

Agenda

Overview and Scrutiny Performance Board

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

All County Councillors are invited to attend and participate

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اردو۔ اگر آپ اس دستاویز کی مضمولات کو سمجھنے سے قاصر ہیں اور کسی ایسے شخص تک آپ کی رسائی نہیں ہے جو آپ کے لئے اس کا ترجمہ کر سکے تو، براہ کرم مدد کے لئے 01905 765765 پر رابطہ کریں۔ (Urdu)

كوردی سۆزانی. نەگەر نەتوانی تێبیگی له ناوچە زکی نەم بەلگهیە و دەستت بە هیچ کەس نەگات کە و ههیهگێزێتوه بۆت، تەکنیه تەلفۆن بکە بۆ ژمارهی 01905 765765 و داوای رێنۆینی بکە. (Kurdish)

ਪੰਜਾਬੀ। ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਮਸ਼ਹੂਨ ਸਮਝ ਨਹੀਂ ਸਕਦੇ ਅਤੇ ਕਿਸੇ ਅਜਿਹੇ ਵਿਅਕਤੀ ਤੱਕ ਪਹੁੰਚ ਨਹੀਂ ਹੋ, ਜੋ ਇਸਦਾ ਤੁਹਾਡੇ ਲਈ ਅਨੁਵਾਦ ਕਰ ਸਕੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਮਦਦ ਲਈ 01905 765765 'ਤੇ ਫ਼ੋਨ ਕਰੋ। (Punjabi)

DISCLOSING INTERESTS

There are now 2 types of interests:
'Disclosable pecuniary interests' and **'other disclosable interests'**

WHAT IS A 'DISCLOSABLE PECUNIARY INTEREST' (DPI)?

- Any **employment**, office, trade or vocation carried on for profit or gain
- **Sponsorship** by a 3rd party of your member or election expenses
- Any **contract** for goods, services or works between the Council and you, a firm where you are a partner/director, or company in which you hold shares
- Interests in **land** in Worcestershire (including licence to occupy for a month or longer)
- **Shares** etc (with either a total nominal value above £25,000 or 1% of the total issued share capital) in companies with a place of business or land in Worcestershire.

NB Your DPIs include the interests of your spouse/partner as well as you

WHAT MUST I DO WITH A DPI?

- **Register** it within 28 days and
- **Declare** it where you have a DPI in a matter at a particular meeting
 - you must **not participate** and you **must withdraw**.

NB It is a criminal offence to participate in matters in which you have a DPI

WHAT ABOUT 'OTHER DISCLOSABLE INTERESTS'?

- No need to register them but
- You must **declare** them at a particular meeting where:
You/your family/person or body with whom you are associated have a **pecuniary interest** in or **close connection** with the matter under discussion.

WHAT ABOUT MEMBERSHIP OF ANOTHER AUTHORITY OR PUBLIC BODY?

You will not normally even need to declare this as an interest. The only exception is where the conflict of interest is so significant it is seen as likely to prejudice your judgement of the public interest.

DO I HAVE TO WITHDRAW IF I HAVE A DISCLOSABLE INTEREST WHICH ISN'T A DPI?

Not normally. You must withdraw only if it:

- affects your **pecuniary interests OR** relates to a **planning or regulatory** matter
- **AND** it is seen as likely to **prejudice your judgement** of the public interest.

DON'T FORGET

- If you have a disclosable interest at a meeting you must **disclose both its existence and nature** – 'as noted/recorded' is insufficient
- **Declarations must relate to specific business** on the agenda
 - General scattergun declarations are not needed and achieve little
- Breaches of most of the **DPI provisions** are now **criminal offences** which may be referred to the police which can on conviction by a court lead to fines up to £5,000 and disqualification up to 5 years
- Formal **dispensation** in respect of interests can be sought in appropriate cases.

Overview and Scrutiny Performance Board Wednesday, 18 January 2017, 2.00 pm, County Hall, Worcester

Membership

Councillors:

Mr R M Udall (Chairman), Mrs E A Eyre (Vice Chairman), Mr A T Amos, Mr C J Bloore, Ms L R Duffy, Mr C B Taylor, Mr P A Tuthill and Mr T A L Wells

Co-opted Church Representatives (for education matters)

Bryan Allbut (Church of England)

Parent Governor Representatives (for education matters)

Ms C Richardson ((Parent Governor)) and Vacancy (Secondary)

Agenda

| Item No | Subject | Page No |
|---------|---|---------|
| 1 | Apologies and Welcome | |
| 2 | Declaration of Interest and of any Party Whip | |
| 3 | Public Participation Members of the public wishing to take part should notify the Head of Legal and Democratic Services in writing or by e-mail indicating the nature and content of their proposed participation no later than 9.00am on the working day before the meeting (in this case 17 January 2017). Enquiries can be made through the telephone number/e-mail address below. | |
| 4 | Confirmation of the Minutes of Previous Meetings (previously circulated) | |
| 5 | Equalities and Diversity - Update | 1 - 4 |
| 6 | Draft Update Report: Footways Scrutiny Task Group | 5 - 8 |
| 7 | Member Update and Cabinet Forward Plan | 9 - 14 |

Agenda produced and published by the Head of Legal and Democratic Services, County Hall, Spetchley Road, Worcester WR5 2NP. To obtain further information or hard copies of this agenda, please contact Alyson Grice (01905 844962)/Samantha Morris 01905 844963 email: scrutiny@worcestershire.gov.uk

All the above reports and supporting information can be accessed via the Council's website [here](#)

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OVERVIEW AND SCRUTINY PERFORMANCE BOARD 18 JANUARY 2017

EQUALITIES AND DIVERSITY - UPDATE

Summary

1. The Cabinet Member with Responsibility for Transformation and Commissioning and the Corporate Equality and Diversity Manager have been invited to update the Board on the progress made against the recommendations detailed in Appendix 1 (attached) since the Board last discussed the County Council's work in relation to equalities and diversity.

Background

2. The Cabinet Member and the Corporate Equality and Diversity Manager attended the Overview and Scrutiny Performance Board (OSPB) on 23 June 2016. Following the meeting the Board sent a letter to the Cabinet Member setting out a number of recommendations (attached at Appendix 1).
3. The letter also invited the Cabinet Member to attend OSPB in January 2017 to update Members on developments.
4. Members will recall that the Council's Equality and Diversity function is located in the Commercial and Change Directorate (COaCH). It is delivered by the Corporate Equality and Diversity Manager, supported by a part-time Administrator. They ensure that, as the Council undertakes major transformation, equality governance and processes evolve to support the Council in paying due regard to the requirements set out in Equalities legislation.

Progress update (including introduction of Gender Pay Gap Regulations)

5. A verbal update will be delivered to Members setting out:
 - Progress against the recommendations in Appendix 1
 - Clarification of anticipated Government regulations in respect of Gender Pay Gap Reporting.

Purpose of the Meeting

6. The Board is asked to:
 - consider the information in the update
 - determine whether it would wish to carry out any further scrutiny, and
 - agree whether it would wish to make any further comments to the Cabinet Member with Responsibility for Transformation and Commissioning.

Supporting Information

Appendix 1 – Letter to the Cabinet Member with Responsibility for Transformation and Commissioning following 23 June 2016 OSPB

Contact Point for this Report

Sandy Bannister, Equality and Diversity Manager, 01905 846225

[Email: sbannister@worcestershire.gov.uk](mailto:sbannister@worcestershire.gov.uk)

Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agenda and minutes of the Overview and Scrutiny Performance Board meeting held on 23 June 2016
- [All agendas and minutes are available on the Council's website here.](#)



To: Councillor Roberts, Cabinet Member with Responsibility for Transformation and Commissioning

Cc: Members of the Overview and Scrutiny Performance Board
Corporate Equality and Diversity Manager

5 August 2016

Dear Andy

EQUALITY AND DIVERSITY

Thank you for attending OSPB on 23 June to discuss issues relating to Equality and Diversity. In the light of these discussions, the Board has agreed the following recommendations:

Recommendations for the CMR for Transformation and Commissioning

The Cabinet Member should:

Quick wins

1. Ensure that the 3 aims of the General Equality Duty are fully aligned with the Council's Corporate Plan.
2. Share the Equality and Diversity Manager's agenda report with District Councils in order to encourage a Countywide approach to public sector equality duties.
3. Consider how the Council can hold the CMR to account for the Council's Statutory Duties and how the outcomes can be reported.

Medium term

4. Ensure user engagement with hard to reach groups is improved, with the support of user groups themselves.
5. Examine if a gender pay gap exists within the Council, if so what it is and how can it be reduced.

Longer term

6. Consider how Economic and Social Deprivation issues with regard to equality can be addressed and tackled.
7. Consider the development of a local duty to join up Directorates' strategies to look at equality of access to services to include education, bus services, rural spend, mobile services, broadband services and social isolation.

Richard Udall
Chairman
Overview and
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Performance
Board

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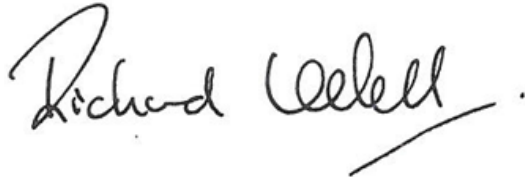
Recommendations for Overview and Scrutiny

OSPB should:

1. Ensure that equality and diversity is embedded into scrutiny's QA approach, reported on in complaints reporting, and included in Member training in 2017. (Quick win)
2. Ask the Vice Chairman of OSPB, when reporting on commissioning outcomes, to identify how Equality and Diversity is approached and assess the quality of that approach. (Medium term)
3. Ask Adult Care and Well-being O&S Panel to look at disability employment, including SEN. (Longer term)

I would also like to invite you to attend the OSPB meeting in January 2017 to update members on developments.

Yours sincerely

A handwritten signature in black ink that reads "Richard Udall". The signature is written in a cursive style with a long horizontal stroke at the end.

Richard Udall

OVERVIEW AND SCRUTINY PERFORMANCE BOARD 18 JANUARY 2017

DRAFT UPDATE REPORT: FOOTWAYS SCRUTINY TASK GROUP

Summary

1. The Overview and Scrutiny Performance Board (OSPB) is asked to consider and approve the attached draft update report of the Footways Scrutiny Task Group.

Background

2. 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.

3. 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.

Terms of Reference

4. The purpose of this Task Group was to scrutinise the following:
 - the existing and predicted condition of Worcestershire's footways
 - the criteria for intervention and whether it is sufficient to make footways safe for less able walkers
 - current spending on footways – how funding is prioritised and allocated
 - are current spending plans sufficient to maintain or improve current condition across each category of footway
 - whether increased investment now might lead to savings in the future
 - the potential impact of plans for increased integration of Public Rights of Way work with highways work

Progress to date

5. Unfortunately due to matters arising, the review has failed to reach a consensus over the content of the final report from the task group. It has therefore been agreed that the Task Group will present this update report to OSPB at the earliest opportunity.

OSPB's Role

7. One of the OSPB's roles is to monitor the quality of scrutinies that are carried out to ensure that scrutiny reports are robust and evidence based, and that they follow the terms of reference agreed by the OSPB.

8. To help with this, the Task Group's lead has provided the OSPB with regular verbal updates on the progress of the scrutiny.

Next Steps

9. Once the Board is content, the update report will be considered at Cabinet on 2 February 2017.

Purpose of the Meeting

10. The OSPB is now invited to consider, comment on and approve the attached update report.

Supporting Information

Appendix 1- Draft Update Scrutiny Report - Footways Scrutiny Task Group

Contact Point for the Report

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers
Tel: 01905 844962/844963
Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

- Agenda and minutes of the OSPB meetings on 8 June 2015, 23 September 2015, 2 December 2015, 21 April 2016, 23 June 2016 and 12 October 2016.
- [All agendas and minutes are available on the Council's website here.](#)

Overview & Scrutiny

Footways Review

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 Task group was created to examine in detail the issue of Footways.

The Scrutiny Task Group as part of its review started to look at existing policy, some best practice approaches and gathered some evidence through interview sessions with officers. In addition, the Task Group looked at a variety of footways in various conditions with officers from Worcestershire County Council.

Unfortunately due to matters arising the review has failed to reach a consensus over the content of the final report from the task group. It has therefore been agreed that the task group will present this update report to OSPB at the earliest opportunity.

The task group set out to review the following areas, but the task remains incomplete:

- The existing and predicted condition of Worcestershire's footways
- The criteria for intervention and whether it is sufficient to make footways safe for less able walkers
- Current spending on footways – how funding is prioritised and allocated
- are current spending plans sufficient to maintain or improve current condition across each category of footway
- Whether increased investment now might lead to savings in the future
- The potential impact of plans for increased integration of Public Rights of Way work with highways work

As a result of the findings of the review the task group wish to make the following recommendations for consideration:

Recommendation 1: The Cabinet should maintain a level of funding to ensure challenging targets to secure an ever reducing percentage of footways requiring treatment below 25% ensuring continuous improvement.

Recommendation 2: Economy & Environment Scrutiny Panel should consider the Department for Transport Guidance on Well Managed Highways Infrastructure and make any subsequent recommendations to OSPB as soon as possible.

Recommendation 3: An annual indicative programme of footways to be treated should be provided to each local member.

Recommendation 4: An element of budget spends should be piloted to be focused around category 3 'Quiet Urban' footways in discussion with the Local Member and the local Highways Liaison Officer.

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.

Recommendation 6: OSPB to consider including Footways on its 2017/18 work programme with a specific purpose of reviewing ways to improve provision of preventative maintenance, increase the overall condition of footways, improve footways for less abled walkers and examine how new technology can be utilized to improve key rural footways identified as agreed with local members.

OVERVIEW AND SCRUTINY PERFORMANCE BOARD 18 JANUARY 2017

MEMBER UPDATE AND CABINET FORWARD PLAN

Summary

1. The Overview and Scrutiny Performance Board (OSPB) is asked to:
 - (a) Receive an update on emerging issues and developments within the particular remit of each member of the OSPB, including an update on each Overview and Scrutiny Panel and Task Group;
 - (b) Consider the Council's latest Forward Plan in order to identify:
 - any items it would wish to consider further at a future meeting; and
 - any items it would wish to refer to the relevant Overview and Scrutiny Panel for further consideration.

Member Updates

2. In order to ensure that Members of the OSPB are fully informed about issues relating to scrutiny in Worcestershire, communication between Members is essential. To assist in this, it has been agreed that an item will be placed periodically on the OSPB agenda to enable each Member to feed back on emerging issues and developments within their remit. This will also provide an opportunity to highlight possible future agenda items. Regard for the Council's statutory requirements in relation to access to information will be critical.

3. Board Members' areas of responsibility are as follows:

- Adult Care and Well-Being Overview and Scrutiny Panel – Tom Wells
- Children and Families Overview and Scrutiny Panel – Lynne Duffy
- Economy and Environment Overview and Scrutiny Panel – Paul Tuthill
- Corporate and Communities Overview and Scrutiny Panel – Kit Taylor
- Health Overview and Scrutiny Committee (HOSC) – Alan Amos
- Crime and Disorder – Chris Bloore
- Quality Assurance – Liz Eyre

4. As part of their role, it was agreed by the Strategic Leadership Team (SLT) that scrutiny lead members should receive regular briefings from the Directorates they are shadowing. These briefings, alongside the Forward Plan (see below), can be used to help identify any emerging issues that may be appropriate for future scrutiny. Recognising that work across the County Council is of interest and value to all OSPB members, the notes from these briefings (where produced) are available to all members electronically.

5. Members may also be leading scrutiny task groups. It will be important for Members of OSPB to be aware of how each scrutiny is developing so that they can fully consider the final report.

6. Overview and Scrutiny Panel Chairmen are asked to feedback on:

- progress on the work of their Panels and any scrutiny task groups they are leading;
- key issues from the Directorate that may be appropriate for future scrutiny;
- performance information they have queries or concerns about;
- items in the Forward Plan which they consider may be possible issues to scrutinise; and
- any other issue which they feel is relevant/of interest to the OSPB.

Cabinet Forward Plan

7. Part of the remit of the OSPB and the four overview and scrutiny panels is to undertake pre-decision scrutiny, in particular in relation to issues to be considered at Cabinet or by individual Cabinet Members.

8. Accordingly, on 10 September 2009 the OSPB agreed that consideration of the Council's Forward Plan should be included as a standing item on OSPB agendas.

9. The Forward Plan is now a rolling electronic document. The latest edition of the Forward Plan available was 10 January 2017 (the date of publication of this Agenda) and is attached at Appendix 1.

10. For information, the currently programmed meetings of the Cabinet are:

- 20 February 2017
- 6 April 2017
- 8 June 2017

11. The Board is asked to consider the Council's latest Forward Plan in order to identify:

- Any items that it would wish to consider further at a future meeting;
- Any items that it would wish to refer to the relevant overview and scrutiny panel for further consideration.

12. The OSPB agreed to use a set of criteria (listed below) to help determine its scrutiny programme. A topic does not need to meet all of these criteria in order to be scrutinised, but they are intended as a guide for prioritisation.

- Is the issue a priority area for the Council?
- Is it a key issue for local people?
- Will it be practicable to implement the outcomes of the scrutiny?
- Are improvements for local people likely?
- Does it examine a poor performing service?
- Will it result in improvements to the way the Council operates?
- Is it related to new Government guidance or legislation?

Supporting Information

Appendix 1: Forward Plan (as at 10 January 2017)

Contact Point for the Report

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers

Tel: 01905 844962/844963

Email: scrutiny@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the following are the background papers relating to the subject matter of this report:

Agenda and Minutes of the Overview and Scrutiny Performance Board, 10 September 2009, 27 June 2013, 17 July 2013, 25 September 2013 and 23 September 2015.

[All agendas and minutes are available on the Council's website here.](#)

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FORWARD PLAN

FORMAL NOTICE OF KEY DECISIONS TO BE TAKEN BY, AND PRIVATE MEETINGS OF,
CABINET (OR OTHER EXECUTIVE DECISION-MAKING BODY OR PERSON)

| Forward Plan | Expected Date of Decision | Page No. |
|---|-------------------------------------|----------|
| <u>2017-18 School Place Planning – Expansion of Red Hill CE Primary School</u> <i>Key Decision – Cabinet Member Decision</i> | 13 January 2017 | 4 |
| <u>Admission Arrangements for Community and Voluntary Controlled Schools for 2018/19 and Co-ordinated Admission Scheme 2018/19</u> <i>Potentially Key Decision – Cabinet Member Decision</i> | 20 January 2017 | 5 |
| <u>2017/18 Budget and Council Tax</u> | 2 February 2017 | 6 |
| <u>Intergenerational Project (Homeshare): Investing in a partnership with the University of Worcester</u> New Entry | 2 February 2017 | 7 |
| <u>Scrutiny Report: Commissioning: Staff Terms and Conditions</u> New Entry | 2 February 2017 | 8 |
| <u>Scrutiny Report: Effectiveness of the Prevention and Recovery Drug and Alcohol Misuse Service</u> New Entry | 2 February 2017 | 9 |
| <u>Update Report of the Footways Overview and Scrutiny Task Group</u> New Entry | 2 February 2017 | 10 |
| <u>Worcester Southern Link Road</u> Key Decision | 2 February 2017 | 11 |
| <u>Adoption Regionalisation</u> <i>New Entry – Key Decision – Cabinet Member Decision</i> | Week commencing 13 February 2017 | 12 |
| <u>Opening of Early Years Specialist Language provision in Bromsgrove and Wyre Forest</u> <i>New Entry – Cabinet Member Decision</i> | 17 February 2017 | 13 |
| <u>Balanced Scorecard and Corporate Risk Update – Quarter 4 2016/17 Performance Report</u> | 20 July 2017 | 14 |
| <u>'Called In' Decisions or Scrutiny Reports</u> Potentially Key Decision | Within the plan period | 15 |
| <u>Notices of Motion</u> Potentially Key Decision | Within the plan period | 16 |

All entries will be for decision by Cabinet unless otherwise indicated

