

Partnerships Committee Workshop report

**A report produced by the
Partnerships Committee**

January 2021 Final Report

1. Governance

In October 2019, Wirral Council agreed to a move from the Leader and Cabinet Executive arrangements to a Committee System form of governance arrangements. These changes have taken effect from the first Annual Council Meeting on 28th September 2020.

The Council has a number of statutory scrutiny functions including matters relating to the health of the authority's population and the power to scrutinise the activities of those responsible for crime and disorder strategies, as embodied by the Safer Wirral Partnership, under the Police and Justice Act 2006

The Council has determined, through its governance working group, that these overview and scrutiny functions are to be carried out by the Partnerships Committee, which will also scrutinise the functions and responsibilities undertaken by other public bodies within the Borough. The Partnerships Committee will be an 'outward looking' committee composed of 11 Council Members who will be assigned subject to political proportionality – with its principal role to review decisions made by relevant partner authorities and the performance of these organisations. Overview and scrutiny as an approach, meaning the review of implementation of policies and develop of future policy, will be undertaken by the Policy & Resources Committee.

The Partnerships Committee has been established primarily to implement the authority's overview and scrutiny functions as set out in Part 3 of the Local Authority (Committee System) (England) Regulations 2012 (b) Functions. The Partnerships Committee will review and scrutinise matters which affect the Borough and its residents, including carrying out the Council's statutory responsibilities in relation to decisions made or action taken in connection with;

- the discharge by the Wirral Community Safety Partnership of their crime and disorder functions under the Police and Justice Act 2006;
- matters relating to the planning, provision and operation of health services in the Borough, including significant change to service provision and those jointly commissioned or delivered by the council under the Health and Social Care Act 2006;
- the review and scrutiny of the flood and coastal erosion risk management functions under the Flood and Water Management Act 2010.

The Partnerships Committee does not have a direct Council budget that it is responsible for, but rather acts as a scrutiny body to review the financial and performance data of external partners and offer comment.

1.1 Terms of Reference

Composition:

Eleven (11) Members of the Council, subject to proportionality, which may be altered to accommodate the overall political balance calculation.

Terms of Reference

The principal role of the Partnerships Committee is to look outwards to the Council's functions as the area's democratically elected local government, representing the people and businesses of the Borough. In terms of reviewing the decisions of relevant partner authorities on health service provision, on crime and disorder and on flood risk management, this role extends to include a statutory role and powers given by Parliament to the Council. The Committee can produce reports to which a relevant partner authority must have regard in the exercise of its functions.

The Committee is established by Council to fulfil those functions as an overview and scrutiny committee, not undertaken by the Decision Review Committee, provided under Part 3 of the 2012 Local Authorities (Committee System) (England) Regulations.

The Committee is charged by full Council to:-

- (a) undertake reviews and make recommendations on services or activities carried out by external organisations which affect the Borough of Wirral or any of its inhabitants, including the review and monitoring of the contractual and operational performance of shared service partnerships, joint ventures and outside organisations to which the Council makes a resource contribution, focussing on examination of the benefits of the Council's contribution and the extent to which the body concerned makes a contribution to achievement of the Council's priorities;
- (b) consider and implement mechanisms to encourage and enhance community participation in the development of policy options and to investigate, take evidence and consult upon issues within their remit;
- (c) undertake responsibility for the Council's responsibilities for scrutiny as stated in the Police and Justice Act 2006, the Health and Social Care Act 2006 as amended, the Local Government Act 2000 as amended, the Localism Act 2011 and the subsequent Local Authority (Committee System) (England) Regulations 2012, which includes
- (d) in respect of the Health and Social Care Act 2006, the functions to:
 - (i) investigate major health issues identified by, or of concern to, the local population.
 - (ii) consult, be consulted on and respond to substantial changes to local health service provision, including assessing the impact on the local community and health service users.
 - (iii) scrutinise the impact of interventions on the health of local inhabitants, particularly socially excluded and other minority groups, with the aim of reducing health inequalities.

- (iv) maintain an overview of health service delivery against national and local targets, particularly those that improve the public's health.
 - (v) receive and consider referrals from local Healthwatch on health matters.
- (e) in respect of the Police and Justice Act 2006, the functions to:
- (i) review or scrutinise decisions made or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions; and
 - (ii) make reports or recommendations to the local authority with respect to the discharge of those functions
- (f) in respect of Section 9JB of the Local Government Act 2000, the functions to review and scrutinise the exercise by risk management authorities of flood risk management and of coastal erosion management functions which may affect the local authority's area; and
- (g) undertake responsibility for those overview and scrutiny functions provided for under Part 3 of the 2012 Local Authorities (Committee System) (England) Regulations. not otherwise fulfilled.

1.2 Methodology

The process and meetings of the Committee in carrying out will be conducted in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4(4) of this Constitution.

1.3 Joint Health Scrutiny Committee

A Joint Health Scrutiny Committees has been established under Regulations made under the Health and Social Care Act 2001 and directions issued by the Secretary of State for Health. These committees comprise representatives of the authorities in the area affected and are appointed to examine proposals by NHS Trusts and commissioners that affect more than one local authority area. They are authorised formally by the local authorities to scrutinise and report on the proposals and to consider whether, in the light of the decision of the NHS Board(s), the consultation process was flawed or that the decision is not in the interest of the residents and health needs in the area and, in either case, whether to refer the matter to the Secretary of State for Health.

Procedures at meetings of Joint Health Scrutiny Committees will be as decided by the Joint Committee and in accordance with the Memorandum of Understanding agreed by the respective authorities [dated xx], except where otherwise prescribed by legislation.

2. Overview and Scrutiny: Statutory Guidance

May 2019, the Ministry for Housing Communities and Local Government published a statutory document on Overview & Scrutiny in local government. Authorities with a scrutiny arrangement have an obligation to hold the guidance in regard when exercising their scrutiny function, although it is nationally recognised that each authority is best placed to determine its own scrutiny arrangements.

The guidance seeks to ensure local authorities and combined authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

2.1 Culture

A crucial area of focus within the guidance was the idea of a strong organisational culture which recognises the value of scrutiny. In addition, the paper states that early engagement between the Executive and Scrutiny is key, and that Scrutiny Members are supported to have an independent mindset and a high profile within the organisation.

2.2 Resourcing

As referenced in the guidance, 'effectively resourced scrutiny adds value to the authority, improves ability to meet the needs of local people and can help policy formulation.' The designation of a Statutory Scrutiny Officer is required, alongside a team of Democratic Services officers who are structurally independent from those areas they scrutinise, in order to ensure impartiality of advice. Wirral currently delivers all aspects of best practice regarding resourcing, with a statutory scrutiny officer and a team of officers in place.

2.3 Selecting Committee Members

The paper states that selecting Members for scrutiny committees with the right skills and commitment is essential, and effective induction and training should be ensured. Outside expertise in the form of co-option of individuals and technical advisors can also be useful.

At Wirral, Partnership Committee members are selected based on their knowledge, experience and dedication to the remit of the Committee. There is a corporate Member Development programme in place, with scrutiny-specific training and development often arranged by Democratic Services.

Scrutiny Members should be able to access any information that they require and receive it in good time, with care taken not to limit or refuse information unless necessary. Committees in Wirral make use of closed scrutiny sessions if requested information is financially or commercially sensitive although Members were keen that, where possible, information is presented to the Committee to keep discussion open and transparent.

Parliamentary Select Committees

Parliamentary Select Committees are groups of MPs or members of the House of Lords that are set up to investigate a specific issue in detail or to perform a specific scrutiny role. They may call in officials and experts for questioning and can demand information from the government. Select committees publish their findings in a report and the government is expected to respond to any recommendations that are made.

In British politics, parliamentary select committees can be appointed from the House of Commons, like the Foreign Affairs Select Committee or from the House of Lords, like the Delegated Powers and Regulatory Reform Committee.

In regard Local Government Overview and Scrutiny there been the acceleration in the development of formal and informal partnership working at local level, since 2020.

This has led to a more outward-looking approach to scrutiny work, with councillors looking at issues as they affect local people rather than carrying out oversight of the council as an institution. The potential expansion of scrutiny's role has led to some challenges in prioritisation, and the management of resources, to ensure that the function is investigating the right issues at the right time, and in the right way.

The Francis inquiry into the Stafford Hospital scandal revealed that concerns expressed to the local scrutiny committee with responsibility for health issues had not been taken up and investigated. The inquiry report suggested that scrutiny needed to be properly supported to carry out a central role in a more robust accountability framework within the NHS, to prevent those events recurring.

The statutory guidance, and this guidance, reflects the “four principles” of good scrutiny developed by CfPS in 2003 and which remain vital and relevant today. These are that effective overview and scrutiny should:

- Provide constructive “critical friend” challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role;
- Drive improvement in public services.

CfPS thinks that there are three further components of good scrutiny and good governance which support and reinforce these principles. These components are necessary in order for democracy at a local level to be participative; they are necessary for good scrutiny to thrive. These are:

- Accountability – an environment where responsibility for services and decisions is clear and where those holding responsibility can and are answerable for success and failure;
- Transparency – the publication, proactively, of information relating to services and decisions to allow local people, and others, to hold policymakers and decision-makers to account.
- Involvement – rules, principles and processes whereby a wide range of stakeholders (including elected representatives) can play active roles in holding to account and influencing and directing the development of policy.
- These principles and components rely on the presence of a strong and supportive political and organisational culture; one in which forensic and robust scrutiny can develop and thrive.

3. Work Planning and Considerations for Work Programmes

The guidance suggests that O&S Committees draw up long-term work programmes, making them flexible enough to accommodate any urgent issues that arise during the year. In addition, it is suggested that work is prioritised, with emphasis given to subjects that involve risk, finance or partnership working, and that partners, stakeholders and executive Members are engaged with.

This includes use of a set of principles for prioritisation – a clear list of criteria to ensure that the most significant topics are prioritised. Alongside this initial planning session, the agenda for each meeting is reviewed throughout the year to allow urgent issues to be addressed and the work programme to remain as flexible as possible.

Evidence Sessions

The publication advocates the use of evidence sessions in informing the recommendations of O&S Committees. These sessions can include workshops or task and finish groups, and should have clear objectives to start, and evaluation of evidence presented.

At Committee on 9th November 2020, Committee discussed the work programme and a wide range of possible options including the possibility of inviting partners and external agencies to attend and report to future Committee Meetings. These included:

- Officers from Merseyside Fire & Rescue Service,
- the Northwest Ambulance Service,
- Social Housing providers,
- Network Rail,
- the Voluntary/Third Sector,
- RNLI,
- Better Care Fund,
- Utility providers,
- the Highways Authority and
- Trade Union representatives
- Notices of Motion
- Food security
- Partnerships
- Road safety

4. Workshop Summary

In December 2020, a workshop was held for members of the Partnerships Committee with a view to setting out the committee priorities for the next municipal year and beyond. It was agreed by Members and Officers that the new governance arrangements, committee system and disaggregation of scrutiny between the policy and service committees gives the partnerships committee a unique opportunity to shape the work programme.

After updates from the Heads of Legal Services and Democratic & Member Services, the Chair opened up discussions from Members of the Committee as to the work programme and priorities moving forward.

After some discussion there was a general consensus that the Committee should continue to focus on health scrutiny moving forward, with additional focus and collaboration with partner organisations.

Members were also keen to avoid duplication of work with other Committees and agreed that some items such as road safety would be best served by the policy and service committees. However, it was also agreed that collaboration between the Committees should be maintained and matters for further scrutiny could be referred to the Partnerships Committee for consideration

It was agreed that a list of agenda items should be sent via Democratic Services to collate agenda subjects for prioritisation by the Chair and Group spokes.

Members of the Committee were asked to rank items in order of priority and were also requested to note how the items should be scrutinised, i.e. Committee report, workshop or working group etc.

Below are the collated responses.

Topic in rank order of interest	Suggested Format of Scrutiny Approach	Internal/ External/ Combination
1. Voluntary/Third Sector	Committee report/ Presentation	Combination
2. Better Care Fund	Committee report/ Presentation	Combination
3. Merseyside Fire & Rescue Service	Committee report/Presentation	External
4. RNLI	Committee report/ Presentation	External
5. Northwest Ambulance Service	Committee report/ Presentation	External
6. Network Rail	Committee report or workshop	External
7. Trade Union representatives	Committee report or workshop	External
8. Utility providers	Committee report/ Presentation	External
9. Food security	Workshop	Combination
10. Notices of Motion	Officer research/Workshop	Internal

11. Social Housing providers	Refer to Housing committee	Combination
12. Highways Authority	Refer to Environment Committee	Internal
13. Road safety	Refer to Environment Committee	Combination

HEALTH	
Wirral Health and Care Commissioning (Wirral CCG)	
<i>Key Officer</i>	<i>Role</i>
Simon Banks (PA Karen Duckworth)	Chief Officer
Dr Paula Cowan	Chair
Lorna Quigley	Director of Quality and Patient Safety
Nesta Hawker	Director of Commissioning
Wirral University Teaching Hospital NHS Foundation Trust	
Janelle Holmes (PA Nigel McLeod)	Chief Executive
Anthony Middleton	Chief Operating Officer
Paul Moore	Director of Governance and Quality Improvement
Hazel Richards	Chief Nurse
Wirral Community Health and Care NHS Foundation Trust	
Karen Howell (PA Denise Powell)	Chief Executive
Mark Greatrex	Deputy Chief Executive
Val McGee	Chief Operating Officer
Paula Simpson	Director of Nursing
Cheshire and Wirral Partnership NHS Foundation Trust	
Sheena Cumiskey	Chief Executive
Suzanne Edwards	Director of Operations
Clatterbridge Cancer Centre NHS Foundation Trust	
Dr Liz Bishop	Chief Executive
Dr Sheena Khanduri	Medical Director
COMMUNITY SAFETY	
Wirral Community Safety Partnership : co-ordinated by Mark Camborne, AD - Safer Wirral Service	
<i>Key Officer</i>	<i>Role</i>
Clive Howarth	Police Crime Commissioner's Office
Gary O'Rourke	Merseyside Police
Simon Banks	Wirral CCG
TBC	National Probation Service
TBC	Merseytravel
TBC	Merseyside Community Rehabilitation Company
Phil Garrigan	Mersey Fire and Rescue Service
FLOODING AND FLOOD RISK MANAGEMENT	
Wirral Flood and Water Management Partnership : co-ordinated by Neil Thomas, Flood and Coastal Risk Manager	
Environment Agency	
United Utilities	
Welsh Water	
WBC Highways Authority	

5.COMMITTEE MEMBERSHIP AND MEETING SCHEDULE

The draft Council Calendar of Meetings 2020/21 and Committee Memberships will be confirmed at the Annual Council meeting on 28th September 2020.

11 Members			
Labour	Conservative	Liberal Democrat	Independent
Cllr Christine Spriggs (Chair) Cllr Tony Cottier Cllr Christina Muspratt Cllr Sarah Spoor Cllr Joe Walsh Cllr Stuart Whittingham	Cllr Leslie Rennie (Vice-Chair) Cllr Jenny Johnson Cllr Ian Lewis	Cllr Dave Mitchell	Cllr Mike Sullivan

Meeting Schedule

Formal Committee meetings are scheduled for the following dates during the 2020/22 municipal year:

- 9th November 2020
- 13th January 2021

Meetings normally commence at 6.00pm

Head of Member and Democratic Services/Statutory Scrutiny Officer

Steve Fox

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Principal Democratic Services Officer

Michael Jones

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Senior Democratic Services Officer
Alexandra Davidson
✉ alexandradavidson@wirral.gov.uk