

8. Overview and scrutiny committees

Current	Suggested	Comments
<p><b>8. Overview and scrutiny committees</b></p> <p style="text-align: center;"><i>Terms of reference</i></p> <p>8.1 The Council will appoint the overview and scrutiny committees specified in the <i>Responsibility for Functions</i> to discharge between them the functions conferred by section 21 of the Local Government Act 2000, namely –</p> <p style="text-align: center;"><i>General role</i></p> <p>8.2 Within their terms of reference, the Overview and Scrutiny Management Board and overview and scrutiny select commissions will between them –</p> <ul style="list-style-type: none"> <li>• review or scrutinise decisions or review and scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions;</li> <li>• make reports or recommendations to the full Council or the Cabinet (or both) and to a joint committee, <sup>3</sup> in connection with the discharge of any of the Council’s functions;</li> <li>• exercise in the case of the Overview and Scrutiny Management Board right to call-in for reconsideration decisions made but not yet implemented by the executive;</li> <li>• under the Council’s scheme for handling petitions <sup>4</sup>, <ul style="list-style-type: none"> <li>○ make reports or recommendations in response to petitions referred by the Council;</li> <li>○ question senior officers in response to qualifying petitions holding officers to account;</li> <li>○ review the Council’s response to petitions upon request by the petition organiser.</li> </ul> </li> </ul> <p>8.2A The Overview and Scrutiny Management Board shall consider the plan of key decisions referred to in Rule 7 of the Executive Procedure Rules on a regular basis and shall identify decisions to be scrutinised and shall also meet prior to the each meeting of the Cabinet to consider what recommendations to make to the Cabinet to consider what recommendations to make to the Cabinet in respect of matters on the agenda for the Cabinet meeting. <sup>5</sup></p> <p style="text-align: center;"><i>Policy development and review</i></p> <p>8.3 Overview and scrutiny select commissions may –</p> <ul style="list-style-type: none"> <li>• assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;</li> <li>• consult with local communities and others, in the analysis of policy issues and possible options<sup>6</sup>question members of the Cabinet and committees and chief officers about their views on issues and proposals affecting the borough; and</li> <li>• liaise with other external organisations operating in the borough, whether national, regional or local, to ensure that the interests of local communities are enhanced by collaborative working.</li> </ul> <p style="text-align: center;"><i>Scrutiny</i></p>	<p><b>8. Overview and scrutiny committees</b></p> <p style="text-align: center;"><i>Terms of reference</i></p> <p>8.1 The Council will appoint the overview and scrutiny committees specified in the <i>Responsibility for Functions</i> to discharge between them the functions conferred by Section 21 of the Local Government Act 2000, and <b>Overview and Scrutiny: Statutory Guidance for councils, combined authorities and combined county authorities (2024)</b><sup>1</sup> namely<sup>2</sup> –</p> <ul style="list-style-type: none"> <li>• to scrutinise the decisions that the executive function or Cabinet is planning to take, those it plans to implement, and those that have already been taken/implemented;</li> <li>• to make reports or recommendations to the authority about the discharge of its respective functions;</li> <li>• to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive;</li> <li>• to make reports or recommendations on matters that effect the Borough or the Borough’s inhabitants.</li> </ul> <p style="text-align: center;"><i>General role</i></p> <p>8.2 Within their terms of reference, the Overview and Scrutiny Management Board and overview and scrutiny commissions will between them –</p> <ul style="list-style-type: none"> <li>• review or scrutinise decisions or review and scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions;</li> <li>• make reports or recommendations to the full Council or the Cabinet (or both) and to a joint committee, in connection with the discharge of any of the Council’s functions;</li> <li>• review and scrutinise the performance of other public bodies in the Borough and invite reports from them by requesting them to address the Committees and local people about their activities and performance;</li> <li>• exercise in the case of OSMB, the right to call-in for reconsideration decisions made but not yet implemented by the executive</li> <li>• consider under the Council’s scheme for handling petitions, a public petition to Council reaching the threshold for debate at Council and/or referral to overview and scrutiny</li> <li>• question and gather evidence from any person (with their consent);</li> <li>• consider any requests submitted by a member of the Council under the Councillor Call for Action procedure.</li> </ul> <p>8.3 The Overview and Scrutiny Management Board shall consider the plan of key decisions referred to in Rule 7 of the Executive Procedure Rules on a regular basis and shall identify decisions to be scrutinised and shall also meet prior to each meeting of the Cabinet to consider what recommendations to make to</p>	<p>1) this corresponds with para 1) overview and scrutiny procedure rules</p> <p>2) this reflects stat. guidance and LGA 2000</p> <p>3) administrative – area assemblies disbanded</p> <p>4) Administrative change Consistency with Part VI ‘Petitions’ O&amp;S Procedure Rules</p> <p>5) Renumber para 8.2A to 8.3 and other paras accordingly</p>

<p>8.4 The Overview and Scrutiny Management Board and overview and scrutiny select commissions may between them –</p> <ul style="list-style-type: none"> <li>• review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and particular service areas;</li> <li>• question members of the Cabinet and committees 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;</li> <li>• make recommendations to the Cabinet, the committees and the Council arising from the outcome of the scrutiny process;<sup>9, 10</sup></li> </ul> <p>11</p> <p style="text-align: center;"><i>Annual report</i></p>	<p>the Cabinet to consider what recommendations to make to the Cabinet in respect of matters on the agenda for the Cabinet meeting.<sup>5</sup></p> <p style="text-align: center;"><i>Policy development and review</i></p> <p>8.4 Overview and scrutiny commissions may –</p> <ul style="list-style-type: none"> <li>• assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;</li> <li>• question members of the Cabinet and committees and chief officers about their views on issues and proposals affecting the Borough;</li> <li>• question statutory partners and representatives of other partner agencies and public bodies about their views on issues, activities and proposals affecting the Borough;<sup>7</sup></li> <li>• review and scrutinise the decisions made by, and performance of, the executive and committees and council officers both in relation to specific decisions and generally;</li> <li>• conduct research, community and other consultation in the analysis of policy issues and possible options; and</li> <li>• liaise with other external organisations operating in the borough, whether national, regional or local, to ensure that the interests of local communities are enhanced by collaborative working.</li> </ul>	<p>6) Re-word – repetitive</p> <p>7) New – outlines duties re. partners in line with Statutory Guidance</p>
<p>8.6 The Overview and Scrutiny Management Board will report annually to the full Council on the operation of overview and scrutiny select commissions and make recommendations where appropriate for future work programmes and amended working methods.</p> <p>11</p> <p style="text-align: center;"><i>Proceedings of overview and scrutiny committees</i></p>	<p style="text-align: center;"><i>Scrutiny</i></p> <p>8.5 The Overview and Scrutiny Management Board and overview and scrutiny commissions may between them –</p> <ul style="list-style-type: none"> <li>• review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and particular service areas;</li> <li>• question members of the Cabinet and committees 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;</li> <li>• review and scrutinise the performance and actions of other public bodies and statutory partners in relation to their activities in the borough;<sup>8</sup></li> <li>• make recommendations to the Cabinet, the committees and the Council arising from the outcome of the scrutiny process.</li> </ul>	<p>8) Add partners and public bodies reflecting stat scrutiny powers</p> <p>9) Issues highlighted in yellow moved to para 8.2</p> <p>10) edited as some repetition between paragraphs</p>
<p>8.8 Overview and scrutiny committees will conduct their proceedings in accordance with the <i>Overview and Scrutiny Procedure Rules</i>.</p>	<p style="text-align: center;"><i>Annual report</i></p> <p>8.6 The Overview and Scrutiny Management Board will report annually to the full Council on the operation of overview and scrutiny select commissions and make recommendations where appropriate for future work programmes and amended working methods.</p> <p style="text-align: center;"><i>Proceedings of overview and scrutiny committees</i></p> <p>8.7 Overview and scrutiny committees will conduct their proceedings in accordance with the <i>Overview and Scrutiny Procedure Rules</i>.</p>	<p>11) Delete – scrutiny does not have its own budget</p>

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