

GOVERNANCE COMMITTEE

Appendix 1 Item 64 Overview & Scrutiny Committee 2 December 2008

Brighton & Hove City Council

Subject:	Working relations with the Older People's Council
Date of Meeting:	18 November 2008
Report of:	Director of Strategy & Governance
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Wards Affected:	None

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To report to the Governance Committee on the links and working relations between the Council and the Older People's Council ("the OPC") and recommend certain steps to improve the working relationship by building on existing good practice.

2. RECOMMENDATIONS:

- 2.1 That Members note the information in this report.
- 2.2 That Members recommend to the Cabinet and the Chairs of Overview & Scrutiny Committees the actions set out in paragraph 3.4.1.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 At its meeting on 24 April 2008, the Council resolved to instruct Officers to bring forward a report within the 6 months review period, a report on the links and working relationships between the Council and the OPC. This report provides some background information before proposing certain steps to build on the existing working relationship between the Council and the OPC.
- 3.2 **The Role and Status of the OPC.**
- 3.2.1 The OPC was established by the Council in November 2001. Elections were held in 2003 and again in 2007 to the OPC which consists of 9 people of 60 years of age or above from an electoral register of 40,000 Brighton & Hove residents aged 60 or above. The next elections are in 2011. The City is divided into 9 electoral districts based on council electoral wards for these purposes:

1. North Portslade, South Portslade and Wish
2. Patcham and Withdean
3. Central Hove and Westbourne,
4. Rottingdean and Woodingdean,
5. Hangleton & Knoll, Stanford,
6. Hollingbury & Stanmer, Moulsecoomb & Bevendean,
7. Hanover and Elm Grove, Preston Park, St Peters and North Laine
8. East Brighton, Queens Park and
9. Brunswick and Adelaide, Goldsmid and Regency.

3.2.2 This method of directly electing an Older People’s Council is based on a Danish Model where every Town or City, by law, has to elect a Seniors Council. A small study group of older people and City Councillors from Brighton & Hove visited Denmark in 2000 and were impressed by the difference the Senior Councils made in influencing policy makers and the provision and delivery of services for older people. Following this visit, the Council decided to set up the OPC.

3.2.3 The Brighton & Hove OPC is supported by but independent of the Council. It works in partnership with the Council, the Health Service and other organisations making sure that older people have a say about the services and development of policies that reflect them and the community they live. The OPC’s Constitution provides, among other things;

“the OPC is established to inform the policy and decision-making of Brighton & Hove City Council... including service development, service delivery and resource allocation, with regard to matters that impact on quality of life and the opportunities available for older people in Brighton & Hove.”

3.2.4 The OPC has a code of conduct based on the Code of Conduct for Members. The Council’s Head of Law acts as its “Legal Adviser” for the purposes of ensuring compliance with the Code.

3.3 **The Current Position**

3.3.1 The OPC has a close working relationship with the Council. It is supported by a Senior Officer in the Adult Social Care & Housing Directorate and receives other support in the form of venues for meetings, contribution towards expenses and organising the elections. At least 3 Members of the OPC have been local councillors in the past which helps in the mutual understanding and working relations of the Council and the OPC.

3.3.2 The OPC has a co-optee in the Health Overview & Scrutiny Committee of the Council and receives agendas for Council meetings. Each of the 9 OPC members are assigned a special area of interest so that they can keep abreast of policies and make representations if it is thought there would be an impact on older people in the City. The OPC is also represented in the Community Safety Forum.

3.3.3 Much of the liaison with the OPC takes place informally. The Leader and the Cabinet Member for Community Affairs, Inclusion and Internal Relations have meetings with OPC members in addition to contacts at Officer level. However these are currently not structured or co-ordinated.

3.3.4 The OPC has adopted priorities/a programme of action for 2007-2011. These include:

- **Listening to older people in the city** by organising public events (lectures, conferences, workshops etc.) and working closely with the Pensioners Forum.
- **Publicise the work of the OPC** by developing good relations with representatives of the local media, publishing news about what we do in The Pensioners Newsletter and other community journals and maintaining our own website.
- **Monitor the city council, local health trusts and other providers of goods and services** by making sure that we are represented on the appropriate committees and forums and by listening to the experience of older people using and receiving goods and services.
- **Challenge disadvantage experience by older people** by being watchful to ensure that all older people, regardless of race, creed, sexuality or ability, are given the same access to opportunity as every other member of society and are not discriminated against.
- **Highlight good service and opportunities that promote dignity and independence** by identifying and promoting the practical initiative that allow older people to live independent lives where they want to.
- **Promote the human and civil rights of older people** by encouraging the provision and maintenance of a physical and social environment that enables older people to live productive and fulfilling lives.

3.3.5 Although the OPC's priorities are focused on older people, much of it is consistent with the Council priorities.

3.4 **Proposals for Moving Forward**

3.4.1 The OPC met recently to consider suggestions for improving the working relations between the Council and the OPC. This was followed by a meeting between the Leader of the Council and the Chair of the OPC where there was substantial agreement on the proposals. These are set out below with specific recommendations.

(a) Streamlining Points of Contact

It was proposed that there should be regular scheduled meetings between the Leader, the Cabinet Member for Community Affairs, Inclusion and Internal Relations and other relevant Members with the Chair of the OPC.

Recommendations

It is recommended that there be a quarterly meeting as proposed where issues of common interest are discussed and taken forward as appropriate.

(b) Formalising the Relationship between the Council and the OPC

This included a number of specific proposals as follows:

- (i) Continuation of OPC co-option into the Health Overview & Scrutiny Committee (HOSC).

Recommendation

This continues existing arrangements and it is recommended that the Council agree.

- (ii) Co-option of an OPC member into the Housing and Adult Social Care Overview & Scrutiny Committee.

Recommendation

This has potential unintended implication in that if the OPC is co-opted as a member, it would be difficult to justify excluding other groups such as tenants, young people and people with disabilities.

It is therefore recommended that this is not agreed, but the issue of co-option generally is considered as part of the 6 months review of the constitution.

- (iii) Request that all other Overview & Scrutiny Committees consider OPC co-option.

Recommendation

Formal co-option into the membership of the Overview & Scrutiny Committees is not the best way to address issues of interest to older people as it has some of the adverse effects as discussed under (ii) above. It is therefore not recommended that there be a formal co-option of OPC members. However, the Overview & Scrutiny Committees should be encouraged to take on board representations made by the OPC as part of the Committees work programme and invite OPC members to comment or speak on issues of special direct relevance to older people (for example concessionary bus passes).

- (iv) Co-option of OPC members into Scrutiny Panels where there is an obvious OPC interest.

The Council's Constitution, as it stands, authorises the Overview & Scrutiny Committees, when establishing panels, to co-opt non-councillors. The proposal is therefore consistent with the letter and intent of the constitution and should be supported.

Recommendation

That the proposal is agreed and the Chairman of Overview & Scrutiny Committee be requested to bear this in mind.

- (v) Invite the OPC to give evidence to any Panel convened to examine issues of relevance to older people.

Recommendation

Again this is consistent with the Council's Constitution and Overview & Scrutiny Committees or Panels should be encouraged to invite the OPC to comment if the matter under discussion has particular relevance to older people.

- (vi) Clarification that OPC members co-opted into Committees or Panels are given speaking rights.

Recommendation

Any co-optee to a committee or panel has the same speaking rights as councillor members. There is therefore no specific action needed and that this be just noted

(c) Developing Joint Priorities

At the moment the OPC engages in various initiatives, but there are no priorities jointly shared with the Council. It would be beneficial for both the Council and the PCT to agree 4 or 5 issues they would focus on during the year rather than trying to tackle everything with the risk that none of it receives focused attention. By way of example the OPC suggest the following priorities:

- Public Toilets
- Public Seating
- Public clutter and
- Public Transport (bus links with where older people live – sheltered housing schemes etc.)

Recommendations

- That the Principle of agreeing shared priorities is agreed.
- That the priorities be agreed via the regular meetings with the Leader and actioned as appropriate.

3.5 The Next Steps

- 3.5.1 None of the recommendations in the report involve amendments to the constitution and they are capable of being implemented via the Leader and the Chairman of the overview & Scrutiny Committee. It is therefore proposed to forward the action points to them.

4. CONSULTATION

- 4.1 The proposals in the report were developed in consultation with the OPC and the Leader of the Council.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no financial implications arising from this report.

Finance Officer Consulted: Anne Silley

Legal Implications:

- 5.2 The proposals in the report are consistent with legal requirements and the Council's constitution.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Equalities Implications:

- 5.3 The creation of the OPC and the further improvements to the working relations with the Council outlined in this report have positive contribution to the council's objectives regarding equalities and inclusion. They will ensure that the interests and concerns of older people are taken into account in the decision-making process.

Sustainability Implications:

- 5.4 There are no adverse sustainability implications arising from this report.

Crime & Disorder Implications:

- 5.5 The arrangements will assist in addressing the concerns of older people regarding their safety as the OPC will be able to influence policies through the proposed contacts.

Risk and Opportunity Management Implications:

- 5.6 There are no risks identified from the proposals in this report.

Corporate / Citywide Implications:

- 5.7 The proposals will have positive city-wide implications as they enable more effective representation of the interests of older people.

EXTRACT FROM THE PROCEEDINGS OF THE GOVERNANCE COMMITTEE HELD ON THE 18 NOVEMBER 2008

Present: Councillor Ann Norman (Chairman); Councillor Simpson (Deputy Chairman), Councillors Mrs Brown, Mrs Cobb, Elgood, Mears, Mitchell (OS), Oxley, Taylor and West.

Part One

49. WORKING RELATIONS WITH THE OLDER PEOPLE'S COUNCIL

- 49.1 The Committee considered a report of the Director of Strategy & Governance, concerning the links and working relations between the Council and the Older People's Council (OPC), and how these could be improved by building on existing good practice (for copy see minute book).
- 49.2 The Chairman introduced the report and stated that she hoped the recommendations could be taken forward and that stronger working relations could be developed between the two bodies.
- 49.3 Councillor Mears informed the Committee that as Leader of the Council she had met with the Chair of the OPC to discuss matters and a number of issues that had been raised had been taken on board within the report. She also noted that the Chair was very happy with the report and its recommendations.
- 49.4 Councillor Mitchell stated as the Chairman of the Overview & Scrutiny Commission she welcomed the report and supported the recommendations. She believed it was appropriate to have a co-opted member on the Health Overview & Scrutiny Committee and that other scrutiny committees and ad-hoc panels should take account of the need to involve the designated OPC member for the area in question. She felt that it would be helpful for the Overview & Scrutiny Commission to monitor the situation and would raise it with the Chairmen of the scrutiny committees.
- 49.5 Councillor Taylor referred to the OPC priorities listed in paragraph 3.3.4 and expressed his concern over the contradiction with the promotion of human civil rights, and the fact that a member of the OPC had been told they would have to stand down if they put their name to a political publication.
- 49.6 Councillor Mears stated that the OPC was an independent body and had the authority to determine how it should operate. The council recognised that independence and was seeking to build working relations with the OPC so that both organisations could work together

effectively for the benefit of the city.

49.7 **RESOLVED -**

- (1) That the information in the report be noted; and
- (2) That the actions set out in paragraph 3.4.1 of the report be recommended to the Cabinet and the Chairmen of the Overview & Scrutiny Committees.