

Article 6 - Overview & Scrutiny Committees

Access to Information Regs 2000 – Reg 18 – Sections 21 and Schedule 1 para 7

Local Government Act 2000 – Constitutions Direction – Para 3(k)

6.01 Terms of Reference

The Council will have the two Committees to undertake the Overview and Scrutiny functions. The scope of activity for each of these is set out in the table below.

The prime purpose of the Overview and Scrutiny committee is to review items to be considered by the Executive, to review past decisions, policy development, specific issues, and problems within the following service areas:-

Environmental Services, Economic Services, Cultural Services, Housing Services and Customer and Community Services portfolios

It will also be able to address any other matter not otherwise delegated to the Audit and Resources Overview and Scrutiny Committee.

The prime purpose of the Audit and Resources Overview and Scrutiny Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, issues of an audit nature and to oversee the financial reporting process.

It may also review past decisions, policy development, specific issues, and problems within the following service areas:-

Democratic Representation, Corporate Management, Electoral Services, Council Support services, Resource Management, and Commercial Property Management

6.02 **General role**

Within their terms of reference, overview & scrutiny committees will:

- i) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- ii) make reports and/or recommendations to the full Council and/or the executive and/or any policy, joint or area committee in connection with the discharge of any functions;
- iii) consider any matter affecting the area or its inhabitants;
- iv) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive and/or any policy or area committees; and
- v) agree the terms of reference of best value reviews

6.03 **Specific functions**

(a) **Policy development and review.**

Overview & scrutiny committees 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 in the analysis of policy issues and possible options;
- iii) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- iv) question members of the executive and/or committees and chief officers 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**

Overview & scrutiny committees may:

- i) review and scrutinise the decisions made by and performance of the executive and/or committees and council officers both in relation to individual decisions and over time;
- 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/or committees and chief officers about their decisions and performance of their services, 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/or appropriate committee and/or Council arising from the outcome of the scrutiny process;
- v) best value: carry out fundamental reviews of Council services in conjunction with the Executive

- vi) 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 policy committees and local people about their activities and performance; and
 - vii) question and gather evidence from any person (with their consent).
- (c) **Finance**
Overview and scrutiny committees may exercise overall responsibility for the finances made available to them (if any).
- (d) **Annual report**
Overview and scrutiny committees must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.
- (e) **Audit and Resources Overview and Scrutiny Committee**
The prime purpose of the Audit and Resources Overview and Scrutiny Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

In addition to the general role of Audit and Resources Overview and Scrutiny Committee, the Committee will also:

- Approve (but not direct) internal audit's strategy, plan and performance
 - Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary
 - Consider the reports of external audit and inspection agencies
 - Consider the effectiveness of the authority's risk management arrangements, the control environment and associated anti fraud and anti corruption arrangements.
- Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.
- Be satisfied that the authority's assurance statements, properly reflect the risk environment and any actions required to improve it
 - Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
 - Review the financial statements, external auditor's opinion and report to members, and monitor management action in response to the issues raised by external audit.

6.04 Proceedings of overview and scrutiny committees

Overview and scrutiny committees will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules and the Council procedure rules (in part) as set out in Part 4 of this Constitution.

6.05 Task and Finish Groups

An Overview and Scrutiny Committee may each at any time instruct an officer, in consultation with a group of named members, to establish a Task and Finish Group to undertake a particular review and make recommendations thereon, either at the volition of the Committee or in response to a request from the Executive Cabinet for such a review.

6.06 Such Task and Finish Groups are not Committees or Sub-Committees and are not subject to a requirement for political proportionality, it being customary for any member with an interest or expertise in the particular topic to be included in such a consultative group.

6.07 Political balance

The allocation of seats to political groups will be made in accordance with the political balance rules and where there is an uneven number of seats then the odd seat shall:-

- Option (a) always be offered to the administration*
- Option (b) always be offered to the opposition*
- Option (c) be in the discretion of the Leader (**the current position**)*
- Option (d) be offered to the Group Leaders in rotation*