

## Overview and Scrutiny Performance Board

### Wednesday, 18 January 2017, County Hall, Worcester - 2.00 pm

		<b>Minutes</b>
<b>Present:</b>		Mr R M Udall (Chairman), Mrs E A Eyre (Vice Chairman), Mr A T Amos, Mr C B Taylor, Mr P A Tuthill and Mr T A L Wells
<b>Also attended:</b>		Mr A C Roberts, Cabinet Member with Responsibility for Transformation and Commissioning Mrs E B Tucker Sandy Bannister (Corporate Equality and Diversity Manager), Simon Mallinson (Head of Legal and Democratic Services) and Samantha Morris (Overview and Scrutiny Officer)
<b>Available Papers</b>		The members had before them:  A. The Agenda papers (previously circulated);  B. Presentation Equalities and Diversity – Update (circulated at the meeting)  C. The Minutes of the meeting held on 12 and 21 October 2016 (previously circulated).  Copies of documents A and B will be attached to the signed Minutes.
<b>958</b>	<b>Apologies and Welcome</b>	Apologies were received from Cllr C Bloore.
<b>959</b>	<b>Declaration of Interest and of any Party Whip</b>	None.
<b>960</b>	<b>Public Participation</b>	None.
<b>961</b>	<b>Confirmation of the Minutes of Previous</b>	The Minutes of the Meetings held on 12 and 21 October 2016 were agreed as a correct record and signed by the Chairman.

## Meetings

### 962 Equalities and Diversity - Update

The Cabinet Member with Responsibility (CMR) for Transformation and Commissioning and the Corporate Equality and Diversity Manager had been invited to provide an update on the progress made against the recommendations made following the Equalities and Diversity discussion at the Overview and Scrutiny Performance Board (OSPB) on 23 June 2016 (attached at Appendix 1 in the Agenda).

A presentation was made, which summarised the progress against the recommendations:

#### *Quick wins*

- Minor amendments had been made to the Corporate Plan to ensure that the General Equality Duties and the Corporate Equality objectives were fully aligned with the Corporate Plan priorities.
- In order to encourage a County wide approach to the Public Sector Equality Duties, the Equalities and Diversity Report from 23 June had been shared with District Councils, but there had been little response.
- In terms of holding the CMR to account for the Council's Statutory Equality Duties, this happened through the work of the OSPB and Scrutiny Panels and would also happen through reporting against revised Equality objectives (once developed and endorsed).
- Progress had been made to ensure that equality and diversity was embedded into scrutiny's quality assurance approach. In addition, ethnicity and disability data was being requested as part of comments and complaints reporting and equality and diversity would be included as part of the 2017 Member Induction.

#### *Medium term*

- Improving engagement with hard to reach groups had started to happen at Directorate level, through the development of a Corporate approach to ongoing engagement and would also be explored as part of the Member induction process.
- Gender Pay Gap Regulations had recently been introduced requiring the Council to address whether a gender pay gap existed – Human Resources were carrying out an analysis of the situation.
- The Vice Chairman of the Board advised that when reporting on commissioning outcomes, it would be important to put in place a process to identify how equality and diversity was

approached and assess the quality of that approach.

*Longer term*

- Economic and social deprivation issues were being addressed by the Connecting Families Programme and increased partnership working between health and social care.
- Further consideration was required in respect of equality of access to services including education, bus services, rural spend, mobile services, broadband services and social isolation in terms of the development of the local duty to join up Directorates' strategies.
- There was awareness across the public sector and Voluntary and Community Sector (VCS) that there needed to be a more co-ordinated approach in respect of disability employment and funding bids were being submitted to facilitate this.

During the discussion, the following main points were made

- The problems associated with economic and social deprivation were challenging, the Connecting Families Pilot in Redditch had proved to be a success and there were plans to roll this out across the County.
- It was important to drill down into the causes of a particular inequality rather than try to address the symptoms.
- In response to the concern about the length of time being taken by Human Resources to analyse the Council's position with regard to the Gender Pay Gap Regulations, the Corporate Equality and Diversity Manager agreed to check the timescale for this.
- It was suggested that the gypsy and traveller communities may struggle to get equality of access to education for their children, this was a concern nationally also.
- Although rural isolation in terms of equality of access to services was of concern to the Council, it wasn't a protected characteristic in terms of the Public Sector Equality Duty.
- In terms of encouraging a County wide approach to the Public Sector Equality Duties, although the Board had been advised that there had been little response from District Councils to the Equalities and Diversity Report from 23 June OSPB, it was suggested that this did not necessarily indicate a

**963 Draft Update Report: Footways Scrutiny Task Group**

lack of interest - the Corporate Equality and Diversity Manager agreed to provide the Board with the details of the District Council responses received.

- It was suggested that the induction process for members following the May 2017 elections should include:
  - Role of the member as community leader
  - Equalities and diversity
  - Public Sector Equality Duty and the implications for carrying out the duties of a councillor
- It was also commented that members may find it useful to have training for participation in debates and profile information of constituents by division.
- The following issues were also suggested for the 2017/18 Work Programme:
  - Disability/SEN employment – Adult Care and Well-being Overview and Scrutiny Panel
  - Transition from Children's Services to Adult Services
  - Rural isolation and access to services
  - Economic and social deprivation and access to services.

The Board was asked to consider and approve the draft Update Report of the Footways Scrutiny Task Group.

In a notice of motion agreed at Council in November 2014, Council recognised the importance of walking as part of a healthy lifestyle and that in addition safe footways were especially important for the elderly to access local shops and services. At the time, there were concerns that the county's footways revenue budget of £800,000 in 2014/15 and beyond would be inadequate to maintain footways and that the inspection criteria was insufficiently rigorous to identify where the surface was unsafe for less able walkers.

As a result of the concerns expressed by Council and the Budget Scrutiny Task Group, a proposal for a Scrutiny Task Group to examine in detail the issue of Footways was approved on 8 June 2015.

Unfortunately due to matters arising, the review failed to reach a consensus over the content of the final report from the Task Group. It was therefore agreed that the Task Group would present an update report to OSPB at

the earliest opportunity.

Councillor Tuthill explained how he had taken the lead of the Task Group part way through the Scrutiny and felt disappointed with how the process had been concluded, including the attendance of the Chairman of OSPB at the final Task Group Meeting. He had prepared an alternative Report, which was not ready at present.

During the discussion the following main points were made:

- The Chairman of the Board pointed out that although his attendance at the final meeting of the Task Group had not been considered necessary by the Lead Member of the Task Group, he thought that his input was necessary to assist with establishing a way forward given the discontent amongst the Task Group.
- There was support for Recommendation 5 - The Council should exercise its existing policy to impose fines on Utility Companies at every opportunity, when they do not repair footways as required within the set timescale.
- It was disappointing that a consensus had not been reached and the Scrutiny had not progressed to a full Scrutiny Task Group Report, as it was a lost opportunity.
- Recommendation 6 should include reference to how footways were identified for repair and how the County Council ensured quality assurance and value for money when repairing footways.
- The point was also reiterated about the benefit of local member knowledge when identifying footways for repair.
- However, there was consensus support at OSPB for the update report to be sent to Cabinet.

It was agreed that subject to the amendment to Recommendation 6, the Report should be sent to 2 February 2017 Cabinet for consideration.

**964 Member Update  
and Cabinet  
Forward Plan**

Adult Care and Well-being Overview and Scrutiny Panel

The Panel Chairman highlighted that the Panel had last met in November to discuss the development of the 2017/18 budget with the Cabinet Member with responsibility for Adult Social Care and the Director of Adult Services and the budget challenges facing services in 2017/18. The Panel recognised that the nature of the service meant that it was not possible to simply turn off

the tap at the end of the year when there was a need to continue providing services. It was a demand led service, with infinite demand but finite funding. Panel Members understood that the Directorate relied on reserves, but it was not clear how and when these reserves were replenished.

As in previous years, the CMR and Director have not claimed that the Directorate was a special case and have taken their share of Council-wide cuts. This has meant a seismic reduction in the budget over several years. At the same time the Directorate had attempted to improve outcomes, rather than doing the same with less money. However, it was not always clear whether the driver for change was service improvement or reductions in funding.

#### Economy & Environment Overview and Scrutiny Panel

At its meeting on 20 January 2017, the Panel were discussing the draft Local Transport Plan (LTP4) 2017 – 2030 for Worcestershire, which was currently undergoing public consultation. The Board felt it was too early to scrutinise the Plan, however, it would be worthwhile concentrating on the Consultation process.

#### Corporate and Communities Overview and Scrutiny Panel

At its next meeting the Panel were discussing how the County Council could support local businesses in terms of the Social Value Act and locally procured services.

#### Quality Assurance

All Panel Chairmen were asked to prepare an update to demonstrate how Panels had been ensuring that Quality Assurance was incorporated into all scrutiny.

The Vice-Chairman of the Board, who had a specific remit in this area reminded members that they needed to have a good grasp of the subject matter and adopt more flexible ways of working when gathering information. Reference was made to the 17 March 2016 OSPB, where guidelines for which specific Directorate information to request were provided to Panel Chairmen to assist with the quality assurance role.

Although the Chairman of HOSC had left the meeting before the discussion, he had via the Scrutiny Officer advised that HOSC was unique in that it principally

scrutinised outside organisations not within the control or budget of the County Council. Therefore, quality assurance was, by definition, an integral part of everything it did and that there was nothing specific or separate that could be reported on.

County Council Meetings

In response to the concern expressed by a Member about the length and productivity of meetings of the County Council and whether a scrutiny could be carried out, the Board were advised that there was a cross-party Member Development Group looking into this area which could be fed into or the OSPB could discuss the findings when the Report was complete.

Forward Plan

The Forward Plan was updated after the Agenda despatch with a new entry for 2 February 2017 Cabinet - 'Ofsted Report (Children, Families and Communities). The Board were advised that the Children and Families Overview and Scrutiny Panel were looking at this issue on 27 January.

The meeting ended at 4.30 pm

Chairman .....