

## PART 7

## OVERVIEW AND SCRUTINY ARRANGEMENTS

## 7.1 SCRUTINY COMMITTEES

7.1.1 The Council will appoint a Strategic Monitoring Committee and the five Scrutiny Committees set out below to discharge the functions conferred by Section 21 of the Local Government Act 2000

[Adult Social Care and Strategic Housing](#)

[Statutory functions for adult social services including Learning Disabilities, Strategic Housing, Supporting People and the emerging Public Health Agenda.](#)

[Children's Services](#)

[Functions conferred on or exercisable by the Council in its capacity as a local education authority;](#)

[functions conferred on or exercisable by the Council which are social services functions \(within the meaning of the Local Authority Social Services Act 1970 \(c.42\)\) so far as those functions relate to children;](#)

[the functions conferred on the Council under sections 23C to 24D of the Children Act 1989 \(c.41\)\(so far as not falling within the above paragraph;](#)

[the functions conferred on the Council under sections 10 to 12 and 17 of the Children Act 2004;](#)

[any functions exercisable by the Council under section 31 of the Health Act 1999 \(c.8\) on behalf of an NHS body \(within the meaning of that section\) so far as those functions relate to children; and](#)

[any such functions as the Council considers appropriate](#)

Community Services

Libraries, cultural services including heritage and tourism, leisure services, parks and countryside; community safety; economic development and youth services.

Health	<p>To review and scrutinise any matter relating to the planning provision and operation of health services affecting the area and to make reports and recommendations on these matters.</p> <p>To focus on health improvement bringing together the responsibility of the Council to promote social, environmental and economic well-being and the power to scrutinise local services provided and commissioned by the National Health Service.</p>
Environment	The Environment and Highways and Transportation programme areas.
Strategic Monitoring Committee	The Corporate Strategy and Finance; Resources and Corporate and Customer Services and Human Resources programme areas.

**7.1.2** The Membership of the Scrutiny Committees is set out at Appendix **19**.

## **7.2 STRATEGIC MONITORING COMMITTEE**

### **7.2.1 Terms of Reference**

**7.2.1.1** The Strategic Monitoring Committee's role will be:

- To examine, on behalf of the Council, the strategic policy direction and priorities being followed and make recommendations;
- To approve an annual overview and scrutiny work programme for itself and the five Scrutiny Committees, to ensure that there is an efficient use of these committees' time, and the potential for duplication of effort is minimised;
- Where matters fall within the remit of more than one Scrutiny Committee, to determine which of those committees will assume responsibility for any particular issue, and to resolve any issues of dispute between the Scrutiny Committees;
- To receive requests from the Executive and/or Council for reports from Scrutiny Committees and to allocate them if appropriate to a Scrutiny Committee;
- To put in place and maintain a system to ensure that referrals from Scrutiny Committees to the Executive, either by way of report or for reconsideration are managed efficiently and do not exceed the limits set out in this Constitution;

- In the event of reports to the Executive exceeding limits in this Constitution, or if the volume of such reports creates difficulty for the management of Executive business or jeopardises the efficient running of Council business, at the request of the Executive, to make decisions about the priority of referrals made;
- To have the powers of a scrutiny committee in relation to Executive decisions made, but not implemented as set out in Section 21 (3) (a) and (b) Local Government Act 2000, (call in) in relation to its own remit.
- To exercise the oversight and co-ordinating role in relation to the call-in powers of other scrutiny committees set out in the Scrutiny Committee Procedure Rules;
- To determine the Annual Best Value Review Programme and monitor and review those programmes reporting to Council on progress annually;
- To undertake the scrutiny role in relation to the Corporate Strategy and Finance; Resources and Corporate and Customer Services and Human Resources programme areas.
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### **7.2.2 Composition of the Strategic Monitoring Committee**

**7.2.2.1** The Strategic Monitoring Committee will comprise the Chairmen and Vice-Chairmen of the Scrutiny Committees and such other Councillors as the Council may appoint to it.

**7.2.2.2** The Chairman and Vice-Chairman of the Strategic Monitoring Committee will be appointed by the Council. The Chairman and Vice-Chairman will have the right to attend Cabinet and speak, and will present draft reports of the Committee direct to Cabinet, prior to their consideration by the Council.

**7.2.2.3** For the avoidance of doubt reference in this Constitution to the Scrutiny Committees shall include reference to the Strategic Monitoring Committee unless otherwise stated.

## **7.3 GENERAL ROLE AND REMIT OF SCRUTINY COMMITTEES**

**7.3.1** Within their terms of reference, each of the Scrutiny Committees will:-

- Review and/or scrutinise decisions made or actions taken in connection with the discharge of any functions, whether or not they are the function of the Executive.
- Make reports and/or recommendations to the Council Meeting (normally via the Strategic Monitoring Committee) and/or the Executive in connection with the discharge of any functions whether or not they are the responsibility of the Executive.
- Have the power to consider any matter affecting the area or its inhabitants.
- Exercise the right to call in for reconsideration, decisions made by the Executive, but not yet implemented; in accordance with the Procedure Rules at Appendices 1-3.

- Report to the Strategic Monitoring Committee, which will report in turn to Council.
- Be responsible for carrying out Best Value Reviews as required by the Local Government Act 1999 and for monitoring the effectiveness of the Improvement Plans and their implementation proposed by the Executive, in response to Best Value Reviews.


**7.3.2** Scrutiny Committees may:

- Respond to requests from the Executive for assistance in policy development framework;
- Respond to consultation on the Executive's budgetary proposals;
- Liaise with external organisations operating in the area, whether national, regional or local in the fulfilment of their role to ensure that the interests of local people are enhanced by collaborative working;
- Report annually through the Strategic Monitoring Committee to the Council Meeting on their work and make recommendations for future work programmes and amended working methods if appropriate.
- Invite public participation in their meetings and work.
- Receive information, evidence and presentations from internal experts and other witnesses.

**7.3.3 Proceedings of Scrutiny Committees**

**7.3.3.1** Scrutiny Committees will conduct their proceedings in accordance with Part 5 of the Constitution and the rules for Scrutiny Committees set out at Appendix 2.

**7.3.4 Co-opted Members**

**7.3.4.1**  The Scrutiny Committees may co-opt persons who are not members of the Council to assist them in their work. Co-opted members will have the right to request that items are included on the agenda, may speak at meetings but, with the exception of those who are specifically entitled by statute so to do, may not vote.

**7.3.4.2** The Children's Services Scrutiny Committee will include Church representatives with voting rights and Parent Governor representatives with voting rights as required by statute.