



City of Westminster

Children, Sports and Leisure Policy and Scrutiny Committee

Date: 18th June 2014

Classification: General Release

Title: Children, Sports and Leisure Policy and Scrutiny Work Programme 2014/2015

Report of: Head of Legal and Democratic Services

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1. Executive Summary

- 1.1 At its Annual Meeting on 4th June 2014 the Council agreed the establishment of a Children, Sports and Leisure Policy and Scrutiny Committee. The Committee is therefore asked to note its establishment, membership arrangements and Terms of Reference.
- 1.2 The Committee is required to establish a new work programme at its first meeting of the municipal year. A draft programme, which has been prepared by the Scrutiny Manager in consultation with the Chairman, is attached for review and approval.

2. Recommendations

- 2.1 That the Committee note the establishment of the Children, Sports and Leisure Policy and Scrutiny Committee, its membership arrangements and Terms of Reference attached at **Appendix 1** .
- 2.2 That the Committee agree the annual work programme for 2014/2015 as attached as **Appendix 3**.
- 2.3 That the Committee agree the programme of meetings for 2014/2015, as detailed in Section 4 below.

3. Work Programme

- 3.1 The Committee is required to establish a new work programme at its first meeting of the municipal year. The Committee's terms of reference and those of the Cabinet Members which it is tasked to scrutinise (the Cabinet Member for Children and Young People and Cabinet Member for Sports, Leisure and Open Spaces) are attached at **Appendix 1**. The Policy and Scrutiny Committee and Cabinet Members' Terms of Reference were formally agreed by the full Council at its Annual Meeting on 4th June 2014.
- 3.2 In choosing items for the work programme, Members of the Committee are referred to the guidance on selection criteria attached at **Appendix 2**.
- 3.3 Suggested items for the 2014-15 work programme which have been identified in consultation with the Chairman are set out in **Appendix 3**. It is proposed to continue the practice, as far as possible, of focusing on one or two important issues within one Cabinet Member portfolio per meeting, which will help inform future council policy.
- 3.4 In agreeing a work programme, the Committee will want to consider suggestions from both its own Members and the Cabinet Members – all of whom are welcome to input suggestions at any time, either at the commencement of the municipal year, or in-year as the issue arises. The work programme is flexible and will be reviewed at each meeting of the Committee. Items can be removed, amended or added as necessary.

4. Programme of Meetings

- 4.1 The formal Programme of Meetings 2014/2015 for all Committees of the Council was agreed by the General Purposes Committee in November 2013. The meetings of the Policy and Scrutiny Committee were submitted for approval after consultation with the Chairman and are as follows:

18 June 2014
6 October 2014 (Tri-Borough Meeting at City Hall)
24 November 2014
12 January 2015
9 February 2015
30 March 2015

5. Task Groups and Single-Member Studies

- 5.1 The Committee has the ability to establish task groups to scrutinise issues within its terms of reference. The membership and terms of reference of any task group must be determined and agreed by the Committee.
- 5.2 Task groups operate on an informal basis and will not be subject to the formal requirements relating to meetings in respect of the issue of agendas, minutes and notice of meetings etc. However, meetings will, at the discretion of the task group usually be open to members of the public except where the normal rules on confidentiality apply.

- 5.3 Task groups are required to report its activity to the Policy and Scrutiny Committee and can seek endorsement for any recommendations which arise from its investigations.
- 5.4 It is possible to establish a task group comprising Members from more than one Policy and Scrutiny Committee in order to deal with cross-cutting issues. This will be subject to the agreement of the relevant Committees involved.
- 5.5 It is also possible to establish single member scrutiny (*rappoteurs*), to report back on issues under consideration by the Committee, where appropriate. task groups are not subject to proportionality, but (other than single-member-studies) the Minority Party will be entitled to a seat on all Task Groups.

6. Resources

- 6.1 The annual Scrutiny budget is held by the Scrutiny Team and is used to pay for Member attendance at Scrutiny Conferences, holding meetings at external venues and commissioning, on behalf of the Chairman/Committee, relevant research from external experts. The budget can also be used to pay for any visits that the Committee wishes to make to facilitate its consideration of topics on its work programme.

7. Monitoring Outcomes

- 7.1 If, at the conclusion of an in-depth scrutiny investigation conducted by a task group, a report is prepared, for the endorsement of the Committee, the report will be submitted to the Cabinet or relevant Cabinet Member for consideration. The decision of the Cabinet/Cabinet Member will be reported to the Policy and Scrutiny Committee.
- 7.2 At the end of the municipals cycle the Westminster Scrutiny Commission will prepare an Annual report setting out details of the main issues scrutinised during the previous year and the outcomes.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

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CHILDREN, SPORT AND LEISURE POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

8 Members of the Council (6 Majority Party Members and 2 Minority Party Members, but shall not include a Member of the Cabinet.

4 co-opted Members with voting rights ie one co-opted representative each from the Church of England and Roman Catholic Diocesan Education Boards and two Parent Governor Representatives. 2 co-opted Members without voting rights, ie 2 Headteachers of Westminster maintained schools.

NB: The voting rights of the co-opted only extend to matters relating to Education.

TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution, in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Children and Young People and the Cabinet Member for Sport, Leisure and Open Spaces.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) Matters, within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission.
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the Scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Tri-borough proposals which impact on service areas that fall within the Committee's terms of reference
- (h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations that are relevant to the remit of the Committee.

- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE

1. **CHILDREN'S SERVICES**

To be the Cabinet Member with political responsibility for Children's Services as designated under Section 19 (1) of the Children's Act 2004, including:

- (a) Social Services functions within the meaning of the Local Authorities Social Services Act 1970 in so far as they relate to children and the Council's Functions for children and young people leaving care.
- (b) Education functions in the Council's capacity as a Local Education Authority except those relating to higher and further education.
- (c) Health related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999 in so far as they relate to children.
- (d) Inter-agency co-operation functions as set out in the Children Act 2004.
- (e) To provide a Youth Service including the maintenance and provision of Youth Centres and training or educational courses for young people and the work of the Youth Offending Team including Serious Youth Violence.
- (f) Links with Tri-borough partners for the delivery of the service.
- (g) Better City, Better Lives projects which fall within these Terms of Reference.

To be responsible for the Council's Multi-Agency Protection Arrangements.

To work closely with the Cabinet Member for Business with respect to training and apprenticeships for young people, and the Cabinet Member for Adults and Public Health with respect to young carers.

The Cabinet Member must have direct responsibility and provide a clear line of accountability for local authority education and children's social services. They are also responsible for leading and facilitating the cooperation arrangements set out in section 10 that underpin Children's Trusts and also any section 75 arrangements relating to children's health. As a whole, these arrangements are the key to uniting partners and integrating services with the aim of achieving the best possible outcomes for all children within the local area.

To be responsible for the Council's Policy in respect of 14-19 year olds.

To be responsible for the Council's Play Services, advice information and guidance in relation to parenting and child poverty.

School travel plans.

2. FAMILY POLICY

To lead the Council's Family Recovery project and the co-ordination of relevant Cabinet Member departments to develop and implement the strategy.

3. PROPERTY MANAGEMENT

Policy matters in relation to all property assets of the Council allocated for use by the Children's Services Department for operational and service purposes within the scope of the Cabinet Member for Children and Young People except:

- (a) Those properties managed corporately; and
- (b) Those properties also used by another Council Department where the Children's Services Department is the minor user.

4. STAFFING MATTERS

- (a) Staffing matters in respect of the Children's Services Department which fall within the scope of these Terms of Reference.
- (b) Subject also to the endorsement of the Cabinet Member for Finance, Corporate and Customer Services where proposals involve redundancy/"early retirement" payments.

5. GRANTS

Decisions in relation to grants which fall within the scope of the Cabinet Member for Children and Young People.

6. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance, Corporate and Customer Services:

- 1. To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Strategic Director, there are significant changes to these since the last contract award.
- 2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Corporate and Customer Services and on the basis that there are corporate or major implications which need to be considered.

3. To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
4. To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's terms of reference).
8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by a Strategic Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

7. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

8. ETHICAL STANDARDS

To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.

9. CONSULTATION

To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

CABINET MEMBER FOR SPORTS, LEISURE AND OPEN SPACES

1. SPORTS AND LEISURE

- (a) The planning, provision, management and maintenance of indoor leisure facilities , swimming pools, sports centres, Sayers Croft Field Centre, the Westminster Sports Unit (including sports development, PE and school sport) and also including sports provision and associated contracts within the Paddington Recreation Ground.
- (b) To be responsible for environment functions relating to Paddington Recreation Ground and Westminster Academy Sports Centre.
- (c) The encouragement of the provision of all leisure facilities and activities.
- (d) The fixing of charges for services and facilities provided by or on behalf of the Council in respect of leisure functions.
- (e) To be responsible for overseeing the Council's work in delivering the Olympics legacy.

2. PARKS AND OPEN SPACES

To take responsibility for public parks and open spaces, including hanging baskets, managed by Westminster, including Parks, Cemeteries and Mortuaries.

3. VOLUNTEERING AND ADVICE STRATEGY

To be responsible for the City Council's volunteering and community strategy.

4. LIBRARY AND REGISTRATION SERVICES

To have responsibility for the provision of library services including the following functions:

- (a) The discharge of the City Council's functions under the Public Libraries and Museums Act 1964, the Public Records Act 1958, the Local Government (Records) Act 1962, the Local Government Act 1972 and any enactment amending or replacing the same and the Parochial Registers and Records Measure 1978;
- (b) The fixing of charges for services and facilities provided by or on behalf of the Council in respect of its library functions; and
- (c) Preparation of the Annual Libraries and Archives Business Plan.

To have responsibility for all matters relating to the Council's Registration Service.

5. PROJECTS

To have responsibility for Better City, Better Lives projects which fall within these Terms of Reference.

6. ARTS

All matters in relation to Arts including:-

- (a) Administering the funds made available by the Council for assistance to organisations involved with the provision and promotion of the arts; and
- (b) Exercising the management functions of the Council in relation to arts and cultural facilities;
- (c) All matters in relation to the Arts and Culture strategy including approval of the strategy;

7. NEIGHBOURHOODS AND CIVIC ENGAGEMENT

- (a) To lead and develop the Council's approach to Neighbourhoods Strategy including Civic Engagement and to be responsible for the development of such proposals and the subsequent implementation of the agreed strategy.
- (b) To be responsible for determining ward budget spending proposals developed by Ward Members under the terms outlined in the Council's Neighbourhoods Programme.
- (c) To be responsible for the coordination and development of Area Forums or similar engagement events.
- (d) To be responsible for the Council's advice services.
- (e) To be responsible for the Community Rights programme set out in the Localism Act, once established.
- (f) To be responsible for the Queen's Park Community Council.

8. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance, Corporate and Customer Services:

- 1. To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Strategic Director, there are significant changes to these since the last contract award.
- 2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the

Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance, Corporate and Customer Services on the basis that there are corporate or major implications which need to be considered.

3. To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
 4. To monitor all contracts within the terms of reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
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 8. To consider such other contractual matters as may be required by the Procurement Code.
 9. To consider settlement of disputes which exceed £150,000.
 10. To receive a briefing note advising of a contract award by a Strategic Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.
9. STAFFING MATTERS
- (a) Staffing matters in respect of matters which fall within the scope of these Terms of Reference.
 - (b) Subject also to the endorsement of the Cabinet Member for Finance, Corporate and Customer Services where proposals involve redundancy/"early retirement" payments.
10. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within the terms of reference for the Cabinet Member which form part of the approved capital programme.

11. ETHICAL STANDARDS

To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out having regard to the highest ethical standards.

12. CONSULTATION

To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their terms of reference.

ESTABLISHING A WORK PROGRAMME - SELECTION CRITERIA

The following guidance on selection criteria has been designed to assist the Committee in its task of choosing topics for the work programme, in terms of both judging the individual issues proposed and the shape of the overall programme of topics being scrutinised. It is intended as guidance only and is not prescriptive.

Judging an individual suggestion

- Is the suggestion **specific** enough? For effective scrutiny to take place, a task group will need to pin down exactly what they are scrutinising.
- Is the suggestion **achievable**? Consider what resources are required and assess whether the limitations of time; the O&S budget; and Officer and Member capacity will prevent a suitable outcome being achieved.
- Will scrutiny of the suggested item produce **tangible results**?
- Is the suggestion appropriate for **engaging the public**? Is this an issue of importance to Westminster residents? Is this an area where a lot of complaints are received?
- Will scrutiny of the suggested item have sufficient **impact**? To maximise outcomes it is often better to concentrate on issues of concern that impact upon the well-being of a large number of people.
- Does the suggestion **duplicate** work that is already being carried out? Is the service about to be inspected by an external body? Are there any major legislative or policy initiatives already resulting in change or about to impact on the service?

Assessing the Committee's Overall Programme

- Is the work programme **balanced**? Is the planned work evenly spread over the municipal year and are the topics balanced in terms of the scope of the Committee's remit?
- Is the work programme too **onerous**? It is important to hold some capacity in reserve for any urgent issues that might arise.

DRAFT WORK PROGRAMME

Round One: Wednesday 18th June 2014

Agenda Item	Reasons & objective for item	Lead Member/ Officer
Cabinet Member questioning	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Cabinet Member for the Community
Special Education Needs (SEN) Strategy	Review of the proposed strategy for children with high needs, those with Special Educational Needs (SEN) and disabilities	<ul style="list-style-type: none"> • Alison Farmer
Volunteering in Westminster	Update on implementation of Council's vision for Voluntary and Community Sector	<ul style="list-style-type: none"> • Cllr Steve Summers • Richard Cressey

Round Two: Monday 6th October 2014

Agenda Item	Reasons & objective for item	Lead Member/ Officer
Cabinet Member questioning	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Cabinet Member for the Community
Annual Safeguarding review	To examine the work of the Safeguarding Board in the last year and the plans for the following year.	<ul style="list-style-type: none"> • Tri-Borough Safeguarding Officers
To be confirmed	To be confirmed	<ul style="list-style-type: none"> •

Round Three: Monday 24th November 2014

Agenda Item	Reasons & objective for item	Lead Member/ Officer
Cabinet Member questioning	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Cabinet Member for the Community
Annual Review of the Looked After Children, Care Leavers and Corporate Parenting	Evaluation of work undertaken into LAC, Care Leavers and Corporate Parenting	<ul style="list-style-type: none"> • Janine Rowe • Sarah Clarson
To be confirmed	To be confirmed	<ul style="list-style-type: none"> •

Round Four: Monday 12th January 2015

Agenda Item	Reasons & objective for item	Lead Member/ Officer
Cabinet Member questioning	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Cabinet Member for the Community
Annual Education Report 2012 / 2013	The committee will evaluate the key areas of success and areas to be developed in the Annual Education Report.	<ul style="list-style-type: none"> • Ian Heggs • Daria Wignall
Year 6 - 7 Transition	The committee will examine what is available for pupils who are transferring to a Westminster secondary school.	<ul style="list-style-type: none"> • Jayne Vertkin

Round Five: Monday 16th February 2015

Agenda Item	Reasons & objective for item	Lead Member/ Officer
Cabinet Member questioning	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Cabinet Member for the Community
Children and Families of Service Personnel	Update on identifying and diminishing any disadvantage linked to children of military families, including school places, children's services and youth facilities.	<ul style="list-style-type: none"> • Andrew Christie
To be confirmed	To be confirmed	<ul style="list-style-type: none"> •

Round Six: Wednesday 15th April 2015

Agenda Item	Reasons & objective for item	Lead Member/ Officer
Cabinet Member questioning	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for Children and Young People • Cabinet Member for the Community
To be confirmed	To be confirmed	<ul style="list-style-type: none"> •
To be confirmed	To be confirmed	<ul style="list-style-type: none"> •

1. Future or recurrent topics for consideration

The following are topics the Committee may consider beyond the 2014-15 period:

- Looked After Children, Care Leavers and Corporate Parenting (approx. September annually)

- Annual Education Report (approx. January annually)
- Annual Safeguarding Review (approx. February annually)
- ActiveWestminster programme
- Children of Service Personnel (follow up from recommendations)