

Crawley Borough Council

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**Report to Overview and Scrutiny Commission
30 November 2015**

**Report to Cabinet
2 December 2015**

Fairness Commission Scrutiny Panel Recommendation – Operational Arrangements for Proposed ‘Community Needs Partnership’

Report by the Chair of the Fairness Commission Scrutiny Panel:
Councillor K Sudan
OSC/244

1. Purpose

- 1.1 At its meeting on 7 October 2015, the Cabinet received the final report from the Fairness Commission Scrutiny Panel. Whilst the Cabinet welcomed the report and accepted the recommendations in principle, it requested that the existing Scrutiny Panel met again to clarify certain matters relating to the operation of the new body which will need to be confirmed before the Cabinet can be fully apprised of how it is intended to work in practice, and therefore be in a position to reach a decision to proceed.

2. Recommendations

- 2.1 To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet

- 2.2 To the Cabinet:

The Cabinet is recommended that, having taken account of the considerations, to approve the actions and recommendations set out in section 7 as the most suitable operational arrangements for the ‘Community Needs Partnership’.

3. Reasons for the Recommendations

- 3.1 This report further clarifies and further refines the proposed structure for the ‘Community Needs Partnership’ as envisioned by the Fairness Commission Scrutiny Panel. It is a detailed paper however it is intended to provide clarification on all of the matters raised.

4. Background - The Panel’s investigations and information gathering

- 4.1 As the most appropriate representatives identified through the Scoping Framework, the following people attended witness sessions and informal Scrutiny Panel meetings:

Lindsay Adams – Community Development Manager, CBC
Rachel Booles – Chief Executive, Crawley Community and Voluntary Services (CCVS)
David Clay – Senior Development Officer, Crawley Community and Voluntary Services (CCVS)
Craig Downs - Funding & Commissioning Officer, CBC
Lee Furlong - Client Services Manager, Citizens Advice Bureau (CAB)
Lisa Phillips - Senior Outreach Officer, Crawley Community and Voluntary Services (CCVS)

5. Information and Analysis

- 5.1 Following the Scrutiny Panel Review an enhanced approach (hybrid, Model 3) was established as a way forward. This was with an acknowledgement that there may be gaps within service provision, advice and the dissemination of information. An analysis of data/evidence is required to ensure a comprehensive examination to focus resources and service priorities.
- 5.2 Given the amount of work currently being undertaken within Crawley, and the work programmed to take effect resulting from the Local Plan and the Council's Economic Development Team it was felt that the establishing of a Fairness Commission would result in duplication of the excellent work that is already taking place within the town, and resource implications (officer and financial) would still be required in setting up a Commission.
- 5.3 Furthermore, it was felt that the formation of a Standing Committee may replicate the Local Strategic Partnership (Crawley Together) which previously existed and was resource intensive. It was felt that a Standing Committee would be 're-inventing the wheel' as the town has evolved and was therefore questioned whether it would be advantageous. Reviewing issues, positive outcomes and benefits potentially could be achieved by other means.
- 5.4 That being said, provision was discussed to highlight issues and this may offer an opportunity to involve the public, third and commercial sectors, providing an opportunity to review issues affecting the whole of Crawley. It was felt this provision could maintain a structure and may be beneficial once the Community Profile is produced.

6. Proposed Structure Operational Arrangements

- 6.1 The Scrutiny Panel held meetings with both Lindsay Adams and Craig Downs from Community Development, together with CCVS. The original title of the 'Community Needs Panel' was originally devised at one of these meetings as it was felt by those in attendance that the work being undertaken would affect the whole community.
- 6.2 At the meeting on 2 November 2015, a decision was taken to change the name, to prevent any connotations with a Scrutiny Panel and established the name as the '**Community Needs Partnership**', given the membership of the group and terms of reference.
- 6.3 Issues and priorities would be drawn from the CCVS Forums, together with the Local Picture data and the Community Profile data. This evidence, together with commentary from Members, officers and other voluntary organisations would assist in drawing together evidence and representation of the needs of the community. Although '*Fair Crawley*' was considered as an alternative name, it was a deliberate decision not to associate the establishment of a new Group with 'fairness', given previous history. Instead it will concentrate its focus on needs, issues, priorities and action and may assist in the "ordering and prioritisation of community needs" (McKillip, 1987 Community Needs Assessment).
- 6.4 "The guiding idea is that fairness is inextricably linked to the flourishing of the whole community" (Tower Hamlets Fairness Commission, 2013)

- 6.5 “The commission looks at real *local issues*, including income, education, work, health, housing, families, community and safety”. (Thurrock Fairness Commission, 2014)
- 6.6 Various options were considered that are set out in Appendix A. Option A was disregarded by the Scrutiny Panel because Panel Members felt the structure was too formal and fixed, being a full committee of the Council and for the reasons established in the Appendix. Additionally, given the nature of the work of the voluntary sector, a formalised structure may impinge or inhibit the workings of a new group, where resources are stretched and some work is also served by volunteers. CCVS and officers have alluded to the fact that they would both be against the creation of a fixed formal structure. Co-option from the voluntary sector would be required and this may possibly prove challenging if a fixed formal structure was the desired approach.
- 6.7 Option B was also omitted by the Scrutiny Panel for similar reasons, and that it was felt of paramount importance that the voluntary sector and organisations had a sense of ownership and involvement. Furthermore the Cabinet streamlined the number of Working Groups and Advisory Groups in July 2015.
- 6.8 The Scrutiny Panel considered Option C below to be the most suitable, taking into account the views of officers, partners and evidence.

7. Effective Solution & Recommendations - Option C, Community Needs Partnership

Operational Arrangements

- 7.1 Purpose of the Community Needs Partnership:
- a) To review data; community and professional insight at least twice a year, to identify local issues.
 - b) To recommend actions for further investigation or response to Crawley Borough Council and its partners, where appropriate.
 - c) Allow Members to have a role in championing the work with partner agencies or other organisations.
- 7.2 The Role of the Partnership / Terms of Reference:
- a) To monitor the Crawley Community Profile (a live data source) and where local insight identifies a need, to request new research to inform understanding of local issues and needs.
 - b) To develop a shared understanding (with Members and Officers) of the real *local issues*. (including income, education, work, health, housing, families, community and safety).
 - c) To assess the potential impact of issues that are identified and to make recommendations for action where the Partnership feels the council and its partners should respond.
 - d) To monitor the Community Needs Partnership Action Plan, reporting by exception to Cabinet (and/or strategic partnership groups) where issues/blockages arise.
- 7.3 Core Membership of the Community Needs Partnership:
- a) 5 Members would make up the Community Needs Partnership. It was felt 5 Members would be adequate in number. This together with the further attendance of officers (both Community Development and other council officers) and with other organisations (eg CCVS, CCG, Wellbeing Service, other voluntary organisations as invited) and Cabinet Member(s) if required. This would result in a large enough body. It is proposed 3/2 split based on current political proportionality, with one Member being Chair.
 - b) This apportions one Member to attend each of the main CCVS Forum meetings to gain knowledge and information, and also allows for substitution (leave, sickness etc). Specific Members attending a particularly CCVS Forum (allowing Members to specialise) would be determined by choice of those Councillors on the Partnership. Those Councillors would have the autonomy to decide which Forums they wish to attend themselves. These would be decided in discussion between the Councillors and the Lead Officer. Increased Member

attendance at CCVS Forums and engagement with other organisations would assist in developing partnership working.

Core Membership of the Community Needs Partnership

<p>Crawley Borough Council Nominated Member Chair to be identified through Democratic Services</p>	<p>Chairs meetings Liaison with lead CBC officer to confirm meeting agendas, and monitor progress Provide leadership for the work Report to Cabinet on the work of the panel Report to OSC on the work of the panel</p>
<p>Crawley Borough Council 4 Nominated Members (2/2) to be identified through Democratic Services <i>(resulting in 5 Members overall ie 3/2 split based on current political proportionality)</i></p>	<p>Panel Members Gather and represent Members views on local issues Provide elected member view in discussion on emerging local issues Attend CCVS Forums</p>
<p>Crawley Borough Council Community Development Manager (Lead CBC Officer / Co-ordination)</p>	<p>Coordination - Lead CBC Officer Liaison with Portfolio Holder through Portfolio Briefings Manages the work of the Community Needs Partnership Coordinates information and updates for the panel Liaison with other partners to initiate responses when recommendations are made</p>
<p>Crawley Borough Council Community Engagement Senior Practitioner</p>	<p>Panel Member Coordinates feedback from the Neighbourhood Network- reflecting emerging issues and needs, and insight in relation to local partner agencies/orgs activity in those neighbourhoods</p>
<p>Crawley Community Voluntary Service Chief Officer and/or Crawley Community and Voluntary Service Senior Outreach Worker</p>	<p>Panel Member/s Provide insight as a Local Infrastructure Organisation representing the wider voluntary and community sector in the town</p>
<p>Crawley Borough Council Corporate Engagement Officer</p>	<p>Panel Member Provides regular updates with regard to the Crawley Community Profile Gathers data from other agencies as required, to support the panels discussions Undertakes additional research as required</p>
<p>Citizens Advice Bureau Senior Officer</p>	<p>Panel Member Provide insight from data collected</p>
<p>Relevant Agency/Organisation/officer attendance dependent on emerging issues and themes: E.g. CBC Funding and Commissioning Officer Voluntary Sector Organisations Local Forum Chairs (x5)</p> <ul style="list-style-type: none"> • Young Crawley Children and Young People's Forum • Young Crawley Youth Forum • Housing and Homelessness Forum • Mental Health Forum • Older Persons Forum 	<p>Contribute to the understanding of local issues.</p>

7.4 Structure:

- a) Semi-formal structure
- b) Responsibility of a service department to administer (Community Development). Access to Information Rules would not apply to the administering of this group.
- c) In July 2015, the Cabinet took the decision to reduce the number of working groups, advisory groups and policy development forums and return those remaining to the service departments to administer.
- d) CCVS and officers have favoured this flexible and less formal/bureaucratic approach (semi-formal) over other structures as it acknowledges that the resources within the voluntary sector are stretched and also some work is served by volunteers. Additionally it recognised that the voluntary sector organisations have a sense of ownership and involvement.
- e) Meetings would take place 3 times a year. The initial meeting be set for January with the subsequent meeting due in April, with new nominations due in July. It is acknowledged that the meetings will be flexible, scheduled around the data collection, evidence and research. Whilst it is anticipated that the Partnership will meet 3 times a year, this does not preclude the Partnership meeting by exception should an urgent issue arise.
- f) Having identified issues/priorities at each meeting, the Lead Officer to maintain an issues and prioritises list. This could highlight the actions list along with responsible individuals and appropriate actions taken and deadlines. Updates to actions in between meetings could take place via email with all actions reviewed at subsequent meetings with the actions list regularly maintained. It would be for the relevant service department to determine the best methodology or tools to determine this process.
- g) By working with council officers (Community Development lead plus other relevant officers from services where issues have arisen) bringing data (including the Community Profile data), evidence and current service issues, the Community Needs Partnership would be able to highlight any corresponding priorities, issues or actions – ie working with commentary and fact.
- h) Additional voluntary, services and other organisations could be invited to the meeting if additional information/evidence or discussion was required or as appropriate. This would be the same case for issues/priorities for other CBC departments where their attendance may be warranted at the Community Needs Partnership meetings.
- i) Cabinet Member(s) could also possibly attend the Community Needs Partnership where appropriate or if required, particularly given the cross-over of issues and CCVS Forums (Housing & Homelessness, Young Crawley, Mental Health and Older Persons), acknowledging that all Member resource time is precious. Additional information and updates could also be made available at regular Portfolio Briefings or via Members Information Bulletin.
- j) Any issues resulting in a task and finish group would be dependent on the issue or priority. Membership would be based on that issue and relevant officers, organisations and Members. Members of the Community Needs Partnership would be involved and could invite other Members as appropriate/required.

7.5 Decision Making:

- a) Similar to other approaches undertaken in the Council, the decision process would follow the current executive decision making process and where appropriate the cascade and generic delegation scheme. Depending on action/priority identified Cabinet(s) Members would be notified accordingly as assistance may be required for further support/approval through the current executive decision process and committee reports brought forward if required.

7.6 Reporting Arrangements:

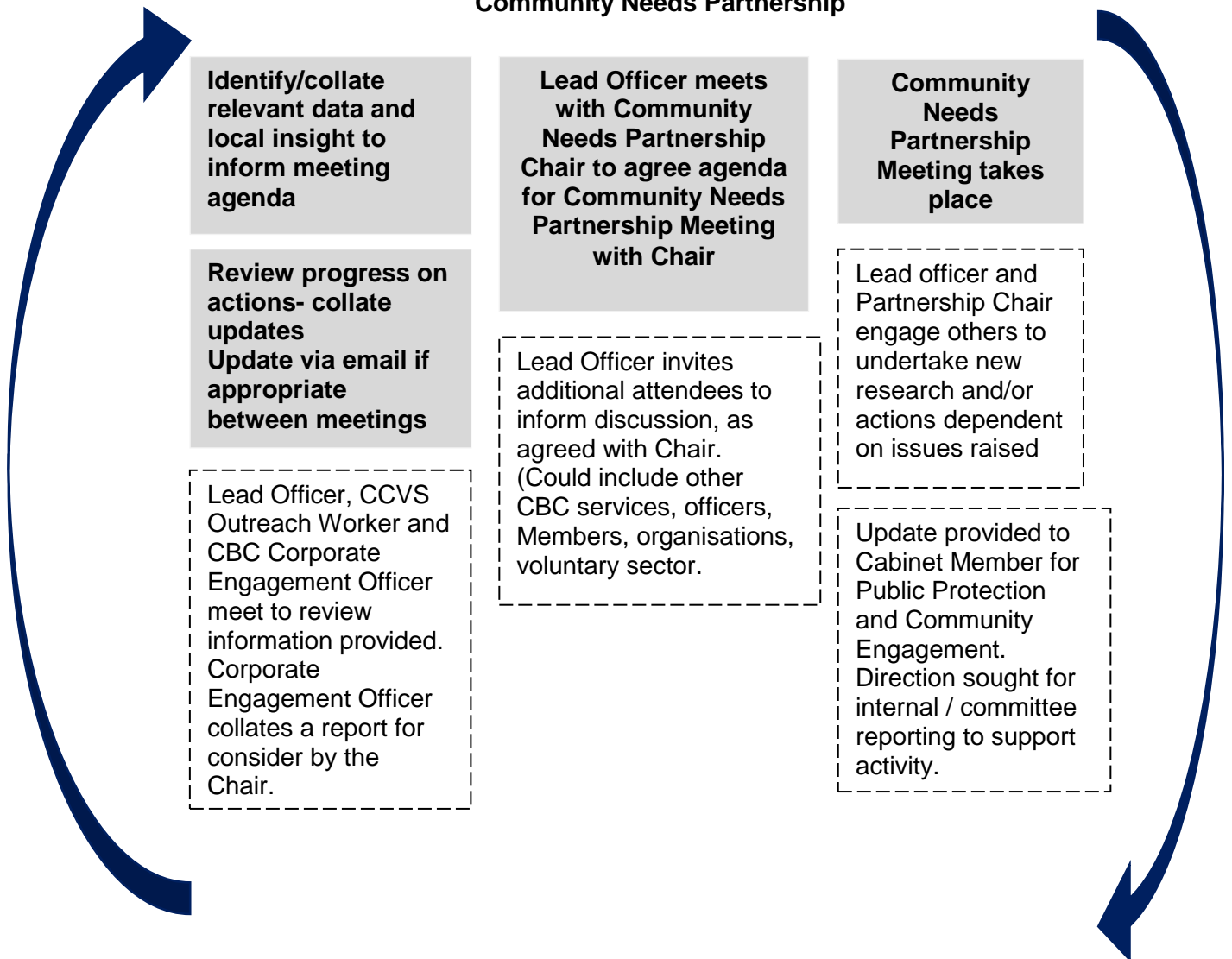
- a) Lead Officer (Community Development Manager) to update Cabinet Member(s) at Portfolio Holder Briefings.
- b) The OSC and its Scrutiny Panels may, within their terms of reference, scrutinise and review decision-making or actions taken in connection with the discharge of any Council functions. As a recommendation from a Scrutiny Panel, the OSC would request an update/review of the work and recommendations at an appropriate time (usually 12-18 months, but this is

dependent on OSC and service department work programmes). An interim update could be produced at 6 months with a full update at 12-18 months. Similarly, it was recommended by CCVS that an area/one aspect of data is piloted (8.1 of report OSC/242). It would be envisaged that all CCVS Forum meetings would need to take place and at least 12 months of data and research, including Community Needs Partnership meetings to reliably assess and evaluate its value.

- c) Additional information and updates would be made available where appropriate through Members' Information Bulletin.
- d) As stated in 7.5, depending on action and priority further approval would be identified through the current executive decision process and committee reports brought forward if required.

Operational Model

Community Needs Partnership



8. Background Papers

8.1 [Fairness Commission Scrutiny Panel Final Report OSC/242](#)

Option A – Committee of the Council

The proposed Community Needs Partnership operates as a new committee of the Council (similar to Governance and Licensing Committees but with no decision making powers).

Advantages

Structure -

- a) A formal, bureaucratic structure. Member nominations would be sought from Democratic Services for membership.
- b) Provide a further indication of the Council's commitment.

Decision Making -

- c) All decisions would be made through Full Council.

Disadvantages

Structure -

- a) A formal committee of the Council would need to be authorised by Full Council and also be disbanded by Full Council, if following the pilot it proved unsuccessful.
- b) The committee function would have to adhere to the Local Government Act (1972, Schedule 12 Meetings and Proceedings of Local Authorities, Section 100B Access to agenda and connected reports) and Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
- c) The Access to Information Procedure Rules would also take effect and these currently do not apply for other working groups and project groups within the Council. The relevant legislation relating to access to information regarding decisions made by council executives, and their committees/subcommittees and joint committees is Part 1A of the Local Government Act 2000.
- d) The majority of other Fairness Commissions are advisory bodies (mostly independent), delegated to recommend ways in which the Council and its partners can increase fairness and reduce inequality across a particular geographical area. Some Commissions eg Newcastle, were completely independent from the local authority with no formal representation from elected Members or council officers.
- e) The Scrutiny Panel has already concluded the Full Fairness Commission model resides better with '1st tier' authorities.
- f) Fairness Commissions are widely made up of professionals with a variety of expertise, including key representatives from the police, health, education, private companies, chamber of commerce, charities, disability action groups, social enterprises and community groups. The majority of committee attendance would be Members (and officers) from the Council. Great care would need to be taken as this could create an insular approach to addressing some external issues, particularly as the Scrutiny Panel determined that there is a need to increase understanding regarding the work of the voluntary sector and the low attendance at the recent Members' Introduction to Community and Voluntary Services seminar

Decision Making -

- g) The committee would still have no decision making powers, therefore what objective or purpose would a full committee of the Council provide.
- h) Special Responsibility Allowance may be applied to this committee and therefore would result in an additional cost. This would need to be subject first to the Members' Allowances Independent Remuneration Panel, the recommendation of the Governance Committee and then finally the decision of Full Council.

Attendance -

- i) Given the nature of the work of the voluntary sector, a formalised structure may impinge or inhibit the workings of the Community Needs Partnership, where resources are stretched and some work is also served by volunteers.
- j) Appointment of additional people to serve as co-optees would be required. However, CCVS and officers have alluded to the fact that they would both be against the creation of a fixed, formal structure. Reports would usually be required to be created for committee meetings. These reports are governed by the Access to Information Procedure Rules. The reports (and agendas) would need to be prepared and published accordingly, placing more rigid control on the voluntary sector and service department. Some of the information would be made public and given the nature of the voluntary sector some of the information may not be present in the public domain. A less formal approach would allow meetings to take place after the CCVS Forums and allow for discussion of fact and data resulting from the Voluntary Sector and service provision. CCVS currently establish the frequency of the Forum meetings and whilst currently quarterly may be subject to change and a formal committee would be a stringent approach for the voluntary sector. Given the above information co-option may prove challenging.

Option B – Working Group

The proposed Community Needs Partnership operates as a new Advisory Group or Working Group (similar to Budget Advisory Group or Local Plan Working Group).

Advantages

Structure -

- a) A formal structure, but less bureaucratic than Option A. Member nominations would be sought from Democratic Services for membership.
- b) Responsibility of a service department to administer (Community Development).
- c) Chaired by a Member (usually Cabinet Member but not always the case eg BAG).
- d) Having identified issues/priorities at each meeting, the Lead Officer to maintain issues/priorities list. This could highlight the actions list along with responsible individuals and appropriate actions taken and deadlines. Updates to actions in between meetings could take place via email with all actions reviewed at subsequent meetings with the actions list regularly maintained. It would be for the relevant service department to determine the best methodology or tools to determine this process
- e) Access to Information Procedure Rules would not apply.

Decision Making -

- f) All decisions would be made through Cabinet, or delegated to individual Cabinet Member or officer through sub-delegation scheme.
- g) Additional information and updates could be made available at Portfolio Briefing(s) and where appropriate through Members' Information Bulletin.

Disadvantages

Structure –

- a) The majority of other Fairness Commissions are advisory bodies (mostly independent), delegated to recommend ways in which the Council and its partners can increase fairness and reduce inequality across a particular geographical area.
- b) Commissions are widely made up of professionals with a variety of expertise, including key representatives from the police, health, education, private companies, chamber of commerce, charities, disability action groups, social enterprises and community groups. The majority of committee attendance would be Members (and officers) from the Council. Once again great

care would need to be taken as this could create an insular approach to addressing some external issues, particularly as the Scrutiny Panel determined that there is a need to increase understanding regarding the work of the voluntary sector and the low attendance at the recent Members' Introduction to Community and Voluntary Services seminar.

Decision Making -

- c) In July 2015, the Cabinet took the decision to reduce the number of Working Groups, Advisory Groups and Policy Development Forums, (several of these Working Groups are now the responsibility of relevant service departments).
- d) The working group would still have no decision making powers.

Attendance -

- e) The majority of attendance would be Members (and officers) from the Council.
- f) Given the nature of the work of the voluntary sector, a formalised structure may impinge or inhibit the workings of the Community Needs Partnership, where resources are stretched and also some work is served by volunteers.
- g) CCVS and Officers have alluded to the fact that they would both be against the creation of a fixed, formal structure. Once again reports would usually be required to be created for working group meetings, placing more rigid control on the voluntary sector and service department.

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