

Children and Young People Select Committee			
Title	Select Committee work programme		
Contributor	Scrutiny Manager	Item	10
Class	Part 1 (Open)	13 March 2019	

1. Purpose

To provide Members of the Select Committee with an overview of the work programme for 2018-19 and to advise on the process for agreeing the 2019-20 work programme.

2. Summary

- 2.1 At the beginning of the municipal year each select committee is required to draw up a work programme for submission to the Overview and Scrutiny Business Panel. The Panel considers the suggested work programmes and coordinates activities between select committees in order to maximise the use of scrutiny resources and avoid duplication.
- 2.2 The meeting on 13 March is the last scheduled meeting of the Children and Young People Select Committee in the 2018-19 municipal year. The Committee's completed work programme is attached at Appendix B, which lists the issues considered in 2018-19. The Committee is invited to suggest items for the 2019-20 work programme.

3. Recommendations

- 3.1 The Committee is asked to:
- prioritise themes for the 2019/20 work programme, having regard for the prioritisation process illustrated in this report
 - note the Committee's Terms of Reference at **Appendix A**;
 - note the completed work programme attached at **Appendix B**;
 - review the issues covered in 2018-19 municipal year;
 - take note of the notice of key decisions attached at **Appendix C**;
 - consider any matters arising that it may wish to suggest for future scrutiny.

4. Children and Young People Select Committee 2018-19

The Committee had six meetings in the 2018-19 municipal year. The completed work programme is attached at Appendix B. The Committee undertook an in-depth review of exclusions from school. This has formed a large part of the Committee's workload over the year. The final report will be considered at the first meeting of the new municipal year, date to be confirmed.

5. Priorisation and planning for 2019-20

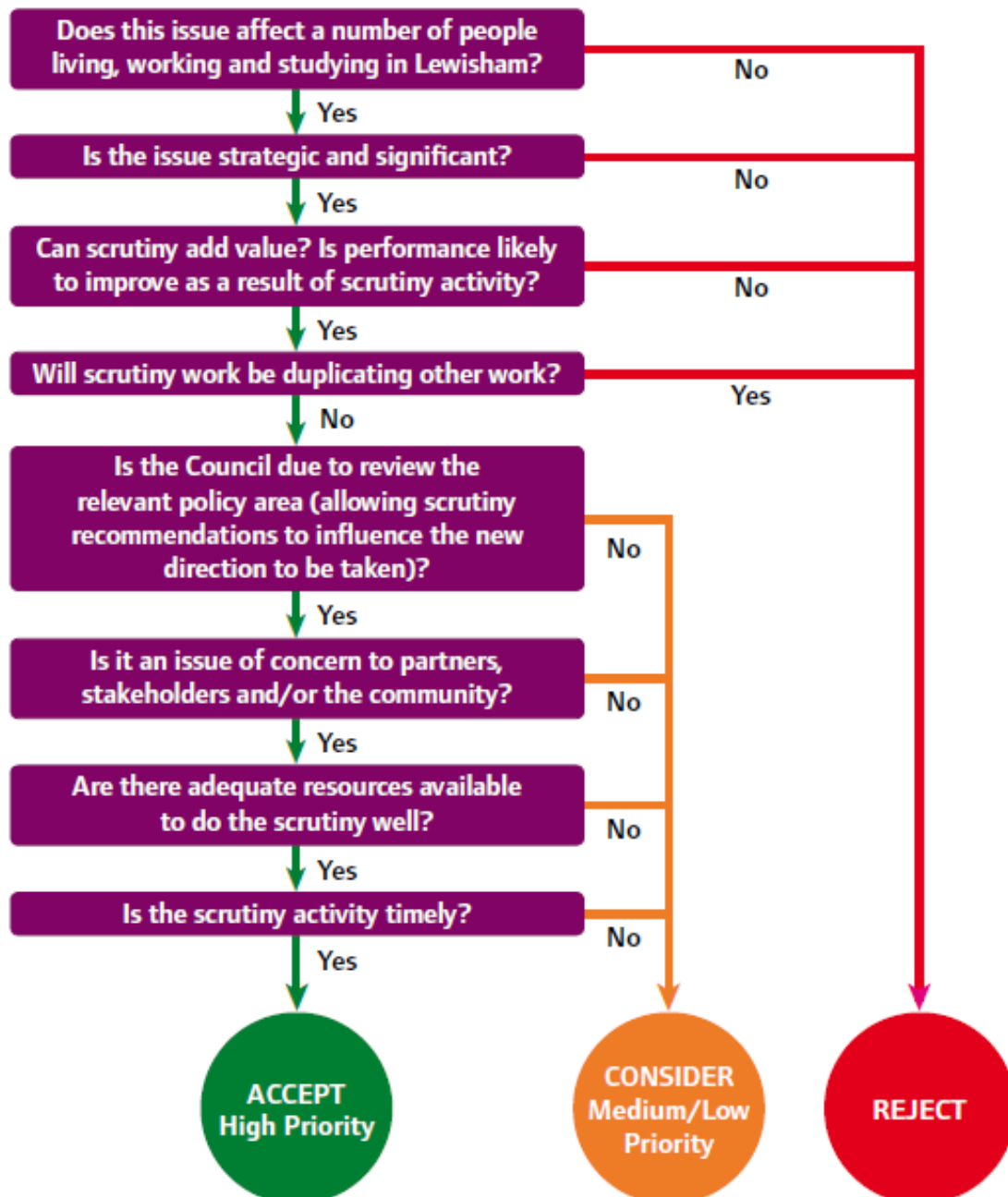
- 5.1 Eight meetings will be scheduled for 2019-20 municipal year. A work programme report will be put forward at the first Children and Young People Select Committee meeting of the 2019-20 year for members to discuss and agree. The report will take account of the Committee's previous work and may incorporate:
- The scrutiny prioritisations process and potential key themes and priorities for 2019/20
 - issues arising as a result of previous scrutiny;
 - issues that the Committee is required to consider by virtue of its terms of reference;
 - items requiring follow up from Committee reviews and recommendations;
 - issues suggested by members of the public;
 - petitions;
 - standard reviews of policy implementation or performance;
 - suggestions from officers;
 - relevant decisions due to be made by Mayor and Cabinet.
- 5.5 When deciding on items to include in the work programme, the Committee should have regard to:
- the criteria for selecting and prioritising topics;
 - the Committee's terms of reference;
 - the capacity for additional items in terms of the Committee's time and resources;
 - the context for setting the work programme and advice from officers;

Children and Young People Select Committee Terms of Reference

- 5.6 The Committee's terms of reference are included at **Appendix A**. The Committee should familiarise itself with the Terms of Reference and consider its remit when selecting items for scrutiny.
- 5.7 The Select Committee's role is to examine issues relating to but not limited to matters such as: child protection; early years provision; special needs provision; schools; youth service; young offending; leaving care services; and any other matters relating to children and young people.
- 5.8 The remit of the Children and Young People Communities Select Committee is broad and for the Committee to ensure its work programme is as tailored and focussed as possible delivering robust scrutiny, it is important to ensure items are prioritised and key outcomes identified. It is likely that due to the volume of work, the Committee will have to make difficult decisions considering where it can most add value and influence and which items are of most importance to the Council and Lewisham residents. Particular care needs to be taken regarding the potential for duplicating work by other committees and boards.

The flow chart below, based on the model from the Centre for Public Scrutiny (CfPS) is designed to help Members decide which items should be added to the work programme.

Scrutiny work programme – prioritisation process



5.9 As well as using the prioritisation process above, the Committee may wish to highlight key themes which they believe to be of strategic importance for the Committee for 2019/20. These can then be used by the Committee to help determine whether items should be added to the work programme.

6. Different types of scrutiny

6.1 It is important to agree how each work programme item will be scrutinised. Some items may only require an information report to be presented to the Committee and others will require performance monitoring data or analysis to be presented. Typically, the majority of items take the form of single meeting items, where members:

- (a) agree what information and analysis they wish to receive in order to achieve their desired outcomes;
- (b) receive a report presenting that information and analysis;
- (c) ask questions of the presenting officer or guest;
- (d) agree, following discussion of the report, whether the Committee will make recommendations or receive further information or analysis before summarising its views.

6.2 For each item, the Committee should consider what type of scrutiny is required and whether the item is high or medium/low priority (using the prioritisation process). Allocating priority to work programme items will enable the Committee to decide which low and medium priority items it should remove from its work programme, when it decides to add high priority issues in the course of the year.

In-depth review

6.3 Some items might be suitable for an in-depth review, where the item is scrutinised over a series of meetings. Normally this takes at least four meetings to complete:

- Meeting 1: Scoping paper (planning the review)
- Meetings 2 & 3: Evidence sessions
- Meeting 4: Agreeing a report and recommendations

6.4 If the Committee wants to designate one of its work programme items as an in-depth review, this should be done at the first meeting of the municipal year to allow sufficient time to carry out the review. A scoping paper for the review will then be prepared before the summer recess.

7. Financial implications

There are no financial implications arising from the implementation of the recommendations in this report.

8. Legal implications

In accordance with the Council's Constitution, all scrutiny select committees must devise and submit a work programme to the Business Panel at the start of each municipal year.

9. Equalities implications

- 9.1 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
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- 9.3 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 12.2 above.
- 9.4 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 9.5 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

- 9.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty: A guide for public authorities
 - Objectives and the equality duty. A guide for public authorities
 - Equality Information and the Equality Duty: A Guide for Public Authorities
- 9.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
- <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

Background documents

Lewisham Council's Constitution

Centre for Public Scrutiny: the Good Scrutiny Guide

Children & Young People Select Committee

Terms of Reference

(a) To fulfil all overview and scrutiny functions as they relate to the social care of children and young people up to the age of 19 years including but not limited to the following activities:-

(i) the social services functions of the Council under the Children Act 2004, and all functions of the Council under the National Assistance Act 1948, the Mental Health Act 1983, Children Act 1989, the NHS and Community Care Act 1990, Children Act 2004, Children and Families Act 2014 and all other relevant legislation in force from time to time

(ii) to invite representatives of other service providers to children and young people in the area to give account of their performance and to answer questions.

(b) In so far as they relate to the provision of services for those under the age of 19 years, the exercise of all of the Council's powers under all relevant legislation pertaining to education from time to time in force. Without limiting the generality of this, this shall include, in particular, schools and school related services.

(c) The exercise of the overview and scrutiny powers of the Council in 39 so far as they relate to people under 19 years of age in the provision of opportunities for education, training and learning outside the school environment, including pre-school services.

(d) In so far as they relate to children and young people under 19 years of age, to make comments and recommendations to the Executive on the contents and proposed contents of the plans making up the Council's policy framework.

(e) In so far as they relate to people under the age of 25 years, to make comments and recommendations on the provision of education, training and learning by those with special educational needs.

(f) Without limiting the remit of the Select Committee, its terms of reference include the following matters:

- Child protection - covering provision for vulnerable children including children in need and children looked after, placements, foster care and adoption
- Early years provision
- Special needs provision
- Schools and related services
- Youth Service
- Youth offending and challenging behaviour
- Transitional services for those leaving care
- Other matters relating to children and young people

(g) To receive and consider referrals from the Healthwatch in so far as they relate solely to people under 19 years of age. Otherwise such referrals will be made to the Healthier Communities Select Committee

(h) Without limiting the remit of the Select Committee, to hold the Executive to account for its performance in relation to the delivery of Council objectives in the provision of services to children and young people.

NB In the event of there being overlap between the terms of reference of this select committee and those of the Healthier Communities Select Committee, the Business Panel shall determine the Select Committee which shall deal with the matter in question.