

Date of issue: Friday, 23 September 2016

MEETING	COUNCIL
DATE AND TIME:	TUESDAY, 27TH SEPTEMBER, 2016 AT 7.00 PM
VENUE:	THE CURVE - WILLIAM STREET, SLOUGH, BERKSHIRE, SL1 1XY
DEMOCRATIC SERVICES OFFICER: (for all enquiries)	SHABANA KAUSER 01753 787503

SUPPLEMENTARY PAPERS

The following Papers have been added to the agenda for the above meeting:-

* Item 10 was not available for publication with the rest of the agenda.

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
10.	Review of Constitution and Related Matters	1 - 8	All

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SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 27th September 2016
CONTACT OFFICER: Catherine Meek, Head of Democratic Services
(For all Enquiries) (01753) 875011
WARD(S): All

PART I
FOR DECISION

REVIEW OF CONSTITUTION AND RELATED MATTERS

1. **Purpose of Report**

To report the recommendations of the Member Panel on the Constitution (MPOC) on the Review of the Constitution and seek approval for the recommendations as set out below.

2. **Recommendations**

The Council is requested to resolve:

- (a) That the proposed new process for meeting notes following Officer/ Member meetings, as set out in paragraph 6.4, be approved for implementation with immediate effect;
- (b) That, as set out in paragraph 6.9, Slough add the role of Caldicott Guardian to the Scheme of Delegation to Officers, and that the role be fulfilled by the Head of Adult Social Care.
- (c) That the Terms of Reference for the new Joint Parenting Panel, as set out in Appendix A, be approved for immediate implementation.

3. **Community Strategy Priorities**

None as this report is administrative in nature.

4. **Other Implications**

The Constitution meets the Council's requirements and incorporates all necessary legal requirements.

5. **Supporting Information**

Background

- 5.1 Members are appointed to the Member Panel on the Constitution (MPOC) at the commencement of each municipal year, to undertake a review of constitutional matters where necessary. All Members were recently given the opportunity to raise any matters relating to the Constitution that they wished to be reviewed. The MPOC

met on 21st September 2016 to discuss a number of items and recommended that the Council approve the following amendments:

6. Recommendations for revisions to the Constitution

Meeting Notes at Officer/Member Meetings

6.1 Paragraph 5.8 of the Member/Officer Relations Code, states:

'A note will be taken of all meetings dealing with matters of significance between Members and Officers, setting out where appropriate, advice given and decisions taken and this note will subsequently be circulated to those present'

6.2 Concerns that this process was not always being followed had been raised, and a request was made for meetings to be recorded, for accuracy. The Monitoring Officer has considered this request as it would require a change to the constitution and working practices.

6.3 The Monitoring Officer has proposed that, at the end of the meeting, all parties agree on a note of points agreed/recommendations/actions and both the officer and Member are given a copy. This would ensure clarity about what has occurred/been agreed at the meeting.

6.4 The Code must therefore be amended to reflect this change of process, and wording is set out below:

*'A note will be taken of all meetings dealing with matters of significance between Members and Officers, setting out where appropriate, (1) advice given by officers, (2) decisions taken by officers and Members individually and collectively, and (3) actions arising from the meeting. This note will be agreed by all parties **at the conclusion of the meeting**. The note will subsequently be circulated to those present within 10 working days unless a shorter or longer timeframe is expressly agreed by all parties'*

6.6 It is requested that the Council recommend that the proposed new process, as set out above, be implemented with immediate effect.

Slough's Caldicott Guardian

6.7 The December 1997 Caldicott Report identified weaknesses in the way parts of NHS handled confidential patient data. The report made several recommendations, one of which was the appointment of Caldicott Guardians; members of staff with a responsibility to ensure patient data is kept secure.

6.8 The Caldicott Guardian role is mainly prominent in health organisations but is also relevant for local authorities who undertake social care responsibilities. The Caldicott Guardian plays a key role in ensuring that the organisation satisfies the highest practical standards for handling personal confidential data in a social care setting and acts as the 'conscience' of the organisation.

6.9 It is requested that the Council resolve that Slough add the role of Caldicott Guardian to the Scheme of Delegation to Officers, and that the role be fulfilled by the Head of Adult Social Care.

Reconfiguration of the Corporate Parenting Panel into the Joint Parenting Panel

- 6.10 The establishment of the Slough Children's Services Trust (SCST) in October 2015 required a review of how SBC Councillors and SCST non-executive directors can work together to support the services provided to Looked After Children and Care Leavers.
- 6.11 The proposed re-configuration of the Corporate Parenting Panel into the Joint Parenting Panel aims to strengthen the links between SBC and the SCST and improve the quality of corporate parenting in the borough, delivering improved services to Looked After Children and Care Leavers, and support improved outcomes for those children and young people in our care.
- 6.12 The Joint Parenting Panel would, as the name implies, be a joint meeting giving equal responsibility to both the Council and the Trust. To reflect this, it is proposed that the new Panel be co-chaired by both the Commissioner for Education and Children's Services, as well as a non-executive director of the Trust.
- 6.13 The proposed changes to the Parenting Panel will enable it to be the primary vehicle for both SBC councillors and the Slough Children's Services Trust non-executive directors to demonstrate their joint commitment to delivering better outcomes for Slough's Looked After Children and Care Leavers.
- 6.14 The proposed changes were considered at the Corporate Parenting Panel meeting held on 12th September 2016, and Members of the Panel were in agreement that the meeting be reconfigured into the Joint Parenting Panel.
- 6.15 The Member Panel on the Constitution further endorsed the proposed changes at its meeting on 21st September 2016, where it was recommended that the Joint Parenting Panel provide a quarterly report summarising its actions to the Education and Children's Services Scrutiny Panel. This would allow all Members to provide oversight of the work of the Panel, to ensure that it is working to provide the best outcomes for Slough's Looked After Children and Care Leavers. This requirement has been added to the proposed terms.
- 6.16 The Council is requested to approve the Terms of Reference for the Joint Parenting Panel, as attached at Appendix A, effective immediately.

7. **Appendices**

Appendix A – Joint Parenting Panel Terms of Reference

8. **Background Papers**

December 1997 Caldicott Report

A full copy of the Constitution can be accessed on the Council's website.

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Joint Parenting Panel

Slough Borough Council & Slough Children's Services Trust

Terms of Reference 2016-17

1. Purpose of the Joint Parenting Panel

1.1 The Joint Parenting Panel is a private meeting of the Council, and is the primary vehicle for SBC Councillors and Non –Executive Directors of Slough Children's Services Trust (SCST) to demonstrate their commitment to deliver better outcomes for children and young people in care and care leavers.

1.2 The Joint Parenting Panel is a key mechanism by which both Councillors and Non Executive Directors of SCST can ensure that services meet the needs of children and young people in care and care leavers. In particular this includes:

- high quality care, nurturing supportive and meaningful relationships that encourage their growth of self-esteem, confidence and resilience; enabling young people to cope with change and difficult times
- the highest standard of education which is consistent with the needs and abilities of the child
- opportunities and encouragement for self-development and keeping fit and healthy
- encouragement to take up hobbies, acquiring life skills and being a good citizen
- opportunities for education, employment and training, including open days and work placements, apprenticeships
- assistance with the transition from care to looking after themselves, including the provision of suitable accommodation

2. Responsibilities of the Joint Parenting Panel

2.1 The Joint Parenting Panel should:

- provide clear strategic and political direction in relation to corporate parenting
- ensure that councillors and non-executive directors undertake their annual programme of visits to children's homes
- ensure that the needs of children and young people in care and their carers are prioritised and this is reflected in the Pledge to Slough's children in care.
- receive quarterly reports of key performance and quality indicators (as set out in the

- Corporate Parenting Scorecard) relating to children and young people in care, and identify areas for improvement
- receive regular and/or annual reports on the level and quality of the range of services to children and young people in care and care leavers
- engage with and support the work of the Children in Care Council Reach Out groups
- listen to the views of children, young people and their carers and involve them in the assessment and development of services
- champion the provision of dedicated, specialist council-based work placements and apprenticeships for young people in care
- promote achievement and acknowledge the aspirations of children and young people in care by supporting celebration events and activity days
- meet with Ofsted inspectors where appropriate for their input into inspections
- participate as members of the Slough fostering panel
- agree an annual work plan based on the Corporate Parenting Strategy priorities/Pledge to Looked After Children, reviewing progress, membership of the Panel and the impact they have had on the experiences and progress of children in care and care leavers
- Report formally to the Education and Children's Services Scrutiny Panel and Cabinet/Council as agreed

3. Membership & Operation of Panel

3.1 Membership will be reviewed annually as follows:

- (a) For the Council by the relevant political groups, at the commencement of each municipal year.
- (b) SCST board nominations to the Panel will be received annually at the commencement of each municipal year.

3.2 In order to avoid any potential conflicts of interests, the Chair of the Education and Children's Services Scrutiny Panel and the Council's representatives on the Slough Children's Services Trust Board shall be prohibited from sitting on the JPP as a Panel Member.

3.3 The Quorum of the Panel shall be a minimum of three voting members of the Panel.

Chairing the Panel:

- 3.4 The Chair shall be co-chaired by Slough's Commissioner for Education and Children, and a nominated Non-Executive Director of Slough Children's Services Trust (SCST).
- 3.5 The Chair of the Panel shall alternate at each subsequent meeting, with an equal number of meetings chaired by the Commissioner for Education and Children, and the Non-Executive Director of the SCST.
- 3.6 Vice Chairs shall be confirmed at the commencement of the municipal year, and must include one SBC Member of the Panel, and one Non-Executive Director of the SCST.
- 3.7 If a vote is called, and there are equal numbers of votes for and against, the Chair will have a second or casting vote.
- 3.8 In the absence of the Chair, the Vice-Chair shall preside over the meeting and will retain the Chair's casting vote.

Voting Members:

- 3.9 The Panel will be made up of Voting and Non Voting Members
- 3.10 The members of the Panel that can cast a vote on any matter shall be as follows:
 - Commissioner for Education and Children (Co-Chair)
 - Non Executive Director of Slough Children's Services Trust (Co-Chair)
 - Six Councillors, including the SBC Vice Chair (*All seven elected member appointments to the Panel will be made on a politically proportionate basis)
 - One SCST non-executive director (SCST Vice Chair)

Non voting members

- 3.11 Non Voting members are required to attend all meetings, or to nominate a substitute in the event of their absence.
 - Director of Children's Services, Slough Borough Council
 - Chief Executive, Slough Children's Services Trust
 - Foster carer
 - Reach Out! Group representatives
 - Representative of Children in Care Council
 - Housing representative
 - Thames Valley Police representative
 - LAC Nurse or designated Health services representative
 - Virtual School Head
 - Head of Young People's Service

Meetings

- 3.12 The Panel will meet a minimum of 6 times a year.
- 3.13 Each meeting of the Panel will be based on one of the key themes within the Strategy (based on the Pledge), as agreed at the first meeting of each municipal year by the Panel.

Accountability/Governance

- 3.14 The Panel will provide a quarterly report to the Education and Children's Services Scrutiny Panel setting out work to deliver the Corporate Parenting Strategy. This report will be presented by the SBC Chair of the Corporate Parenting Panel.
- 3.15 The Panel will provide an annual report on its work to deliver the Corporate Parenting Strategy to Cabinet and Council. The report will be presented by the SBC Chair of the Corporate Parenting Panel.
- 3.16 The SCST Chair will present an annual report to the SCST Board.

Administration

- 3.17 The Agenda for each meeting shall be agreed by the Director of Children's Services as part of an ongoing Forward Work Plan for the municipal year. Administrative support will be provided by Democratic Services, who will arrange the meetings of the Panel, maintain the Forward Work Plan and publish the agendas. The agreed agenda will be despatched by Democratic Services five clear days in advance of the meeting.
- 3.18 An officer from Democratic Services will be responsible for the minutes of the meeting and their subsequent circulation. Attendance at meetings and access to the minutes will be restricted to Members of the Panel and those listed under Voting and Non Voting Members, as set out above. Requests from non-members to view the minutes will be considered based on the request fulfilling a valid 'need-to-know' requirement.
- 3.19 The Terms of Reference will be reviewed annually by the Director of Children's Services and the Chief Executive of the SCST. Any revisions must be endorsed by the Member Panel on the Constitution before approval by Council.