

## ARTICLE 6 – OVERVIEW AND SCRUTINY FUNCTIONS

### 6.1 Terms of reference

The Council will appoint the committees set out in the left hand column of the table below to discharge the overview and scrutiny functions conferred by section 21 of the Local Government Act 2000 or regulations made thereunder, or any legislation of similar intent, in relation to the matters set out in the right hand column of the same table.

Committee	Functions
	<p>1 Scrutinising:-</p> <p>(a) Any item within the Committee’s remit contained in Forward Plan, which it is intended to present to the Executive for decision (provided that no item will be subject to “call forward” scrutiny less than 20 clear working days prior to the date on which that item was due to be considered by the Executive)</p> <p>(b) Any decision made by the Executive before it is implemented (“Call-In”), within the Committee’s remit.</p> <p>(c) Any decision made by the Executive following its implementation to measure its effect.</p> <p>(d) Any “policy” decisions of a Regulatory Committee to measure its effect.</p> <p>(e) Any Key Decision delegated to an officer by the Executive.</p> <p>2 Reviewing the performance of the Executive and of Regulatory Committees</p> <p>3 Policy Review and development within the Committee’s remit (see below).</p>

<b>Corporate Scrutiny Committee</b>	<p>Key focus on strategic business and corporate processes and audit.</p> <p>Scrutinise, monitor and make recommendations on internal processes including corporate planning, financial management / budget setting, performance management framework, audit committee responsibilities, best value reviews, risk management and relevant corporate policies such as procurement, human resources, e-government etc.</p>
<b>Community Scrutiny Committee</b>	<p>Key focus on service delivery and community issues.</p> <p>Scrutinise and monitor council services and make recommendations to improve any under-performing services.</p> <p>Exercise external scrutiny role alongside major partners of the Council. Form close links with the Local Strategic Partnership and associated community planning arrangements.</p>
<b>Joint Overview and Scrutiny Committee</b>	<p>Consisting of the Corporate Scrutiny and Community Scrutiny Committees</p> <p>Exercising the functions of the Corporate Scrutiny and Community Scrutiny Committees jointly.</p>

## 6.2 General role

Within their terms of reference, the Committees discharging overview and scrutiny functions will

- (i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions, except that, in the case of Regulatory Committees, the role will be restricted to review and scrutiny of policy and operational procedures and not of an individual decision on any matter.
- (ii) make reports and/or recommendations to the full Council and/or the Executive and/or any joint committee in connection with the discharge of any functions;
- (iii) consider any matter affecting the area or its inhabitants; and
- (iv) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive.

## 6.3 Specific Functions

- (a) **Policy development and review.** The appropriate Committee may:

- (i) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
- (ii) conduct research, community and other consultation on any issue within their terms of reference;
- (iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) question members of the Executive and committees and the Chief Executive, appropriate Corporate Directors, Monitoring Officer, Section 151 Officer and Group Managers about their views on issues and proposals affecting the area; and
- (v) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

(b) **Scrutiny.** The appropriate Committee may:

- (i) review and scrutinise the decisions made by and performance of the Executive and committees and council officers both in relation to individual decisions and, over a period of time, subject to the exception in paragraph 6.2 (i) in respect of Regulatory Committee functions;
- (ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) question members of the Executive and committees and the Chief Executive, appropriate Corporate Directors, Monitoring Officer, Section 151 Officer or Group Managers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) make recommendations to the Executive and appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (v) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance; and
- (vi) question and gather evidence from any person (with their consent).

- (c) **Finance.** The Committees responsible for discharging Overview and Scrutiny functions may exercise overall responsibility for any finances made available to them.
- (d) **Reports.** The Committees responsible for discharging Overview and Scrutiny functions must report to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.
- (e) **Officers.** The Committees responsible for discharging Overview and Scrutiny functions will exercise overall responsibility for the work programme of any officers employed to support their work.

#### 6.4 **Proceedings of Committees Discharging Overview and Scrutiny functions**

The Committees responsible for discharging Overview and Scrutiny functions will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

#### 6.5 **Overview and Scrutiny Co-ordinating Group**

- (a) The membership of this group will comprise the Chairman and Deputy Chairman of both Overview & Scrutiny Committees. The chairmanship of the Group will be rotated between the Chairmen every four months.
- (b) The Group meets every two months or on such other occasions as may be required. The Leader of the Council will be invited to attend these meetings on a periodic basis for forward planning purposes.
- (c) The Group has the following remit:
  - To co-ordinate the work of the Overview & Scrutiny Committees.
  - To arbitrate and avoid duplication in work activities
  - To agree and set annual work programmes for each of the Overview & Scrutiny Committees on the recommendations from the individual Committees
  - To monitor progress and agree methods of working across the Overview & Scrutiny Committees.