

	Cabinet 11 th April 2022
	Report from the Transitional Safeguarding Scrutiny Task Group
Executive Response to the Transitional Safeguarding Task Group Report of the Community and Wellbeing Scrutiny Committee	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
Appendices:	Two Appendix 1: Executive Response to the Transitional Safeguarding Task Group Report of the Community and Wellbeing Scrutiny Committee Appendix 2: Transitional Safeguarding Task Group Report
Background Papers:	None
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Purpose of the Report

- 1.1 The purpose of this report is to present the Cabinet's Executive Response to the Transitional Safeguarding Task Group scrutiny report and

recommendations of the Community and Wellbeing Scrutiny Committee for agreement. The scrutiny report was agreed at the meeting of the scrutiny committee on 22 February 2022. The Cabinet's Executive Response is at Appendix 1 to this report.

2 Recommendation(s)

- 2.1 That the Executive Response to the Transitional Safeguarding Task Group scrutiny report and recommendations of the Community and Wellbeing Scrutiny Committee at its meeting on 22 February 2022, be agreed.

3 Detail

- 3.1 The Community and Wellbeing Scrutiny Committee can commission evidence based reviews of a policy area or function of the local authority, which are led by non-executive members. The Transitional Safeguarding Task Group was established to review the development of transitional safeguarding in Brent.
- 3.2 The evolution of transitional safeguarding practice nationally and the development of transitional safeguarding arrangements in Brent made the creation of the scrutiny task group timely, and has enabled members to review these arrangements at an early stage.
- 3.3 The Task Group was asked to produce a written report with recommendations to Brent Council's Cabinet and/or local NHS organisations. The Task Group's interim report was presented to the Community and Wellbeing Scrutiny Committee on 24 January 2022 which included early feedback on their findings. The Task Group's findings and recommendations were presented to the Community and Wellbeing Scrutiny Committee on 22 February 2022 and it was agreed that its final report should be presented to Cabinet. Its final report is set out in detail at Appendix 2.
- 3.4 In accordance with Part 4 of the Brent Council Constitution, (terms of reference for council committees and subcommittees), Brent Council scrutiny committees may make recommendations to Full Council or the Cabinet with respect to any functions which are the responsibility of the executive or of any functions which are not the responsibility of the executive, or on matters which affect the borough or its inhabitants. The Community and Wellbeing Scrutiny Committee may also make recommendations to the relevant NHS bodies or relevant health service providers or Full Council.
- 3.5 The Cabinet is being asked to consider its Executive response to the Transitional Safeguarding Task Group scrutiny report and recommendations of the Community and Wellbeing Scrutiny Committee recommendations and either agree, reject or agree as amended, the scrutiny recommendations made, as set out in the draft Executive Response attached at Appendix 1 to this report.
- 3.6 Scrutiny committees may not make executive decisions. Scrutiny recommendations therefore require consideration and decision by the appropriate decision maker; usually Cabinet, but also full Council for policy and

budgetary decisions and the NHS where it is the decision maker, in accordance with the terms of reference for scrutiny committees, set out in the Council Constitution.

- 3.7 The scrutiny committee will be notified of the Executive decisions made in respect to the scrutiny recommendations and may track the implementation of the Cabinet decisions. This enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and review any outcomes arising from the scrutiny recommendations, for example, service improvements, value for money savings and outcomes for residents.

4 Financial Implications

- 4.1 It is possible that if a recommendation was accepted and implemented that it may have financial implications for the local authority and/or local NHS organisations. Any financial implications will be reviewed by officers and reported to Cabinet for their consideration and approval.

5 Legal Implications

- 5.1 Section 9F, Part 2 of the Local Government Act 2000, *overview and scrutiny committees: functions*, requires that Executive Arrangements by a local authority must ensure that its overview and scrutiny committees have the power to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are or are not the responsibility of the executive, or on matters which affect the authority's area or the inhabitants of that area.
- 5.2 Section 9Fe, *duty of authority or executive to respond to overview and scrutiny committee*, requires that the authority or executive;-
- (a) consider the report or recommendations,
 - (b) respond to the overview and scrutiny committee indicating what (if any) action the authority, or the executive, proposes to take,
 - (c) if the overview and scrutiny committee has published the report or recommendations, publish the response, within two months beginning with the date on which the authority or executive received the report or recommendations.

6 Equality Implications

- 6.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising their functions to have 'due regard' to the need to:
- a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act;
 - b) advance equality of opportunity; and
 - c) foster good relations between those who share a "protected characteristic" and those who do not.

6.2 This is the Public Sector Equality Duty (PSED). The 'protected characteristics' are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

7 Consultation with Ward Members and Stakeholders

7.1 The relevant Cabinet members and Council directorates have been consulted in drawing up this report.

Report sign off:

Shazia Hussain

Assistant Chief Executive