



**North Yorkshire County Council
Scarborough and Whitby Area Constituency Committee
20 June 2018
Area Constituency Committees - a suggested way forward**

Purpose of Report

A guide to Area Constituency Committees is appended to this report that outlines how the new committee could work. Committee members are asked to review the report and decide what approaches best fit for them.

A guide to Area Constituency Committees (ACCs) is attached at **Appendix 1**. The guide is intended to help committee members establish this new committee. There are a number of key issues that it would be helpful to address at the first meeting, including:

- Co-option – consider what it is that the committee is trying to achieve by having co-opted members and whether it would be preferable to invite people with specialist knowledge to attend as and when required
- Regular updates – consider whether it is necessary to have regular and routine updates on local issues from organisations such as Police, Fire, Highways and Stronger Communities or whether these can be managed in different ways, such as through an annual session on ‘place’ or ‘community safety’
- Highways – consider having a session on (very) local concerns about road quality either before the meeting or immediately afterwards, as opposed to as public questions or an agenda item
- Standard and timed agenda – consider adopting a standard agenda that helps to ensure a consistent approach to dealing with local issues and concerns whilst also enabling time to be reserved for a focussed review or scrutiny of an issue identified in the work programme for the committee
- Links with Overview and Scrutiny – consider how the co-ordination of county level scrutiny and local in-depths reviews may benefit one another and also provide ACCs with an escalation route.

Recommendation

Committee members are asked to review the report and decide what approaches best fit for them.

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21 May 2018

Area Constituency Committees Guide

Purpose

To improve the quality of life for people in their area by acting as a 'critical friend' to policy makers and decision makers, enabling the voice and concerns of the public to be heard and driving improvements in public services.

Responsibilities

- Act as a forum for Members to bring forward issues affecting their local Electoral Divisions
- Hear and respond to questions and statements from members of the public relating to anything affecting the community within the constituency area
- Agree a Work Programme which lists items of business which the Committee wishes to consider at future meetings
- Undertake meaningful scrutiny of local health issues within their constituency area, complementing the strategic work undertaken by the Scrutiny of Health Committee
- Undertake meaningful scrutiny of local transport issues within their constituency area, complementing the strategic work undertaken by Transport, Economy and Environment Overview and Scrutiny Committee
- Act as consultees in major decisions that affect their constituency area (including responding to consultations)
- Make recommendations on the application of Innovation funding (supported by the Stronger Communities Team)
- Develop a working relationship with the local MP, sharing updates and information on relevant local issues being addressed by the committee.

Role of committee members

All the members of an Area Constituency Committee have a key role to play in ensuring that Council and other public sector services are delivered effectively, efficiently and that they achieve good outcomes for local people. The things that committee members can do, include:

- Contributing to the development of the committee's work programme, providing constructive challenge and suggesting topics for inclusion
- Actively engaging with all stages of the committee review and scrutiny process, including any additional groups or meetings that are set up outside of the scheduled, formal meetings of the committee

- Developing constructive relationships with other members of the committee, the relevant portfolio holders and service leads
- Working apolitically as a committee, with a strong focus upon service improvement and outcomes
- Receiving the data, information and analysis that is presented in an impartial manner
- Assessing the data, information and analysis presented to the committee and testing the conclusions that are drawn
- Contributing to the development of recommendations, based on the committee's deliberations, which are specific, realistic and relevant.

New ways of working

The new ways of working will include a greater emphasis upon: issues directly relevant to the county council; scrutiny of health, transport and educational issues locally; the development of a robust and needs-led work programme for the committee; and impact and outcomes.

There will be a need to develop a good working relationship with the local MP. The benefit to the MP is an increased understanding of the detail of local issues in their area and the County Council's actions or position.

It is the Leader's wish, in time, to devolve more responsibility and decision making powers to the Area Constituency Committees, but this will be done incrementally, once they demonstrate that they are ready.

Membership

The committee membership is made up of County Councillors. Only the County Councillors can vote on any matter.

Co-opted members

The committee can co-opt members onto the committee for the period of the County Council (until April 2021). Nominations can be sought from a range of agencies and organisations. Co-opted members do not have a vote.

It is at the discretion of the committee as to whether they have co-opted members and what role they have to play.

Meetings

The Area Constituency Committee will routinely meet four times a year. Additional meetings or working groups may be held and established as necessary, at the discretion of the Committee.

It is anticipated that the Area Constituency Committees will determine where they are to hold their meetings. If there is a substantive item of interest to a particular division, then it is to be hoped that the meeting will be held in that division to allow free access and public participation.

All venues should have good road and public transport access, access to Wi-Fi and any necessary ICT and be compliant with relevant health and Safety and Disability Legislation.

It is anticipated that the meetings will keep to a maximum 2.5 hour duration.

Consideration should be given to having at least one committee meeting a year at a time and venue that best suits the local MP.

Public Questions and Statements

An early item of business on every Committee agenda is “Public Questions and Statements”. The procedures for Public Questions and Statements are set out in the County Council’s Constitution (any member of the public to speak on any matter at a meeting for up to three minutes subject to an overall time limit of 30 minutes, subject to them giving notice to Legal & Democratic Services prior to a meeting).

The Chair has discretion to waive the notice period and the restriction on the length of time for which a person can speak. The Chair usually exercises their discretion depending on the amount of business scheduled for that particular meeting.

The need to engage with and respond to local issues identified by members of the public needs to be balanced by the need to ensure that scheduled items on the agenda can be dealt with effectively and efficiently within the time that the committee has available. The situation to avoid is one in which public questions dominate the meeting.

Committee members and co-opted members are disqualified from raising questions under this item of business. They can, however, contribute to the development of the work programme for the committee, highlighting local issues of concern that fall within the remit of the committee.

Members of the public should not be permitted to participate in debates and should vacate the speaker’s chair/position on conclusion of their question/statement and/or after any permitted supplementary question has been asked.

Work programme

The work programme is the document that the committee bases its work upon. The work programme is not a static document and should be kept under ongoing review.

The Democratic Services Officer (DSO) and the Chair and Vice Chair are expected to take ownership and management of the work programme and ensure that it has items for the committee to review and scrutinise that are: relevant; in the public interest; add value; and being scheduled in a timely and efficient way.

The sources of items for the work programme can include:

- Performance data, information and analysis, in particular when it has been benchmarked against similar local authorities
- Inspection reports, such as those produced by the Care Quality Commission or OFSTED

- National research findings
- National policy changes
- National and local consultations and public engagement events
- County Council Plan
- County Council budget and delivery against savings proposals and targets
- Agendas for Executive
- Overview and Scrutiny
- Local issues raised by elected members, members of the public or highlighted in the media
- Local networks and partnerships.

Where an initial area of interest or line of inquiry is identified, further information is gathered to ascertain whether this is a valid area for review and local scrutiny that will add value and not duplicate work that is already underway.

On every agenda for formal meetings of the committee, there is an item on the committee work programme. This provides Members with an opportunity to reflect on the issues that have been identified and assure themselves that they are appropriate for the committee.

It is suggested that routine updates (Police, Fire, Road Casualty, Public Health, Stronger Communities) are not brought to every meeting of the committee. Whilst it can be helpful to have items that build knowledge about and understanding of the issues in the local area, the discussions should have a clear focus upon an outcome. In effect, answering the 'so what?' question.

It may be helpful to schedule updates once a year at a special session that looks for patterns in issues and behaviours and so also begins to identify some lines of enquiry for the committee to pursue as part of the development of its work programme.

District and Borough Councils

The district and borough councils are not directly represented on the Area Constituency Committees. It is acknowledged, however, that they have a degree of representation in so far as a significant number of the County Councillors present will also be members of the district or borough council.

A key link for the committee to make will be with the district and borough council scrutiny officers. This will help ensure that there is a mutually beneficial flow of data, information and analysis on key local issues. Also that any scrutiny of local issues is co-ordinated.

County Council Overview and Scrutiny

Scrutiny aims to contribute to the Council's corporate outcomes in many ways, including:

- Enabling Councillors to become directly involved in the development of: policy and strategy; consultation and public engagement planning; and the performance management of the Council

- Keeping Councillors and the public informed of key issues, priorities and initiatives
- Enabling direct engagement with the people of North Yorkshire
- Acting as a critical friend and providing Cabinet Members and senior officers with a non-partisan forum in which to test out ideas, approaches and gain feedback and suggestions
- Providing a structure, through the call-in process, for scrutinising specific decisions of the Executive
- Scrutinising issues of public concern beyond the remit of the Council.

There are five thematic overview and scrutiny committees, each of which meet in public four times a year, as below:

- Transport, Economy and Environment – focussed upon transport and communications infrastructure, supporting business and helping people develop their skills, sustainable development, climate change, countryside management, waste management, environmental conservation and cultural issues
- Corporate and Partnerships - the Council's corporate organisation and structure, resource allocation, asset management, procurement policy, people strategy, equality and diversity, performance management, communications, partnership working, community development and engagement and community safety (as the designated Crime and Disorder Committee).
- Young People – focussed upon the interests of young people, including education, care and protection and family support
- Care and Independence – focussed upon the needs of vulnerable adults and older people and people whose independence needs to be supported by intervention from the public or voluntary sector
- Health - focussed upon the planning, provision and operation of health services in the County with the aim of acting as a lever to improve the health of local people and ensuring that the needs of the local people are considered as an integral part of the delivery and development of health services.

Overview and scrutiny functions are also supported through the following bodies:

- Scrutiny Board – this is made up of the Chairs of the five thematic overview and scrutiny committees and enables work to be co-ordinated, opportunities for joint scrutiny to be identified, and committee Chairs to act as critical friends.
- Police and Crime Panel - which scrutinises the Police and Crime Commissioner. There is also a Complaints Sub-Committee which meets on an ad hoc basis. This a joint committee of NYCC, CYC and the district councils.
- Looked After Children's Members Group – this is not a formal committee but acts as an informal advisory group to the Executive Portfolio Holder for Children's and Young Peoples Services. The group performs a role consistent with statutory guidance for local authorities to promote the health and well-being of looked-after children.

It is important that the work of the Area Constituency Committees adds to and does not duplicate the work of the overview and scrutiny committees. This can be achieved by identifying issues of local concern, discussing them with the relevant lead scrutiny officer and working out what role the Area Constituency Committee could play.

The key will be regular contact between officers that support the 6 Area Constituency Committees and the 5 thematic overview and scrutiny committees and the Police and Crime Panel.

Example 1 - health

The Scrutiny of Health Committee is notified by Airedale Wharfedale and Craven Clinical Commissioning Group that the Castleberg Hospital in Settle is due to close at short notice due to concerns about the fabric of the building and so safety of patients.

The Scrutiny of Health Committee receives a formal update from the CCG at a committee meeting and assesses whether this individual case is part of a broader issue impacting upon a number of smaller community hospitals in the county and also whether there are any concerns about how the CCG, NHS Property Services and the Foundation Trust have worked.

The Scrutiny of Health Committee then asks the Area Constituency Committee to maintain a watching brief on developments with the hospital, specifically: what plans there are in place to manage the transfer of existing patients and the treatment of future patients from the area; what plans there are for the future use of the site; the public engagement process; any formal proposals and consultation.

The Area Constituency Committee then alerts the Scrutiny of Health Committee if there are any particular concerns about the way in which this local matter is being managed by the CCG.

The Area Constituency Committee forward to the Scrutiny of Health Committee its views on any formal consultation so that a joint response can be submitted that takes into account local service issues and countywide strategic planning and commissioning issues.

The flow of information and analysis between the Scrutiny of Health Committee and the Area Constituency Committee is two way.

Example 2 – community safety

The Area Constituency Committee is made aware of an issue relating to community safety that is impacting in its area. A local response is in place but it becomes clear that this is an issue that has an impact upon communities elsewhere in North Yorkshire.

The Area Constituency Committee contacts the Corporate and Partnerships Overview and Scrutiny Committee to assess whether this is an item that they could consider in their role as the Crime and Disorder Committee for the county.

The Corporate and Partnerships Overview and Scrutiny Committee take on the item and request that all Area Constituency Committees provide a formal submission detailing what the issue is, what the local response is, how effective that response is and recommendations for action.

The Corporate and Partnerships Overview and Scrutiny Committee then considers the issue at a county level, involving all relevant stakeholders and then makes recommendations to Executive and/or Council.

Standard agenda

The following agenda is suggested as a standard to be used:

Item	Timing
Minutes of the last meeting	5 mins
Declarations of interest	
Apologies	
Chairman's announcements	10 mins
Public questions or statements	30 mins
Topic for scrutiny or focussed review	90 mins
Work programme review	15 mins
Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances	

Any questions

Please contact Daniel Harry, Democratic Services and Scrutiny Manager, if you have any queries or concerns.

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DH - 21 May 2018