

Agenda

Overview and Scrutiny Performance Board

Thursday, 26 April 2018, 2.30 pm
County Hall, Worcester

All County Councillors are invited to attend and participate

This document can be provided in alternative formats such as Large Print, an audio recording or Braille; it can also be emailed as a Microsoft Word attachment. Please contact Democratic Services on telephone number 01905 844963 or by emailing democraticservices@worcestershire.gov.uk

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 Thursday, 26 April 2018, 2.30 pm, County Hall, Worcester

Membership

Councillors:

Mr C J Bloore (Chairman), Mrs E A Eyre (Vice Chairman), Mr A A J Adams, Mrs J A Brunner, Mr P Middlebrough, Mrs F M Oborski, Mr C B Taylor and Mr P A Tuthill

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 25 April 2018). Enquiries can be made through the telephone number/e-mail address below.	
4	Confirmation of the Minutes of the Previous Meeting (previously circulated)	
5	Draft Scrutiny Report: Future Provision of Overnight Unit-based Short Breaks for Children with Disabilities	1 - 2
6	Member Update and Cabinet Forward Plan	3 - 8

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 26 APRIL 2018

DRAFT SCRUTINY REPORT: FUTURE PROVISION OF OVERNIGHT UNIT-BASED SHORT BREAKS FOR CHILDREN WITH DISABILITIES

Summary

1. The Overview and Scrutiny Performance Board (OSPB) is asked to consider and approve the attached draft scrutiny report of the Future Provision Of Overnight Unit-Based Short Breaks For Children With Disabilities Task Group.

Background

2. At its meeting on 14 December 2017, Cabinet considered a Report which sought agreement to the launch of a Consultation with families, professionals and other stakeholders on the future delivery of overnight unit-based short breaks in Worcestershire. Cabinet agreed:

- that the Consultation with families, professionals and wider stakeholders on the proposal to redesign the delivery of overnight unit-based provision proceed as outlined in the Report and
- that the final decision on the future provision of unit-based overnight provision be delegated to the Cabinet Member with Responsibility for Children and Families, to be implemented by the Director of Children, Families and Communities.

3. In January 2018, the Council began a six week Consultation on the re-design of overnight unit-based short break provision for children with disabilities which closed on 19 February 2018.

4. Given the public concern about the proposals, the Overview and Scrutiny Performance Board (OSPB) agreed at its meeting on 30 January 2018 that a Scrutiny Task Group led by Councillor Fran Oborski (Chairman of the Children and Families Overview and Scrutiny Panel) would be set up to help bring transparency and understanding to the process and enhance the range of information available at the time the Cabinet Member Decision was made.

Terms of Reference

5. The terms of reference were to scrutinise the proposals for change including the potential impact across all overnight unit-based short break provision for children with disabilities. Through carrying out this exercise Scrutiny may also comment on the Consultation process.

OSPB's Role

6. 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.

7. 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

8. Once the Board is content, the Scrutiny Report will be considered as Cabinet Member Decision in June 2018.

Purpose of the Meeting

9. The OSPB is now invited to consider, comment on and approve the attached Scrutiny Report.

Supporting Information

Appendix 1- Draft Scrutiny Report: Future Provision of Overnight Unit-Based Short Breaks for Children with Disabilities (to follow)

Contact Points

County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

Email: worcestershirehub@worcestershire.gov.uk

Specific Contact Points for this report

Alyson Grice and Samantha Morris, Overview and Scrutiny Officers, 01905 844962/844963, 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 30 January 2018
- [All agendas and minutes are available on the Council's website here.](#)

OVERVIEW AND SCRUTINY PERFORMANCE BOARD 26 APRIL 2018

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 – Juliet Brunner
- Children and Families Overview and Scrutiny Panel – Fran Oborski
- Economy and Environment Overview and Scrutiny Panel – Alistair Adams
- Corporate and Communities Overview and Scrutiny Panel – Kit Taylor
- Health Overview and Scrutiny Committee (HOSC) – Paul Tuthill
- Crime and Disorder – Paul Middlebrough
- 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. The Board will wish to take into account any issues arising from the Council's Forward Plan which is attached at Appendix 1.

8. The latest version of the Plan (available at the time of Agenda despatch) is routinely considered at each meeting of OSPB.

9. 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.

10. 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 18 April 2018)

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) there are no background papers relating to the subject matter of this report:

[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.
Consultation on School Places in Bromsgrove First Schools <i>Cabinet Member Decision</i>	Week commencing 9 April 2018	4
5G New entry- Potentially Key Decision	19 April 2018	5-6
Plastics and Non-recyclable Cups – Notices of Motion from Council 15 February 2018	19 April 2018	7-8
Resources Report Potentially Key Decision	19 April 2018	9
Use of Children's Centre Buildings including the Outreach Centre at The Grove Primary School, Malvern	19 April 2018	10
Future Provision of Overnight Unit-based Short Breaks for Children with Disabilities Key Decision – <i>Cabinet Member Decision</i>	10 May 2018	11
Extra Care Housing Core Funding	14 June 2018	12
Highways Streetscape Design Guide Key Decision	14 June 2018	13
Peer Review Outcomes and Forward Look at Adult Services	14 June 2018	14
A38 Bromsgrove Key Decision	12 July 2018	15
Balanced Scorecard and Corporate Risk Update – Quarter 4 2017/18 Performance Report	12 July 2018	16
Midlands Connect: Sub-National Transport Body Key Decision	27 September 2018	17
'Called In' Decisions or Scrutiny Reports Potentially Key Decision	Within the plan period	18
Notices of Motion Potentially Key Decision	Within the plan period	19

All entries will be for decision by Cabinet unless otherwise indicated

