

Meeting: Overview and Scrutiny Board

Date: 14 July 2021

Wards Affected: All Wards

Report Title: Review of the Children and Young People's Overview and Scrutiny Board

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1. Purpose of Report

- 1.1 The Overview and Scrutiny Board established the Children and Young People's Overview and Scrutiny Board, as a sub-committee of the Board on 13 January 2021. The purpose of the new Board was to provide a dedicated focus for the scrutiny of services and support for children and young people.
- 1.2 It was agreed that the Board would review the effectiveness of the Children and Young People's Overview and Scrutiny Board after six months and this report is before Members to consider whether to continue with the Board going forward.
- 1.3 Unfortunately, despite efforts we have only been able to fill one of the statutory Education Co-opted Member places on the Board and this report seeks approval to expand the Membership to enable non-voting co-opted members to be appointed to enable the voice of the child to be further represented.

2. Reason for Proposal and its benefits

We want Torbay and its residents to thrive.

We want Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations and where there are quality jobs, good pay and affordable housing for our residents.

We want Torbay to be the premier resort in the UK, with a vibrant arts and cultural offer for our residents and visitors to enjoy; where our built and natural environment is celebrated and where we play our part in addressing the climate change emergency.

- 2.1 The proposals in this report help us to deliver the ambition of our residents thriving, by improving the governance and political challenge in respect of services for our children and young people to ensure the best outcomes for them.
- 2.2 The reason for the decision is to continue with the Children and Young People's Overview and Scrutiny Board with a slight variation to the members in respect of

co-opted members, who provide expert advice, to help improve outcomes for our children and young people.

3. Recommendation(s) / Proposed Decision

1. That the Children and Young People's Overview and Scrutiny Board remains in operation to fulfil the Council's overview and scrutiny functions in respect of children and young people; and
2. that, in the absence of the appointment of suitable parent governors to fill the Statutory Education Co-opted Parent Governor Representative places, the membership of the Children and Young People's Overview and Scrutiny Board be expanded to enable parents who are not parent governors but have children at either a primary, secondary or an academy school in Torbay to become non-voting co-opted members on the Board, following an interview with the Chairman of the Children and Young People's Overview and Scrutiny Board and Democratic Services Team Leader, to assist in ensuring that the voice of the child is represented on the Board.

Appendices

Appendix 1: terms of reference and membership of the Children and Young People's Overview and Scrutiny Board.

Background Documents

The agendas, reports and minutes for the meetings of the Children and Young People's Overview and Scrutiny Board can be found on our website at <https://www.torbay.gov.uk/DemocraticServices/mgCommitteeDetails.aspx?ID=1862>

Supporting Information

1. Introduction

- 1.1 The Children and Young People's Overview and Scrutiny Board was established by the Overview and Scrutiny Board on 13 January 2021 as a sub-committee of the Board to fulfil the Council's overview and scrutiny function in relation to children and young people.
- 1.2 The Board has been requested to review the effectiveness of the Children and Young People's Overview and Scrutiny Board after six months of operation. The Board met on 27 January, 1 March and 4 May 2021 and considered the following topics:
 - Ofsted Annual Conversation Letter and Work Programme
 - Adoption
 - Children's Improvement Plan Quarterly Update
 - Review of the Youth Offending Team
 - Children in Care Council and Pledge
 - Ensuring Children receive the right support at the right time
 - Workforce Development and Sufficiency of Placements and Commissioning
 - Children's Improvement Plan Quarterly Update
 - Virtual School Annual Report
- 1.3 The Board has provided dedicated time and focus on our services to children and young people, and the expansion of the expert advisors to the Board with representatives from various sectors, has added significantly to the scrutiny and debate, and ensures that the Board truly hear the voice of our children and young people. Importantly the Board is privileged to have a care experienced young person as a co-opted member, who has actively contributed towards meetings and shared her own and other young peoples views and feelings. Alongside this the Torbay Youth Trust, Imagine This and Devon and Cornwall Police, all of whom support and work with children and young people in Torbay, have all significantly contributed to the work of the Board.
- 1.4 There is a requirement, where a Council is responsible for education functions for certain voting co-optees to be appointed to the relevant committee. These are known as Statutory Education Co-optees – and normally comprises of 2 parent governor representatives (1 primary and 1 secondary) plus 2 diocesan representatives (1 Church of England and 1 Roman Catholic) who have voting rights on educational matters. The Children and Young People's Overview and Scrutiny Board agreed to extend the number of parent governor representatives to up to three to enable representation from an Academy Trust as many of the schools in Torbay are part of this system.
- 1.5 Nationally it has become difficult to attract and appoint Statutory Education Co-optees as many people in these positions do not have capacity to sit on additional council meetings. This is also the case for Torbay, and whilst we have recruited a Church of England Diocesan Representative we have only been able to fill one of the other vacancies. We have written out to all the Schools in Torbay seeking

expressions of interest from parent governors to sit on our Children and Young People's Overview and Scrutiny Board and received applications from two parents who are not parent governors but are all parents of children currently attending schools in Torbay who are keen to sit on the Board to represent the views of their children.

- 1.6 It is proposed that, considering the difficulty recruiting Statutory Education Co-optees, the membership of the Children and Young People's Overview and Scrutiny Board be varied, so that in the absence of the appointment of suitable parent governors that parents who are not parent governors but who have children at either a primary, secondary or an academy school in Torbay can become non-voting co-opted members on the Board to ensure the voice of the child is represented. They will be appointed following an interview with the Chairman of the Children and Young People's Overview and Scrutiny Board and the Democratic Services Team Leader and will also be expected to sign up to the Code of Conduct for Members, as they have not been formally appointed through a representative body.

2. Options under consideration

- 2.1 Not to continue with the Children and Young People's Overview and Scrutiny Board, this options is not recommended as it would mean that all matters relating to children and young people would revert back to the main Overview and Scrutiny where there is not capacity to give the same level of time and in-depth discussion as the Children and Young People's Overview and Scrutiny Board does.

3. Financial Opportunities and Implications

- 3.1 None

4. Legal Implications

- 4.1 There is a requirement, where a Council is responsible for education functions for certain voting co-optees to be appointed to the relevant committee. These include representatives specifically mentioned in S499 of the Education Act 1996. The provisions in the 1996 Act apply to overview and scrutiny committees by virtue of Schedule 1 of the 2000 Act. The Council has tried to make such appointments but has not received sufficient applications to fill the vacancies. This will continue to be kept under review and appointments will be made if suitable applications are received in the future.

5. Engagement and Consultation

- 5.1 The Scrutiny Lead for Children and Chair of the Children's Overview and Scrutiny Board has been consulted on the proposals and supports the approach outlined in this report.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 No applicable.

7. Tackling Climate Change

7.1 This is a governance process which does not impact on climate change. The Children and Young People's Overview and Scrutiny Board will consider relevant climate change issues when carrying out its business.

8. Associated Risks

8.1 None

Equality Impacts

9.	Identify the potential positive and negative impacts on specific groups			
		Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
	Older or younger people	Having a dedicated Children and Young People's Overview and Scrutiny Board allows more time to focus on key issues affecting children and young people including hearing from key representatives who are able to give the views of the child and young person in all aspects of its work.		
	People with caring Responsibilities			There is no differential impact.
	People with a disability			There is no differential impact.
	Women or men			There is no differential impact.

People who are black or from a minority ethnic background (BME) <i>(Please note Gypsies / Roma are within this community)</i>			There is no differential impact.
Religion or belief (including lack of belief)			There is no differential impact.
People who are lesbian, gay or bisexual			There is no differential impact.
People who are transgendered			There is no differential impact.
People who are in a marriage or civil partnership			There is no differential impact.
Women who are pregnant / on maternity leave			There is no differential impact.

	Socio-economic impacts (Including impact on child poverty issues and deprivation)	Having a dedicated Children and Young People's Overview and Scrutiny Board allows more time to focus on key issues affecting children and young people including hearing from key representatives who are able to give the views of the child and young person in all aspects of its work.		
	Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			There is no differential impact.
10..	Cumulative Council Impact (proposed changes elsewhere which might worsen the impacts identified above)	N/A		

11.	Cumulative Community Impacts (proposed changes within the wider community (inc the public sector) which might worsen the impacts identified above)	N/A
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