
Meeting	Business Management Overview and Scrutiny Committee
Date	3 July 2013
Subject	Member's Item
Report of	Scrutiny Office
Summary	This report informs the Committee of a Member's Item and requests instructions from the Committee.

Officer Contributors	Andrew Charlwood, Overview and Scrutiny Manager
Status (public or exempt)	Public
Wards Affected	All
Key Decision	N/A
Reason for urgency / exemption from call-in	N/A
Function of	Business Management Overview and Scrutiny Committee
Enclosures	None
Contact for Further Information:	Andrew Charlwood, Overview and Scrutiny Manager, 020 8359 2014, andrew.charlwood@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 The Committee's instructions on the Members' Item are requested.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 None.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three priority outcomes set out in the 2013 – 2016 Corporate Plan are: –
- Promote responsible growth, development and success across the borough.
 - Support families and individuals that need it – promoting independence, learning and well-being.
 - Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.

4. RISK MANAGEMENT ISSUES

- 4.1 None in the context of this report. Any risk implications would be addressed in the context of the Task and Finish Group / Scrutiny Panel review should the Committee decide to commission a working group to examine the issue raised.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Equality and diversity issues are a mandatory consideration in decision-making in the council pursuant to the Equality Act 2010. This means the council and all other organisations acting on its behalf must have due regard to the equality duties when exercising a public function. The broad purpose of this duty is to integrate considerations of equality and good relations into day to day business requiring equality considerations to be reflected into the design of policies and the delivery of services and for these to be kept under review. Health partners as relevant public bodies must similarly discharge their duties under the Equality Act 2010 and consideration of equalities issues should therefore form part of their reports.
- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council's leadership role in relation to diversity and inclusiveness; and

- The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Any use of resources implications would be addressed in the context of the Task and Finish Group / Scrutiny Panel review, should the Committee decide to commission a working group to examine the issue raised.
- 6.2 When reaching a decision as to whether to commission a scrutiny review, the Committee should be mindful of the resources available to support the review. The Scrutiny Office are currently supporting additional review work in the following areas:
 - Children's Centres / Early Years Review;
 - NHS Health Checks; and
 - Road Safety (currently on hold)
- 6.3 Scrutiny Officers will be in attendance at the meeting to assist the Committee in prioritising their review work in the context of the resources available to them.

7. LEGAL ISSUES

- 7.1 Section 21 of the Local Government Act 2000 provides that the Executive arrangements by a local authority must:
 - (1) include provision for the appointment by the authority of one or more overview and scrutiny committees.
 - (2) ensure that their overview and scrutiny committees have power between them –
 - i) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
 - ii) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,
 - iii) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,
 - iv) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive,
 - v) to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area".

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

8.1 Council Constitution, Overview and Scrutiny Procedure Rules – sets out the terms of reference of the Business Management Overview and Scrutiny Committee which includes:

- i) To have overall responsibility for monitoring and coordinating overview and scrutiny work across the authority.
- ii) To appoint scrutiny panels and task and finish groups needed to facilitate the overview and scrutiny function.
- iii) To coordinate and monitor the work of scrutiny panels and task and finish groups, including considering reports and recommendations and referring to the relevant decision-making body

8.2 Council Constitution, Overview and Scrutiny Procedure Rules, Paragraph 8.1 states that “Any member of an Overview and Scrutiny Committee shall be entitled to give notice to the Head of Governance that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request, the Head of Governance will ensure that the item is included on the next available agenda”.

9. BACKGROUND INFORMATION

9.1 Councillor Barry Rawlings has requested that a Member’s Item be brought to the committee in relation to commissioning a scrutiny review of Your Choice Barnet. Councillor Rawlings has submitted the following information with his request:

“To ask for a scrutiny task and finish group or ad-hoc panel to review the progress of Your Choice Barnet to include the following:

- Lessons learned from the outsourcing of the ‘Your Choice’ bundle of adults services to a Local Authority Trading Company
- Review of the business plan including the financial model and the recent decision to downgrade staff
- Taking evidence from parents and service users about their experience of the services
- Taking evidence from staff and trades unions about the impact of the re-structure on services
- Seeking best practice from other councils and providers”

9.2 The Committees instructions are requested on this Members Item.

10. LIST OF BACKGROUND PAPERS

10.1 None.

Cleared by Finance	AD
Cleared by Legal	SW