

ADULT SOCIAL CARE & HOUSING OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 9

Brighton & Hove City Council

Subject: Towards a Work Programme
Date of Meeting: 26 June 2008
Report of: The Director of Strategy and Governance
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Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report explains the process of formulating a draft work programme for the Adult Social Care & Housing Overview & Scrutiny Committee (ASCHOSC) 2008-2009, with regard to the Terms of Reference and functions of the Committee (see Part 6, Paragraph 2.4 of the Council's Constitution).

2. RECOMMENDATIONS:

- 2.1 To agree that a more detailed draft work programme be presented for the Committee to consider at its next meeting, and then to the Overview & Scrutiny Commission for consideration.

3. BACKGROUND INFORMATION

- 3.1 The Council's Constitution states that the functions of the Overview and Scrutiny Committees include working to "*develop focused programmes of work and identify the most appropriate means of progressing such work*" (6:3.2(ii)).
- 3.2 In addition, the Constitution states that committees shall "*be responsible for setting their own work programme to overview and scrutinise the work of the Executive, relevant Council Committees and*

services and the effectiveness of relevant partnerships or other bodies” (6:12.2).

- 3.3 This function is *“subject to the co-ordination and monitoring of the Overview and Scrutiny Commission” (6:12.2).*
- 3.4 As the co-ordinating committee, the Overview and Scrutiny Commission is tasked with approving *“an annual Overview and Scrutiny work programme to ensure that there is efficient use of the Committees’ time and that the potential for duplication of effort is minimised” (6:3.1a).*
- 3.5 Therefore, whilst it is the responsibility of the ASCHOSC to agree its own work programme, the Overview & Scrutiny Commission must have sight of all overview and scrutiny committees’ work programmes in its role as the co-ordinating committee.
- 3.6 There are a number of ways in which items may be suggested for inclusion in the ASCHOSC Work Programme:
 - a) All Members will have access to the Council’s Forward Plan, and may propose that Key Decisions from the Plan should be included in the ASCHOSC Work Programme.
 - b) The ASCHOSC Chairman may choose to examine the Forward Plan at each Chairman’s meeting and put forward any items she sees fit.
 - c) Cabinet Members, Regulatory Committee Chairmen and Cabinet may all refer items to the ASCHOSC for examination and comment.
 - d) ASCHOSC is required to respond, as soon as its work programme permits, to requests from the Council (and, if it considers it appropriate, the Cabinet/Cabinet Committees) to review particular areas of Council activity (Part 6:13.3 of the Constitution).
 - e) Any member of the Overview & Scrutiny Commission or of any one of the Overview & Scrutiny Committees may notify the Head of Scrutiny that they wish to have an item included on the agenda of the next possible meeting of a specific Scrutiny Committee. The Committee in question will then determine if and how it wishes to pursue this matter.
 - f) ASCHOSC may also receive requests from other Councillors and suggestions from officers for particular topics to be scrutinised. Any Councillor may submit a letter for inclusion on the agenda of any Overview & Scrutiny Committee.

g) “Legacy” items from previous committees may also be included on the 2008-2009 Overview & Scrutiny Work Programme. (This will largely be of relevance to Overview & Scrutiny Committees which were in operation prior to May 2008; however, it is possible that an Overview & Scrutiny Committee which previously had a remit including aspects of Housing or Adult Social Care might choose to refer a relevant legacy item to the ASCHOSC rather than incorporating it into its own work programme.)

h) The 19 Plans and Strategies which make up the Budget and Policy Framework are listed in part 3.1 (3.02(a)) of the Council’s Constitution (and in appendix 1 to this report). Although approval of the Budget and Policy framework is a Full Council function, it is envisaged that the appropriate Overview & Scrutiny Committee(s) should consider draft proposals before their submission to full Council for approval. The Cabinet should take into account any response from an Overview & Scrutiny Committee and from relevant stakeholders when determining its final proposals for submission to Full Council in regard to any of the plans and strategies.

i) The Local Government and Public Involvement in Health Act (2007) created bodies called Local Involvement Networks (LINKs). LINKs replace and enlarge the role of Public and Patient Involvement Forums, facilitating public and patient involvement in the scrutiny of health and social care. The 2007 Act empowers Links to refer matters relating to health and social care to Overview & Scrutiny Committees for consideration. Overview & Scrutiny Committees are obliged to consider such referrals in a timely fashion, either agreeing to investigate as requested, or giving reasons why no further action is thought necessary. As ASCHOSC has responsibility for Adult Social Care, it is anticipated that the Brighton & Hove LINK may choose to refer items to this committee.

3.7 The ASCHOSC draft Work Programme also needs to allow for flexibility to accommodate matters as they arise, such as requests for Scrutiny or for Call-In.

4. CONSULTATION

4.1 No consultation was required for the compilation of this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications to this report; final decisions on an ASCHOSC Work Programme will need to be made with reference to Overview & Scrutiny resources.

Legal Implications:

- 5.2 The overview and scrutiny arrangements detailed above are in accordance with the relevant legislation.

Equalities Implications:

- 5.3 There are no direct equalities implications, although equalities issues may need to be taken into account when making final decisions in regard to the ASCHOSC Work Programme.

Sustainability Implications:

- 5.4 There are no direct sustainability implications to this report although sustainability issues may need to be taken into account when making final decisions in regard to the ASCHOSC Work Programme.

Crime & Disorder Implications:

- 5.5 There are no crime and disorder implications to this report, although crime and disorder issues may need to be taken into account when making final decisions in regard to the ASCHOSC Work Programme.

Risk and Opportunity Management Implications:

- 5.6 None directly in relation to this report.

Corporate / Citywide Implications:

- 5.7 Final decisions in relation to the ASCHOSC Work Programme will need to be made in reference to corporate priorities and to the social care and housing needs of the city, but no such decisions are required at this stage.

SUPPORTING DOCUMENTATION

Appendices:

1. List of the 19 Plans and Strategies which make up the Budget and Policy Framework.

Documents in Members' Rooms:

There are none.

Background Documents:

1. Council Constitution, 16 May 2008

