

# **Agenda**

## **Overview and Scrutiny Performance Board**

**Wednesday, 29 January 2020, 3.00 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](mailto: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 3<sup>rd</sup> 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, 29 January 2020, 3.00 pm, County Hall, Worcester**

#### **Membership**

##### **Councillors:**

Mr R M Udall (Chairman), Mrs E A Eyre (Vice Chairman), Mr A A J Adams, Mrs J A Brunner, Mr A D Kent, Mrs F M Oborski, Mr P A Tuthill and Mrs R Vale

##### **Co-opted Church Representatives (for education matters)**

Bryan Allbut (Church of England)

##### **Parent Governor Representatives (for education matters)**

Vacancy (Primary and Secondary)

#### **Agenda**

<b>Item No</b>	<b>Subject</b>	<b>Page No</b>
1	<b>Apologies and Welcome</b>	
2	<b>Declaration of Interest and of any Party Whip</b>	
3	<b>Public Participation</b>  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 28 January 2020). Enquiries can be made through the telephone number/e-mail address below.	
4	<b>Confirmation of the Minutes of the Previous Meeting</b> (previously circulated)	
5	<b>Budget Scrutiny: 2020/21</b>	1 - 2
6	<b>Update Report: Care Work as a Career Scrutiny Task Group</b>	To follow
7	<b>Member Update, Work Programme and Cabinet Forward Plan</b>	3 - 10

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Agenda produced and published by the Assistant Director for Legal and Governance, 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](mailto: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 29 JANUARY 2020**

### **BUDGET SCRUTINY: 2020/21**

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#### **Summary**

1. Members will have an opportunity to consider proposals for the 2020/21 Budget and receive feedback from Panel Chairmen following Overview and Scrutiny Panels' and Health Overview and Scrutiny Committee (HOSC's) discussions throughout January.
2. Following the discussion, the Board will agree comments to be considered by Cabinet on 30 January 2020.

#### **Background**

3. On 20 December 2019, the Council's draft Budget for 2020/21 was approved by Cabinet for consultation and is attached at Appendix 1.
4. As part of the Council's development of the 2020/21 Budget, the Overview and Scrutiny Panels and the HOSC have considered the budget proposals at their meetings in January.
5. The Chairman of each scrutiny body has been asked to share feedback with the OSPB and agreed comments will then be submitted to Cabinet and Council.
6. Comments from the meetings of the Overview and Scrutiny Panels and HOSC are attached at Appendix 2.
7. The final Budget will be agreed by County Council on 13 February 2020.

#### **Performance and In-Year Budget Monitoring**

8. For this year's Budget scrutiny, Panel members have had the advantage of having carried out regular budget and performance monitoring throughout the year, the outcomes of which have been fed back regularly to the Overview and Performance Scrutiny Board.

#### **Purpose of the Meeting**

9. The Board is asked to consider the feedback from the Overview and Scrutiny Panels' discussions of the draft 2020/21 Budget and agree comments for consideration by Cabinet on 30 January 2020.

#### **Supporting Information**

Appendix 1: Cabinet Report - [20 December 2019](#); 2020/21 Draft Budget and Medium-Term Financial Plan Update 2020-22

Appendix 2: Scrutiny of 2020/21 draft budget – comments from Overview and Scrutiny Panels and HOSC January 2020 (to follow)

### **Contact Points**

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

### **Background Papers**

In the opinion of the proper officer (in this case the Assistant Director of Legal and Governance) the following are the background papers relating to the subject matter of this report:

- Agendas and Minutes of the Overview and Scrutiny Panels and the Health Overview and Scrutiny Committee meetings in January 2020 are available [here](#)
- Agenda and Minutes of Cabinet on 20 December 2019 – available on the Council website [here](#)

## **OVERVIEW AND SCRUTINY PERFORMANCE BOARD 29 JANUARY 2020**

### **MEMBER UPDATE, WORK PROGRAMME AND CABINET FORWARD PLAN**

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#### **Summary**

1. The Overview and Scrutiny Performance Board (OSPB) is asked to:
  - (a) Receive an update on emerging issues and developments within the remit of each Member of the OSPB, including an update on each Overview and Scrutiny Panel and Task Group;
  - (b) consider the 2019/20 Work Programme and consider whether it would wish to make any amendments;
  - (c) Consider the Council's latest Forward Plan 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 – Adam Kent
  - Health Overview and Scrutiny Committee (HOSC) – Paul Tuthill
  - Crime and Disorder – Rebecca Vale
  - 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.

**7. The Board is asked to consider the updates on emerging issues and developments within the remit of each Member of the OSPB, including an update on each Overview and Scrutiny Panel and Task Group.**

## **Work Programme**

8. From time to time the Board will review its work programme and consider which issues should be investigated as a priority.

9. Worcestershire County Council has a rolling annual Work Programme for Overview and Scrutiny, which is agreed by Council on an annual basis. The last programme was agreed on 12 September 2019.

10. The main responsibilities of the OSPB are:

- Commissioning work for Scrutiny Panels
- Establishing Scrutiny Task Groups (agreeing Terms of reference and Reports)
- Advising on Council's Policy Framework ie Sustainable Community Strategy (if any), Corporate Plan, Children and Young People's Plan, Local Transport Plan, Youth Justice Plan, 'Act Local in Worcestershire' framework, such other plans and strategies as required by law to form part of the Policy Framework or which may be and have been adopted to be part of that Framework eg Corporate Plan, Budget
- Call-ins
- Designated by the Council as its statutory Crime and Disorder Committee and must meet at least annually.

11. 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 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?

**12. The Board is asked to consider its 2019/20 Work Programme (attached at Appendix 1) and agree whether it would wish to make any amendments.**

## **Cabinet Forward Plan**

13. The Board will wish to consider any issues arising from the Council's Forward Plan which is attached at Appendix 2.



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

**15. 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.

### **Supporting Information**

Appendix 1: OSPB Work Programme 2019/20

Appendix 2: Forward Plan (as at 21 January 2020)

### **Contact Point for the Report**

Alyson Grice/Samantha Morris, Overview and Scrutiny Officers

Tel: 01905 844962/844963

Email: [scrutiny@worcestershire.gov.uk](mailto: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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## OSPB 2019/20 OSPB WORK PROGRAMME

Date of Meeting	Agenda Item(s)	Date of Last Report	Notes/Follow-up Action
29 January 2020	Budget Scrutiny: Feedback from Scrutiny Panels' discussions on Budget Scrutiny: In-Year Performance (Q2) and Draft 2020/21 Budget and Medium Term Financial Plan Update 2020-22	January 2019	
29 January 2020	Interim Scrutiny Report: Care Work as a Career		
29 January 2020	Member Update, Work Programme and Cabinet Forward Plan		To be looked at monthly
26 February 2020	Final Scrutiny Report: Care Work as a Carer		
26 February 2020	Member Update, Work Programme and Cabinet Forward Plan		
25 March 2020	Performance and In-Year Budget Monitoring - Feedback from Scrutiny Panels (Period 9 Finance/Q3 Performance October-December 2019)		
3 June 2020	Worcestershire LEP Annual Update	23 May 2018 24 May 2019	To be looked at annually
3 June 2020	Update on the Autism Pathway	28 February 2018 24 May 2019	To be looked at annually
22 July 2020	Annual WCC Community Safety Update	24 July 2019	To be looked at annually
22 July 2020	Refresh of the Scrutiny Work Programme	24 July 2019	To be looked at annually

Date of Meeting	Agenda Item(s)	Date of Last Report	Notes/Follow-up Action
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Possible Future Items			
n/a	Commissioning work for Scrutiny Panels	As required	
n/a	Establishing Scrutiny Task Groups (agreeing Terms of reference and Reports)	As required	
n/a	Call-ins	As required	
n/a	Advising on Council's Policy Framework ie Sustainable Community Strategy (if any), Corporate Plan, Children and Young People's Plan, Local Transport Plan, Youth Justice Plan, 'Act Local in Worcestershire' framework, such other plans and strategies as required by law to form part of the Policy Framework	As required	
n/a	Social Mobility ie the movement of individuals, families, households, or other categories of people within or between social strata in a society. It is the opportunity for those from underprivileged backgrounds to break the boundary of their social class – this would be cross cutting		

## Appendix 2

### 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.
<a href="#">2020/21 Budget and Council Tax</a>	30 January 2020	4
<a href="#">Admission Arrangements for Community and Voluntary Controlled Schools for 2020/21, Co-ordinated Admissions Scheme 2020/21 and In-Year Admissions Scheme 2020/21</a> Key Decision	30 January 2020	5
<a href="#">Council Policy on responding to Change of Age Range Requests from Community Maintained Schools or Change of Age Range Consultations from other types of Schools</a>	30 January 2020	6
<a href="#">New Model of Delivery for Medical Education Provision</a>	30 January 2020	7
<a href="#">New Primary School Alternative Provision for Kidderminster</a> New Entry – Key Decision	30 January 2020	8
<a href="#">Rural Connected Communities – West Mercia 5G</a> New Entry – Key Decision	30 January 2020	9
<a href="#">Scrutiny Report: Quality Assurance of Care and Nursing Homes</a>	30 January 2020	10
<a href="#">Update to the Schools Organisation Plan 2019-24</a>	30 January 2020	11
<a href="#">West Mercia Energy – Treatment of former West Mercia Supplies Pension Liability</a> Key Decision	30 January 2020	12
<a href="#">'Called In' Decisions or Scrutiny Reports</a> Potentially Key Decision	Within the plan period	13
<a href="#">Notices of Motion</a> Potentially Key Decision	Within the plan period	14

All entries will be for decision by Cabinet unless otherwise indicated

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