

NORTH YORKSHIRE COUNTY COUNCIL

Care and Independence Overview and Scrutiny Committee

4 July 2013

Voluntary and Independent Sector Co-opted Representation

Purpose of Report

1. This report invites Members to consider non-statutory co-opted representation on the Care and Independence Overview and Scrutiny Committee and to advise the Council of their views.

Introduction

2. On 22 March 2013 the Members Constitution Working Group (MCWG) considered the appointment of non-statutory co-opted representation on the Care and Independence Overview and Scrutiny Committee.
3. The MCWG recommended that a further report on non-statutory co-opted Members be brought to the meeting of Full Council following the May 2013 election and consideration by the relevant Overview and Scrutiny Committees. They also recommended that any re-appointments of non-statutory co-optees on this Committee (and the Young People Overview and Scrutiny Committee) should be held in abeyance until then.

Background

4. In the previous County Council the 3 co-opted members on the Committee were:

<u>Representative</u>	<u>Comments</u>
Voluntary Sector: Alex Bird	Appointed in May 2009 for 4 years
Voluntary Sector: Bridget Hardy (latterly replaced by the substitute Peter Blackburn; Lynne Webb-Thorius	Appointed in May 2009 for 4 years
Independent Sector: Mike Padgham	Appointment agreed by County Council on 12 October 2011 and to be reviewed by the Committee prior to 2013 elections. *

* It should be noted that the Committee meeting in April 2013 when the independent sector representation was to be considered was cancelled due to the purdah period.

Voluntary Sector Representatives

5. These appointments were first made some time ago by the then Social Services Committee. The thinking was to give the sector a formal opportunity at a political level to influence decision making on social care matters. But this decision was taken when Social Services Authorities traditionally grant aided rather than contracted with third sector organisations. As social care became increasingly provided from a mixed market and the role of the voluntary and community sector in service planning and provision broadened, Members took the view that the case for representation remained. This position remains relevant with the recent publication of a 'Vision for Social Care' with its emphasis on partnership and plurality, i.e., broadening the market of care services.
6. The role of the co-opted representatives is set out in APPENDIX 1.

Independent Sector Representative

7. During 2011, the Committee asked its Group Spokespersons to consider whether there should be a representative from the independent sector on the Committee.
8. Group Spokespersons reflected on the following context:
 - The Council commissions services with many organisations from the sector - residential care; nursing care; domiciliary care; home from hospital services and advice / advocacy services. The sector provides a significant percentage of social care services in the County.
 - The social care market is dominated by the independent sector in employment terms.
 - The County Council plays a significant role in terms of direct delivery of services but that represents a small portion of the overall market. The HAS directorate is more dependent upon the independent sector to meet the needs of service users.
 - There is also a national expectation that local authorities will not only develop robust partnerships with the independent sector but that they also involve them in developing and delivering on key health and social care strategies and plans.
9. Taking all these issues into consideration, the Committee concluded that it would be appropriate to give the independent sector representation on the Committee on the basis that:
 - it would provide an insight into how the sector is meeting the challenges of a commissioning environment against a background of issues such as increasing percentage of older people, greater choice, direct payments and increased competition;

- Like the voluntary sector representatives, the right person would be a source of independent expertise and knowledge for Members;
 - It would be consistent with NYCC volunteering policy - promoting civic society;
 - It would raise the profile of the sector within the authority and build on the constructive working relationship that Adult and Community Services has with independent care sector representatives, but possibly improve links to with other directorates.
10. County Council on 12 October 2011 agreed to the appointment of an independent sector representative and that the situation be reviewed by the Committee prior to 2013 elections.

Commentary: How it has worked in Practice?

11. All three co-optees have participated fully in the Committee's work, bringing a service user perspective both at formal meetings and as part of task groups.
12. The 2 voluntary sector representatives were appointed following an extensive election process, and although they happen to be from service provider organisations they were not elected exclusively from such organisations – the whole voluntary sector (including individuals and other groups) had a vote in the process.
13. Being from a service provider has been co-incidental and has not constrained them from acting first and foremost as advocates for service users. They have also helped the Committee to understand the strategic challenges facing social care in a mixed market economy.
14. Whilst it could be argued that there has been no representation specifically from actual service users themselves, it is believed that, as part of the everyday business of the Committee, there is sufficient opportunity for service users to contribute to items under discussion. This has included being consulted as part of the Committee's work on in-depth scrutiny projects.

Options to Consider

15. There are a number of options that the Committee might like to consider around the appointment of non-statutory co-optees:
- a. Continue existing arrangements for non – statutory co-optees
 - b. Consider alternative non – statutory co-optees
 - c. Not appointing any non – statutory co-optees
16. Of the options outlined above officers would recommend option (a) as the existing arrangements have worked well as outlined in paragraphs 11–14 above.

17. Members may like to note that there is the provision to appoint additional non-statutory co-optees and call expert witnesses for discrete, time limited pieces of scrutiny work.

Method of Appointment

18. Should the County Council decide to reappoint then election/nomination process for the voluntary sector representatives would be managed by the North York and York Forum - the main forum in the County for the sector. In respect of the independent sector, the Independent Care Group, which represents the sector on a wide range of issues, would be invited to nominate an individual.
19. To ensure the terms of all the non-statutory appointments are the same, the representatives would serve for the term of this County Council (June/July 2013 – May 2017).

Recommendation

20. The Committee is recommended to decide on which option it wishes to recommend to the County Council. Either:
- a. continue existing arrangements for non – statutory co-optees;
 - b. consider alternative non – statutory co-optees;
- or
- c. not appoint any non–statutory co–optees

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Background Documents: None

APPENDIX 1

The Role of Co-Opted Representatives

Co-opted representatives are non-voting members, but have full speaking rights and otherwise participate fully in the work of the Overview and Scrutiny Committee.

Their key role is to ensure that the views of children and young people, and the sectors representing them, are heard by the Committee.

Tasks include:

- Attending and play an active part in the meetings of the Committee, in meetings of any working groups to which they are appointed by the Committee, and in seminars and training sessions provided by the County Council.
- Representing the interests and views of all the sector, not just those of their own organisation or area of interest.
- Informing other providers and organisations in the sector of issues being considered by the Committee and encourage them to respond to the issues.
- Taking information and views from the sector and providers (and the people they work with and for) to communicate directly with the Committee.
- Being available for personal contact by those organisations.
- Liaising with their sector to contribute to written briefings to be circulated in their sector.

People nominated for election would be required to:

- Agree to undertake the key tasks set out above.
- Have good interpersonal and communication skills.
- Have experience of committee working including speaking in public meetings.
- Have experience of working (unpaid or paid) with children and/or young people.
- Agree to abide by the code of conduct for County Councillors including registration and declaration of relevant personal and other interests.