

Public Document Pack

Special Meeting Overview and Scrutiny Management Committee

Thursday, 4th December, 2014
at 5.30 pm

Council Chamber - Civic Centre

This meeting is open to the public

Members

Councillor Moulton (Chair)
Councillor Hannides (Vice-Chair)
Councillor Coombs
Councillor Fitzhenry
Councillor Keogh
Councillor Morrell
Councillor Dr Paffey
Councillor Stevens
Councillor Thorpe
Conservative Vacancy

Appointed Members

Mrs U Topp, (Roman Catholic Church)
Rev. J Williams, The Church of England
(Portsmouth and Winchester Dioceses)
Vacancies

- Primary Parent Governor Representative;
and
- Secondary Parent Governor Representative

Contacts

Sharon Pearson
Democratic Support Officer
Tel. 023 8083 4597
Email: sharon.pearson@southampton.gov.uk

Suki Sitaram
Assistant Chief Executive
Tel: 023 8083 2060
Email: suki.sitaram@southampton.gov.uk

PUBLIC INFORMATION

Role of Overview and Scrutiny

Overview and Scrutiny includes the following three functions:

- Holding the Executive to account by questioning and evaluating the Executive's actions, both before and after decisions taken.
- Developing and reviewing Council policies, including the Policy Framework and Budget Strategy.
- Making reports and recommendations on any aspect of Council business and other matters that affect the City and its citizens.

Overview and Scrutiny can ask the Executive to reconsider a decision, but they do not have the power to change the decision themselves.

Overview and Scrutiny Management Committee

The Overview and Scrutiny Management Committee holds the Executive to account, exercises the call-in process, and sets and monitors standards for scrutiny. It formulates a programme of scrutiny inquiries and appoints Scrutiny Panels to undertake them. Members of the Executive cannot serve on this Committee.

Southampton City Council's Priorities:

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

Smoking Policy

The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones:- Please switch your mobile telephones to silent whilst in the meeting

Use of Social Media:- If, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting

Fire Procedure

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

Access

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

Dates of Meetings: Municipal Year 2014/15

2014	2015
12 June	15 January
10 July	12 February
14 August	12 March
11 September	16 April
16 October	
13 November	
11 December	

CONDUCT OF MEETING

TERMS OF REFERENCE

The general role and terms of reference for the Overview and Scrutiny Management Committee, together with those for all Scrutiny Panels, are set out in Part 2 (Article 6) of the Council's Constitution, and their particular roles are set out in Part 4 (Overview and Scrutiny Procedure Rules – paragraph 5) of the Constitution.

RULES OF PROCEDURE

The meeting is governed by the Council Procedure Rules and the Overview and Scrutiny Procedure Rules as set out in Part 4 of the Constitution.

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 4.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

- (iv) Any beneficial interest in land which is within the area of Southampton.

- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

Agendas and papers are now available online via the Council's Website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

3 DECLARATIONS OF SCRUTINY INTEREST

Members are invited to declare any prior participation in any decision taken by a Committee, Sub-Committee, or Panel of the Council on the agenda and being scrutinised at this meeting.

4 DECLARATION OF PARTY POLITICAL WHIP

Members are invited to declare the application of any party political whip on any matter on the agenda and being scrutinised at this meeting.

5 STATEMENT FROM THE CHAIR

6 CHILDREN AND FAMILIES SCRUTINY PANEL TERMS OF REFERENCE

(Pages 1 - 8)

Report of the Assistant Chief Executive seeking approval of the terms of reference for the Children and Families Scrutiny Panel, attached.

7 FORWARD PLAN
(Pages 9 - 18)

Report of the Assistant Chief Executive detailing items requested for discussion from the current Forward Plan, attached.

Items include:-

- Future of Day Services in Southampton (Appendix 1);
- Future of the Respite Service for Adults with Learning Disabilities (Appendix 2);
and
- Future of Woodside Lodge Residential Care Home (Appendix 3).

WEDNESDAY, 26 NOVEMBER 2014

HEAD OF LEGAL AND DEMOCRATIC SERVICES

Agenda Item 6

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	CHILDREN AND FAMILIES SCRUTINY PANEL - TERMS OF REFERENCE		
DATE OF DECISION:	4 DECEMBER 2014		
REPORT OF:	ASSISTANT CHIEF EXECUTIVE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail:	Mark.pirnie@southampton.gov.uk	
Director	Name:	Suki Sitaram	Tel: 023 8083 2060
	E-mail:	suki.sitaram@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

To provide robust scrutiny of Children and Families Services in Southampton the Overview and Scrutiny Management Committee (OSMC) agreed, at its meeting on 16 October 2014, to establish a Children and Families Scrutiny Panel that would meet on a bi-monthly basis over a two year period.

To enable the Panel to commence in early 2015 this report requests the Committee to approve the draft terms of reference, attached as Appendix 1.

RECOMMENDATIONS:

- (i) To consider and approve the terms of reference for the Children and Families Scrutiny Panel, attached as Appendix 1.
- (ii) To consider and approve the amendment to the terms of reference of the Health Overview and Scrutiny Panel, attached as Appendix 2, reflecting the proposed terms of reference of the Children and Families Scrutiny Panel.

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the Children and Families Scrutiny Panel to commence scrutiny of Children and Family Services in the City.
2. To provide clarity of responsibilities between the Children and Families Scrutiny Panel and the Health Overview and Scrutiny Panel.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. None

DETAIL (Including consultation carried out)

4. At the meeting on 16th October 2014 this Committee agreed to establish a Children and Families Scrutiny Panel to provide robust scrutiny of Children and Families Services in Southampton.

5. This decision followed the recommendation within the Ofsted inspection report of Children's Services in Southampton that the Council:
'Develop the role of scrutiny within the City to ensure that the wider multi-agency arrangements for the provision of early help and services to children and their families from children's social care, are routinely considered by political leaders.'
6. The provisional date for the inaugural meeting of the Children and Families Scrutiny Panel is 2nd February 2015. To enable preparation for the first meeting to commence this Committee needs to agree the terms of reference for the Panel.
7. The proposed terms of reference for the Panel are attached as Appendix 1. They reflect the discussion at the OSMC meeting in October and the findings within the Ofsted report, and they include regular scrutiny of key partners and multi-agency arrangements.
8. Meetings of the Children and Families Scrutiny Panel will be scheduled bi-monthly over a 2 year period. Membership will include the Church and Parent Representatives who are appointed to the OSMC. This is because under Regulations and the 2000 Act, the Church and Parent Representatives should be invited to sit on Panels involving educational matters. Church and Parent Representatives will remain as Appointed Members of the OSMC to reflect the Committee's role to consider all forward plan items, including those related to education.
9. To provide members with the required skills and techniques to enable the Panel to deliver this vital role effectively, the Centre for Public Scrutiny will be invited to undertake training for Panel Members.
10. The Health Overview and Scrutiny Panel (HOSP) terms of reference currently include the following responsibilities:
'To undertake the scrutiny of Social Care issues in the City unless they are forward plan items. In such circumstances members of the Health Overview and Scrutiny Panel will be invited to the relevant Overview and Scrutiny Management Committee meeting where they are discussed'
11. To avoid duplication and to provide clarity between the role of the HOSP and the Children and Families Scrutiny Panel it is proposed that this paragraph is amended to the following:
*'To undertake the scrutiny of **Adult** Social Care issues in the City unless they are forward plan items. In such circumstances members of the Health Overview and Scrutiny Panel will be invited to the relevant Overview and Scrutiny Management Committee meeting where they are discussed'*
The revised terms of reference for the HOSP are attached as Appendix 2.

RESOURCE IMPLICATIONS

Capital/Revenue

12. The cost of the additional panel chair has been covered within the Independent Remuneration Panels report to full Council on Members Allowances in November 2015. The proposed overall saving from implementing the panel recommendations will save circa £15k net of funding this new Chairs position.

13. The costs associated with administering the new Panel will be found by reprioritising existing resources.

Property/Other

14. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.

Other Legal Implications:

16. None.

POLICY FRAMEWORK IMPLICATIONS

17. Improving the effectiveness of the political scrutiny of children’s safeguarding will help contribute to the following priorities within the Council Strategy:
- Protecting vulnerable people
 - Prevention and early intervention

KEY DECISION?	No	
WARDS/COMMUNITIES AFFECTED:	All	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Children and Families Scrutiny Panel – Proposed Terms of Reference	
2.	Health Overview and Scrutiny Panel – Revised Terms of Reference	
Documents In Members’ Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.		No
Other Background Documents		
Equality Impact Assessment and Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None	

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TERMS OF REFERENCE

Children and Families Scrutiny Panel

1. To undertake the scrutiny of Children and Families Services in the City, including the Multi Agency Safeguarding Hub (MASH), Early Help, Specialist & Core Service, looked after children, education and early years and youth offending services, unless they are forward plan items. In such circumstances members of the Children and Families Scrutiny Panel will be invited to the relevant Overview and Scrutiny Management Committee meeting where they are discussed.

Scrutiny of Children and Families Services in the City to include:

2. Monitoring the implementation and challenging the progress of the Council's action plan to address the recommendations made by Ofsted following their inspection of Children's Services in Southampton and review of Southampton Local Safeguarding Children Board (LSCB) in July 2014.
3. Regular scrutiny of the performance of multi-agency arrangements for the provision of early help and services to children and their families.
4. Scrutiny of early years and education including the implementation of the Vision for Learning 2014 – 2024.
5. Scrutiny of the development and implementation of the Youth Justice Strategy developed by the Youth Offending Board.
6. Referring issues to the Chair of the LSCB and the Corporate Parenting Committee.

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Health Overview and Scrutiny Panel

1. To discharge all responsibilities of the Council for health overview and scrutiny, whether as a statutory duty or through the exercise of a power, including subject to formal guidance being issued from the Department of Health, the referral of issues to the Secretary of State.
2. To undertake the scrutiny of Adult Social Care issues in the City unless they are forward plan items. In such circumstances members of the Health Overview and Scrutiny Panel will be invited to the relevant Overview and Scrutiny Management Committee meeting where they are discussed.
3. To develop and agree the annual health and social care scrutiny work programme.
4. To scrutinise the development and implementation of the Joint Strategic Needs Assessment and Health and Wellbeing Strategy developed by the Health and Wellbeing Board.
5. To provide the membership of any joint committee established to respond to formal consultations by an NHS body on an issue which impacts the residents of more than one overview and scrutiny committee area.
6. To consider Councillor Calls for Action for health and social care matters.
7. To respond to proposals and consultations from NHS bodies in respect of substantial variations in service provision and any other major health consultation exercises.
8. Liaise with the Southampton LINK, and its successor body 'Healthwatch', and to respond to any matters brought to the attention of overview and scrutiny by the Southampton LINK and its' successor body 'Healthwatch'.
9. Provide a vehicle for the City Council's Overview & Scrutiny Management Committee to refer recommendations arising from panel inquiries relating to the City's health, care and well-being to Southampton's LINK, and its' successor body 'Healthwatch', for further monitoring.
10. Undertake inquiries relating to health and well-being issues in the city.

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Agenda Item 7

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	FORWARD PLAN		
DATE OF DECISION:	4 th DECEMBER 2014		
REPORT OF:	ASSISTANT CHIEF EXECUTIVE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail:	mark.pirnie@southampton.gov.uk	
Director	Name:	Suki Sitaram	Tel: 023 8083 2060
	E-mail:	Suki.sitaram@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

This item enables the Overview and Scrutiny Management Committee to examine the content of the Forward Plan and to discuss issues of interest or concern with the Executive to ensure that forthcoming decisions made by the Executive benefit local residents.

RECOMMENDATION:

- (i) That the Committee discuss the Forward Plan items listed in paragraph 3 of the report to highlight any matters which Members feel should be taken into account by the Executive when reaching a decision.

REASON FOR REPORT RECOMMENDATIONS

1. To enable Members to identify any matters which they feel the Cabinet should take into account when reaching a decision.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None.

DETAIL (Including consultation carried out)

3. The Forward Plan for the period December 2014 – March 2015 has been circulated to members of the Overview and Scrutiny Management Committee. The following issues were identified for discussion with the Decision Maker:

Portfolio	Decision	Requested By
Health and Adult Social Care	Future of Day Services in Southampton	Cllr Moulton
Health and Adult Social Care	Future of the respite service for adults with learning disabilities	Cllr Moulton
Health and Adult Social Care	Future of Woodside Lodge Residential Care Home	Cllr Moulton

- Briefing papers responding to the Forward Plan items identified by members of the Committee are appended to this report. Members are invited to use the papers to explore the issues with the decision maker.

RESOURCE IMPLICATIONS

Capital/Revenue

- The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.

Property/Other

- The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

- The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.
- The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.

Other Legal Implications:

- None

POLICY FRAMEWORK IMPLICATIONS

- The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report
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SUPPORTING DOCUMENTATION

Appendices

1.	Briefing Paper - Future of Day Services in Southampton
2.	Briefing Paper – Future of the respite service for adults with learning disabilities
3.	Briefing Paper – Future of Woodside Lodge Residential Care Home

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Dependent upon forward plan item
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s) Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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SUBJECT: FUTURE OF DAY SERVICES IN SOUTHAMPTON
DATE: 4 DECEMBER 2014
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER

SUMMARY:

This report, which is to be published on 1 December 2014, will be presented to Cabinet on 9 December 2014 for decision. The report details recommendations for the future of Day Services in Southampton, taking into account the outcome of the statutory consultation.

BACKGROUND and BRIEFING DETAILS:

1. A copy of the Cabinet Report and associated appendices which provide full details of the proposals will be published on 1st December 2014.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

2. This information will be outlined in the Cabinet report.

Property / Other

3. This information will be outlined in the Cabinet report.

Legal

4. This information will be outlined in the Cabinet report.

Policy

5. This information will be outlined in the Cabinet report.

Appendices/Supporting Information:

Report and appendices to be published on 1 December 2014

**Further Information
Available From:**

Name: Stephanie Ramsey

Tel: 023 8029 6941

E-mail: Stephanie.ramsey@southamptoncityccg.nhs.uk

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SUBJECT: FUTURE OF RESPITE SERVICE FOR ADULTS WITH LEARNING DISABILITIES
DATE: 4 DECEMBER 2014
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER

SUMMARY:

This report, which is to be published on 1 December 2014, will be presented to Cabinet on 9 December 2014 for decision. The report details recommendations for the future of the respite service for adults with learning disabilities, taking into account the outcomes of the statutory consultation.

BACKGROUND and BRIEFING DETAILS:

1. A copy of the Cabinet Report and associated appendices which provide full details of the proposals will be published on 1st December 2014.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

2. This information will be outlined in the Cabinet report.

Property / Other

3. This information will be outlined in the Cabinet report.

Legal

4. This information will be outlined in the Cabinet report.

Policy

5. This information will be outlined in the Cabinet report.

Appendices/Supporting Information:

Report and appendices to be published on 1 December 2014

**Further Information
Available From:**

Name: Stephanie Ramsey

Tel: 023 8029 6941

E-mail: Stephanie.ramsey@southamptoncityccg.nhs.uk

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SUBJECT: FUTURE OF WOODSIDE LODGE RESIDENTIAL CARE HOME
DATE: 4 DECEMBER 2014
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER

SUMMARY:

This report, which is to be published on 1 December 2014, will be presented to Cabinet on 9 December 2014 for decision. The report details recommendations for the future of Woodside Lodge residential care home, taking into account the outcomes of the statutory consultation.

BACKGROUND and BRIEFING DETAILS:

1. A copy of the Cabinet Report and associated appendices which provide full details of the proposals will be published on 1st December 2014.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

2. This information will be outlined in the Cabinet report.

Property / Other

3. This information will be outlined in the Cabinet report.

Legal

4. This information will be outlined in the Cabinet report.

Policy

5. This information will be outlined in the Cabinet report.

Appendices/Supporting Information:

Report and appendices to be published on 1 December 2014

Further Information Available From:

Name: Mark Howell

Tel: 023 8083 2743

E-mail: mark.howell@southampton.gov.uk

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