, of the original decision or deferment pending further consideration, or making a different decision. There are no further rights to enable a Member of the Council to submit a call-in notice. The decision may then be implemented.
- 12.9 If under this procedure the Scrutiny Committee, having considered the matter, indicates that it does not wish to offer any advice to the Cabinet, then the decision can be implemented immediately.
- 12.10 A submitted call-in notice can only be withdrawn with the written consent of all of its signatories.
- 12.11 The "call-in" facility does not apply to the determination of a Motion under Standing Order 12 (Notices of Motion) – Appendix 2.

13 Call-in and Urgency

- 13.1 The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay, caused by the call-in process, would be likely to seriously prejudice the Council's or the public's interests. The Chairman of the appropriate Scrutiny committee or, in his/her absence, the Chairman of

the Council must agree that the decision should be treated as urgent, and that the call-in procedure should not apply. In the absence of the Chairman, the Vice-Chairman's consent shall be required. In the absence of both, the Chief Executive or her nominee's consent shall be required. Where such agreement is reached, all Members of the Council shall be notified by electronic means.

14 The Party Whip

- 14.1 It is generally accepted that the Party Whip should be suspended in respect of Scrutiny matters. However, when considering any matter in respect of which a Member of the Scrutiny Committees is subject to a formal party whip, the Member must declare the existence of the Whip, and the nature of it before the commencement of the Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the Minutes of the meeting.

15 Procedure at Scrutiny Committees Meetings

- 15.1 Scrutiny Committees shall consider the following business:
- record of the last meeting;
 - consideration of any matter referred to the Committee by the Council or by the Cabinet;
 - consideration of any matter referred to the Committees for advice in relation to call-in or a decision;
 - responses of the Cabinet on reports of the Scrutiny Committees; and
 - the business otherwise set out on the agenda for the meeting.
- 15.2 Where a Scrutiny Committee conducts investigations (e.g. with a view to policy development), it may also ask people to attend to give evidence at its meetings, which are to be conducted in accordance with the following principles:
- the investigation is to be conducted fairly and all Members of the Committees are to be given the opportunity to ask questions of attendees, and to contribute and speak;
 - those assisting the Committees by giving evidence are to be treated with respect and courtesy; and
 - the investigation to be conducted so as to maximise the efficiency of the investigation or analysis.
- 15.3 Following any investigation or review, the Committee shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall, unless there are exceptional reasons, make its report and findings public.

16 Matters within the remit of more than one Scrutiny Committee

- 16.1 Where a matter before a Scrutiny Committee also falls within the remit of one or more Scrutiny Committee, the decision as to which body will consider it, including any arrangements for joint working or sharing information, will be resolved by the Chairmen and Vice Chairmen of the Scrutiny Committees concerned.

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