

ARTICLE 6 – THE OVERVIEW AND SCRUTINY COMMITTEE

6.1 TERMS OF REFERENCE

The Council will appoint an Overview and Scrutiny Committee to discharge the functions conferred by Section 21 of the Local Government Act, 2000, or regulations under Section 32 of the Local Government Act 2000. This Committee is also the Council's designated crime and disorder committee under Section 19 of the Police and Justice Act 2006.

- The general terms of reference of the Overview and Scrutiny Committee are: to perform all overview and scrutiny functions on behalf of the Council;
- to appoint such formal sub-committees and informal task and finish groups as it considers necessary to assist it in discharging its functions;
- to prepare and approve the overview and scrutiny work programme so as to ensure that the Committee's time is effectively and efficiently utilised;
- to undertake investigations into such matters relating to the Council's functions and powers as:
 - (1) may be referred by the Council, Committees, the Cabinet, or the Leader; or
 - (2) the Committee may consider appropriate; or
 - (3) have been referred to the Committee pursuant to the "call-in" procedure set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution. (These can be decisions taken by the Cabinet, a Cabinet Member, key decisions taken by an officer or under joint arrangements).
- to monitor and review the performance of the Council and services against relevant performance indicators and adopted plans;
- to review and/or scrutinise decisions proposed to be made (pre-decision scrutiny) or actions taken in connection with the discharge of any of the Council's functions;
- to review existing policy and strategy with a view to securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness;

- to make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions;
- to review and/or scrutinise any matter affecting the area or its inhabitants;
- to discuss initiatives put forward for consideration by individual members of the Committee and any relevant ‘call-for-action’ in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution; and
- to consider petitions referred to the Overview and Scrutiny Committee in accordance with provisions set out in the Petition Scheme set out in Part 4 of this Constitution.

6.3 **SPECIFIC FUNCTIONS**

(1) **Scrutiny**

The Overview and Scrutiny Committee may :

- review and scrutinise the decisions made by the Cabinet and officers both in relation to individual decisions and decisions on on-going issues;
- question Cabinet Members and chief officers 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; or in relation to the portfolios of the Leader or of lead councillors.
- make recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process;
- review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to report on their activities and performance;
- question and gather evidence from any person (with their consent) and require information from partner organisations; and
- use innovative ways to scrutinise matters of concern; the issue being investigated should be matched to the most appropriate process.

(2) **Performance Management and Review**

The Overview and Scrutiny Committee will make arrangements to:

- review and scrutinise the performance of the Council in relation to its policy and budgetary objectives, performance targets and/or particular service areas;
- undertake performance reviews of the Council's functions as appropriate and prepare the appropriate reports for the Cabinet and the Council;
- monitor and review the outcomes of performance and process reviews and make further recommendations where necessary; and
- consider the policy implications arising from reviews for other functions and services.

(3) **Policy Review**

The Overview and Scrutiny Committee may :

- conduct research and community and other consultations in carrying out review of existing policies and strategies.
- question Cabinet Members, Committee Chairmen and chief officers about their views on issues and proposals affecting the area; and
- 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.

(4) **Finance**

The Overview and Scrutiny Committee may exercise overall responsibility for any finances made available to it and may request a budget.

(5) **Annual Report**

The Overview and Scrutiny Committee shall report annually to the full Council on the outcomes of its work for the year.

6.4 **PROCEEDINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Overview and Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of the Constitution. Committee meetings will normally be open to the public.

6.5 **COMPOSITION**

The arrangements with respect to the composition of the Overview and Scrutiny Committee will be as follows:

- The Committee will have a maximum of eleven Members and, in accordance with the provisions of the Local Government and Housing Act 1989, will reflect the political balance of the Council.
- The Committee may appoint up to two Vice-Chairmen, to focus on different areas of responsibility, for example internal corporate matters, and external community and environmental issues. Role descriptions for the vice-chairmen of the Overview and Scrutiny Committee are set out in Article 2 of the Constitution.
- The Committee will be able to co-opt external representatives or appoint advisers as it sees fit in a non-voting capacity.
- No member of the Cabinet will normally be entitled to sit on the Committee. Where the Committee or other body appointed by it is undertaking a review, the appropriate Member of the Cabinet will be entitled to be present.
- Membership of both the Overview and Scrutiny Committee and the Policy and Project Advisory Board does not inevitably create a conflict of interest.

6.6 TASK AND FINISH GROUPS

The Overview and Scrutiny Committee will have responsibility for establishing such Task and Finish Groups as it considers necessary to assist it in discharging its functions. The working arrangements for each Task and Finish Group will be determined by the Committee

All Members, whether or not they are members of the Overview and Scrutiny Committee, may be appointed to a Task and Finish Group. However, no Member may be involved in scrutinising a decision in which he or she has been involved directly.

6.7 WORKING ARRANGEMENTS – PROGRESS MEETINGS

The Chairman and Vice-Chairmen of the Overview and Scrutiny Committee, together with cross-party representatives will meet regularly between meetings to develop, manage and update the Committee's work programme, plan agendas, and co-ordinate task and finish groups.